



NNI research *report*

sharing research and information on
indigenous governance, development, and policy

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I. NNI Research


Recent work by staff and affiliates of the Native Nations Institute

 **Cornell, Stephen, and Joseph P. Kalt. 2005. “Two Approaches to Economic Development in American Indian Nations: One Works, the Other Doesn’t.” Joint Occasional Papers on Native Affairs No. 2005-02. Native Nations Institute for Leadership, Management, and Policy, University of Arizona (Tucson, AZ), and Harvard Project on American Indian Economic Development, Harvard University (Cambridge, MA).**

www.jopna.net

From the forthcoming book, tentatively entitled, *Resources for Nation Building: Governance, Development, and the Future of American Indian Nations*, by Miriam Jorgensen and Stephen Cornell, editors. Reprinted by permission of the University of Arizona Press.

A revolution is underway in Indian Country as American Indian nations in increasing numbers take back control over their own affairs and take responsibility for reshaping their futures—efforts that are leading to unprecedented economic success and the alleviation of poverty. Significantly, this success does not appear to be tied directly to the Native nations’ asset bases or market locations. Instead, it is tied to the invention of a new approach to economic development, which the authors term the “nation-building approach.” This paper compares the “standard approach,” long supported by the U.S. government and by some Indian nations, to the nation-building approach. The two approaches are very different, and they have led to dramatically different outcomes. The standard approach has four leading characteristics. It is short-term and non-strategic; it lets outsiders set the development agenda; it treats economic development as fundamentally an economic problem, ignoring its political dimensions; and it views indigenous cultures as an obstacle to development. Decades of effort using the standard approach have produced little change in indigenous socioeconomic conditions. In contrast, the nation-building approach puts genuine, decision-making power in indigenous hands; it backs up that power with capable institutions of self-governance; it matches those institutions to indigenous political culture; it has a strategic orientation toward long-term outcomes; and it is guided by public-spirited leadership. Over the last twenty-five years, this approach has begun to produce significant improvements in reservation socioeconomic conditions.

 **Cornell, Stephen. 2005. “Indigenous Peoples, Poverty, and Self-determination in Australia, New Zealand, Canada, and the United States.” In Robyn Eversole, John-Andrew McNeish, and Alberto Cimadamore, eds., *Indigenous Peoples and Poverty: An International Perspective*. Zed Books (London).**

zedbooks.co.uk

Australia, New Zealand, Canada, and the United States share certain characteristics. All four are predominantly European-settler societies. All are English-speaking. Their legal and political systems, while different, share a primarily English heritage. They also share a particular pattern of relationships with indigenous peoples. In all four, European settlement dispossessed—often violently—indigenous peoples of their lands. But in all four, remnant indigenous peoples remain today on remnant lands, and in all four, those peoples are engaged to one degree or another in movements for indigenous self-determination. There is another commonality among these countries: In all four, central governments have tended to be more willing to address issues of indigenous poverty than issues of indigenous self-determination. But what if the two are connected? This

paper argues that there is strong evidence from the United States that effective solutions to indigenous poverty depend on, among other things, indigenous self-determination. After making the case for comparative analysis among these four settings, it summarizes the U.S. evidence and considers its applicability to the situations of indigenous peoples in the other three countries. It also argues that while indigenous self-determination and self-governance are keys to positive economic change, self-determined indigenous governance in these countries is likely to be diverse, and that a single form of self-governance is unlikely to work across groups or across countries.


II. Recommended Reading

Materials that NNI researchers recently have found valuable for thinking about indigenous self-determination and nation building

 **Natcher, David C., Susan Davis, and Clifford G. Hickey. 2005. “Co-management: Managing Relationships, not Resources.” *Human Organization* 64(3): 240-50.**

www.sfaa.net/ho


Although co-management regimes have been praised for their potential for cooperation and equity in problem-solving and management, issues of cultural bias and power structures in those regimes can prove problematic. Specifically, these regimes typically are grounded in the Western intellectual tradition, in which concepts can be compartmentalized and “truth” is based on codified fact. The authors suggest that such management structures may not have legitimacy with the citizens of First Nations that are involved in the co-management process. Instead of thinking of managing the environment and land by categories, the study’s interviewees thought of management in terms of the moral law that mediates their relationship with the land; for them, truth and fact are based on shared experience rather than on codified studies. The authors find that this conflict of values and management styles can make reaching a consensus difficult and may ultimately silence the First Nations partners.

