

Like other nations around the world, tribes and their leaders struggle to preserve and enhance their political sovereignty, establish sound economies, and ensure the well being of their citizenry. Events and trends of the last decade have forced tribes to spend an unprecedented amount of time and resources fighting critical legislative and court battles to protect their inherent sovereignty, challenge misperceptions of vast and widespread casino wealth, and navigate through evolving relations with other governments at the federal, state and local levels. While all important matters, I would like to suggest that the most ambitious challenge facing Indian Country can be posed in a single question: How can Indian tribes build and sustain healthy, prosperous nations?

Successful Indian nations assert the right to govern themselves and exercise that right effectively by building capable and culturally appropriate institutions of self-governance. Neither economic development nor the other cultural and social goals of Native nations can take hold without sovereignty backed by effective self-government. The importance of effective self-governance and governmental performance to the American Indian nation building process cannot be overstated. Although the need to continue defending tribal sovereignty in outside arenas remains pronounced, too little attention has been placed on exercising the very sovereignty tribes seek to preserve.

How can Indian tribes build and sustain healthy, prosperous nations? Sovereignty is hollow unless it is backed by institutions that, at the most basic level, can “get things done.”

Like others in the community of governments, tribal governments’ responsibilities are tremendous. They create and institutionalize the “rule of law” rather than the rule of personalities and politics; they manage human and natural resources often in the midst of jurisdictional uncertainty; they administer social and cultural programs upon which citizens depend; and they negotiate with other governments and entities. The degree to which an Indian nation is able to perform these and other functions effectively has a direct impact on the nation’s overall well being and future outlook. Indeed, a core challenge of any nation, whether in Eastern Europe, Latin America, Africa or Indian Country, is to build governing institutions that advance the common good and meet the needs of the citizens they serve. Therefore, if we are concerned about the future of Native America, we need to take seriously questions of tribal governance.

*Governmental excellence requires tribal governments to identify key problems facing their nations and craft solutions with measurable results.* Whether confronting extraordinarily high rates of suicide or developing an economic development corporation to counter environmental degradation on subsistence lands, it is important for tribal governments to possess clearly defined missions for addressing compelling problems. Equally important, effective tribal governments seek – and produce – outcomes that can be measured. From greatly improving the preparedness of Native high school students to attend institutions of higher education to building partnerships with other Indian nations to address common concerns, exemplary tribal government programs are administered by public servants who understand that tribal government

activities must produce positive and clear results. Missions and measurements allow tribes to understand where they are and provide a roadmap for where they are going.

✦ *Good tribal governance involves “real” exercises of sovereignty.* Exemplary tribal government programs strengthen their nations’ abilities to exist as self-governing sovereigns. When tribal governments spend most of their time insisting that “others” are responsible for creating and solving their problems, they miss opportunities to develop sovereign solutions. The truly path-breaking Indian nations control or offer fruitful input to hard problems, work to increase the respect that other governments have for them, and build institutions that transform sovereignty into a practical reality. The exercise of sovereignty creates a cultural shift towards self-reliance with quantifiable results. For example, some tribes have overseen the development of new information management systems, and others have developed government-to-government memoranda that ensure Indian nations a seat at the table.

*Effective tribal governments are agents of innovation and are willing to break the status quo.* Successful tribal government initiatives are frequently those that craft a distinctly “Indian” solution, whether that is the incorporation of old ways or new Native approaches. Culture and tradition can, and often should, serve as the foundation upon which programs are built. For many Indian nations, the efficiency and efficacy of governmental activities – from wildlife management to health and wellness programs, and from victim services to support for the arts – is greatly improved when cultural appropriateness is considered. Tribes can achieve astonishing success (on their own terms) if they are willing to take risks or draw from Native cultural tradition to develop innovative approaches to pressing, and often longstanding, community needs.

✦ *Successful tribal government activities are institutionalized.* In Indian Country, it is frequently the case that tribal government initiatives have a lifespan only as long as the political life of their most active supporters. Yet to be truly successful, innovations must outlast their initial implementers. Because short-lived quick fixes fail to solve problems and deplete the resources and capacity of governing institutions, tribal leaders and program managers should institutionalize programs, practices and initiatives to assure their ongoing success.

*Fair and Effective Mechanisms for Dispute Resolution.* Governing institutions have to be able to provide consistently non-politicized and fair dispute resolution in order to assure people that their claims and disputes will get a “fair shake.” Unfortunately, many tribes possess inadequate court systems, and in some cases, the court and its decisions are under the direct control of tribal politicians. This is not a promising environment for potential investors.