 **Hillabrant, Walther, Judy Earp, Mack Rhoades, and Nancy Pindus. 2004 (August). *Overcoming Challenges to Business and Economic Development in Indian Country*. MPR Reference No. 8550-931. **Mathematica Policy Research, Inc. (Princeton, NJ).****

www.urban.org/UploadedPDF/411104_overcoming_challenges.pdf

This report, carried out by Mathematica Policy Research, Inc. in a collaborative effort with Support Services International (an Indian-owned consulting firm) and the Urban Institute, focuses on economic and business development (which it calls BD/ED) in a sample of ten American Indian nations and for-profit Alaska Native corporations, chosen for diversity and on the basis of earlier evidence that they had adopted promising development approaches. The report looks at the various federal programs that are designed to support development in indigenous communities and at the kinds of activities that the sample tribes and corporations are pursuing. It pays close attention to the obstacles American Indian nations and Alaska Native villages face as they pursue development and how the sample group have tried to overcome them. Among the key challenges identified by study participants: legal and administrative barriers (including such things as inadequate court systems and the lack of commercial codes); a focus on short-term as opposed to long-term results (for example, some said that demands for short-term jobs sometimes took precedence over longer-term payoffs); lack of investment capital; and poor coordination of business activities

within the tribe or with neighboring cities and counties. On the other hand, the report also finds that a number of tribes and Alaska Native corporations are directly addressing these problems, with some success. While overall development success has been mixed, the report concludes that “the combination of tribal self-governance/self-determination and federal programs that promote tribal enterprise, provide funding, and improve access to capital has created a shift in favor of tribal BD/ED, a shift that is still somewhat new,” and sees in the sample tribes and corporations a sense of optimism about the future.


 **Lester, Lauren. 2006. *Protecting the Fish and Eating Them, Too*. Udall Center for Studies in Public Policy, The University of Arizona (Tucson, AZ).**
udallcenter.arizona.edu/publications/pdf/lester_protecting_the_fish.lowres.pdf

The scarcity of water in the American West and increased demands for the resource have created considerable tension among Native nations, endangered species advocates, and the holders of water rights granted by the states for non-Native consumptive uses. In this book, Lauren Lester suggests that the over-allocation of water by state governments is increasingly at odds with both habitat preservation of endangered aquatic species and Native nations’ exercise of water rights for consumptive uses. As tribes actively quantify their water rights and pursue development projects that enable them to use their water, they are faced with a seemingly insurmountable problem: how can they ensure the protection of critical habitats for endangered and threatened species under the Endangered Species Act and at the same time avoid impacts to future tribal economic development in the face of federal consumptive-water-use restrictions. Lester provides a general overview of Native nations’ water rights and a description of the Endangered Species Act, including the requirements imposed by the act that provide for the protection of habitat for listed species. She discusses the intersection of critical habitat designation and consumptive water use on reservation lands and presents a case study of the critical habitat designation of the silvery minnow in the Middle Rio Grande River in New Mexico. She concludes with an evaluation of tribal and agency recommendations regarding critical habitat designation in Indian Country and sets out further recommendations for protecting both species habitat and tribal sovereignty.

A printed (paperback book) version of this document is available for \$6.00; contact Robert Merideth at merideth@email.arizona.edu.

III. Projects

Selected research projects worth watching

 **Development of a Policy Guide for the Bureau of Land Management and Native Nations on Alternative Dispute Resolution-based Early Involvement**

The Native Nations Institute is collaborating with the Bureau of Land Management’s (BLM) Alternative Dispute Resolution (ADR) Conflict Prevention Program to develop a policy-and-strategy guide for BLM that will foster opportunities, prior to formal consultation, for ADR early involvement in land-related conflicts involving American Indian nations. When completed, the guide will be available to BLM staff, Indian nations, other agencies, and the general public. The completed guide is intended to complement existing BLM guidance documents related to tribal consultation. The program’s mission is to build and maintain ADR and conflict prevention capabilities within the bureau to enable managers and staff to utilize these approaches in relationships with all

stakeholders and employees, with emphasis on conflict prevention. The program serves to develop national principles, policies, strategies, guidance, training, and related national ADR and conflict-prevention initiatives. The program's mission also includes extending to the public, through innovative ADR strategies, the opportunity to become involved at earlier, informal stages in the bureau's decision-making processes in its renewable and non-renewable resources programs as well as its lands program.

For more information, contact either of the project team leaders: Joan Timeche at the Native Nations Institute at timechej@email.arizona.edu or (520) 626-0664, or Paul Politzer at the Bureau of Land Management at paul_politzer@blm.gov or (202) 452-0349.

Strategic Considerations in Per Capita Distributions

The National Congress of American Indians Policy Research Center and the Native Nations Institute are compiling information about per capita distributions of tribal revenues. As numerous Indian nations and Alaska Native organizations begin to increase their revenues as a result of economic activities such as (but not limited to) gaming, they face difficult strategic decisions. How much of that revenue should be invested for long-term economic security or other purposes? How much should be distributed to tribal citizens as per capita payments? What are the advantages, disadvantages, and other policy considerations that tribes should take into account as they decide what to do with increased revenues? Anticipated products of this project include a detailed paper that presents information about the consequences of different policies and vignettes on how some nations are addressing this issue, and a policy brief for tribal leadership that, in a few pages, summarizes the key issues. The objective is to equip tribal policymakers with information that can assist them in thinking through decisions about how tribal revenues are invested, distributed, and used.

For more information on this project, contact Stephanie Carroll Rainie, research coordinator for the Native Nations Institute, at scrainie@email.arizona.edu or (520) 626-0664.

IV. Bulletin Board

News, sound bites, and bits of information

“Native Nation Building” TV/Radio Series

The Native Nations Institute for Leadership, Management, and Policy (NNI) at The University of Arizona (UA), under the auspices of NNI TV/Radio, launched a new, ten-part, television and radio series, “Native Nation Building,” in January 2006. The series was produced by NNI and the UA's KUAT Multimedia. Native Nation Building is designed to share with Native people and the general public the lessons about indigenous self-governance and economic development that NNI and its partner organization, the Harvard Project on American Indian Economic Development, have learned through more than two decades of community-based research with Native nations. Featuring a group of notable guests comprising governmental, business, and community leaders, Honoring Nations award winners, and scholars and educators, the roundtable interview program chronicles the growing number of nation-building success stories currently taking hold across Indian Country and explores the roots of those successes. The ten program segments examine different aspects of where, how, and why indigenous nation building is taking place, as well as funda-

mental issues that affect Native nations' efforts to exercise sovereignty, restore economic vitality, and shape their own futures. Each 30-minute segment can stand alone, but taken together, the series offers a comprehensive overview of the ways Native nations are working to make self-determined community and economic development a reality.

The ten segments of "Native Nation Building" are:

- An Introduction to Nation Building
- Constitutions and Constitutional Reform
- Why the Rule of Law and Tribal Justice Systems Matter
- Building and Sustaining Tribal Enterprises
- Promoting Tribal Citizen Entrepreneurs
- A Capable Bureaucracy
- Tribal Service Delivery
- Intergovernmental and Intertribal Relations
- Strategy and Leadership
- Moving Towards Nation Building.

NNI Radio Programs Schedule: The AIROS Native Radio Network and its tribal and public radio affiliates across the United States and Canada began broadcasting the programs on January 24, 2006. They are broadcast weekly (two segments each week) through February 21, 2006.

For more information about Native Nation Building, including Webcast feed times, a place to sign up for podcasts, and a list of AIROS affiliates in your area, visit www.nativeradio.org. To hear samples from each of the program segments, visit the NNI Radio homepage at or www.nni.arizona.edu/nniradio.

NNI TV Programs Schedule: The UA Channel (Cox Channel 19 and Comcast Channel 76) began broadcasting the programs in the Tucson , Arizona area on January 20, 2006 , weekly on Fridays at 8:30 p.m. and on Sundays at 1:30 p.m. , through March 26.

To look for other broadcasts of these programs in other areas, for more information about the 10 segments, and for updates on show times, visit the UA Channel Web site at www.uachannel.com or visit nni.arizona.edu/nativetv.

For more information about "Native Nation Building," or to purchase DVD or CD recordings of the broadcasts, contact Ian Record, curriculum development manager at the Native Nations Institute and producer of the series, at recordi@email.arizona.edu.



Quotes

"I am a firm believer that the greatest demonstration of sovereignty is the act of sovereignty itself. Don't just talk about it, don't tell me about it. Do it. Show me. Show those young people. That's how we motivate. That's how you get them excited, that's how you get their attention, that's how you get them involved. Show them what sovereignty is."

Ivan Makil, past president, Salt River Pima-Maricopa Indian Community, speaking at NNI's Open Executive Education Session in Tucson, Arizona, April 2005.

“It’s one thing to have the power to govern. But it’s another thing to govern effectively.”

Anthony Pico, Chairman, Viejas Band of Kumeyaay Indians, speaking at the 2004 Honoring Nations Symposium, Harvard University, Cambridge, Massachusetts, September 2004.

V. Networking

Links to other research and policy sites relevant to indigenous nation building

Alaska Native Policy Center, First Alaskans Institute, Anchorage, AK

www.firstalaskans.org/4.cfm

Part of the First Alaskans Institute, the Alaska Native Policy Center was established “to enable Alaska Natives to be proactively involved in and influence the education, economic and social policy issues that impact our futures as 21st century indigenous peoples.”

Links cited in previous issues of NNI Research Report

Aboriginal Leadership and Management Program, The Banff Centre, Banff, Alberta, Canada

(NNIRR No. 2)

www.banffcentre.ca/departments/leadership/aboriginal.asp

Center for Indigenous Law, Governance and Citizenship, College of Law, Syracuse University, Syracuse, New York (NNIRR No. 1)

www.law.syr.edu/academics/centers/ilgc/

Centre for Aboriginal Economic Policy Research (CAEPR), The Australian National University, Canberra (NNIRR No. 1)

www.anu.edu.au/caepr/

Desert Knowledge Cooperative Research Centre, Alice Springs, Northern Territory, Australia

(NNIRR No. 1)

www.desertknowledge.com.au/index.cfm?attributes.fuseaction=home

First Nations Development Institute, Arlington, Virginia (NNIRR No. 2)

www.firstnations.org/

Harvard Project on American Indian Economic Development, John F. Kennedy School of Government, Harvard University, Cambridge, Massachusetts (NNIRR No. 1)

www.ksg.harvard.edu/hpaied/

Indigenous Peoples Law and Policy Program, Rogers College of Law, The University of Arizona, Tucson (NNIRR No. 1)

www.law.arizona.edu/depts/iplp/#

Institute for Tribal Government, Portland State University, Portland, Oregon (NNIRR No. 1)

www.tribalgov.pdx.edu/index.php

Mira Szászy Research Centre for Māori and Pacific Economic Development, University of Auckland, Auckland, New Zealand (NNIRR No. 2)
www.business.auckland.ac.nz/comwebContent/1/8/37/181/3831.html

Native Nations Law and Policy Center, School of Law, University of California, Los Angeles (NNIRR No. 1)
www.law.ucla.edu/students/academicprograms/nativenations/nnlapc.htm

Northwest Indian Applied Research Institute, Evergreen State College, Olympia, Washington (NNIRR No. 1)
www.evergreen.edu/nwindian/home.htm

National Centre for First Nations Governance, Chilliwack, British Columbia (NNIRR No. 1)
www.fngovernance.org/

Reconciliation Australia, Canberra (NNIRR No. 1)
www.reconciliation.org.au/

School of Maori and Pacific Development, University of Waikato, Hamilton, New Zealand (NNIRR No. 1)
www.waikato.ac.nz/smpd/

VI. Basics

About the Native Nations Institute and NNI Research Report

The Native Nations Institute for Leadership, Management, and Policy (NNI) is part of the Udall Center for Studies in Public Policy, a research and outreach unit of The University of Arizona. Founded in 2001 by the university and the Morris K. Udall Foundation, NNI serves as a self-determination, development, and self-governance resource to Native nations in the United States and elsewhere. Its programs include research and policy analysis, leadership and management training, and strategic and organizational development.

Much of NNI's work builds on and continues research originally carried out by the Harvard Project on American Indian Economic Development at Harvard University. The two organizations share some staff and work closely together in a variety of research and educational activities.

Introductions to the research on which NNI/Harvard Project work is based can be found in:

Stephen Cornell and Joseph P. Kalt, "Sovereignty and Nation-Building: The Development Challenge in Indian Country Today." *American Indian Culture and Research Journal* 22, no. 3 (1998): 187-214 www.jopna.net/pubs/JOPNA03_Sovereignty.pdf

Stephen Cornell and Joseph P. Kalt, "Where's the Glue: Institutional and Cultural Foundations of American Indian Economic Development." *Journal of Socio-Economics* 29 (2000): 443-70.
www.ksg.harvard.edu/hpaied/pubs/pub_012.htm

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NNI Research Report

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