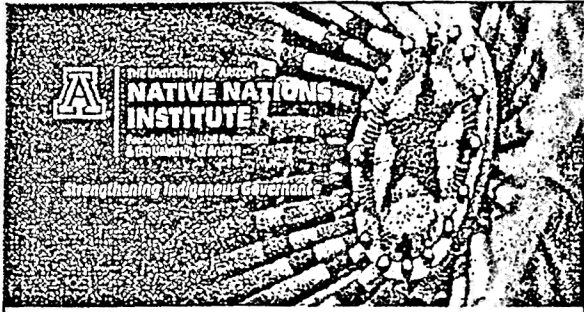


Minnesota Chippewa Tribe Constitution Meetings

Session 6: Strengthening Our Government—

How Have Other Native Nations Addressed the Process of Revising or Reforming Their Constitution?

August 2017 to January 2018



**THE UNIVERSITY OF ARIZONA
NATIVE NATIONS
INSTITUTE**
Strengthening Indigenous Governance

**Strengthening Your Nation's
Governance**

*How Have Other Native Nations Addressed the Process of
Revising or Reforming their Constitution?*

**How Can a Native Nation Strengthen
Its Governing System?**

Four Important Steps:



1. Agree on a common purpose
2. Agree on a common vision
3. Agree on a common strategy
4. Agree on a common structure

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**If you decide you need major
constitutional change...**

- * You'll need someone to manage the reform process—and keep it non-political
- * You'll need time
- * You'll need to educate yourselves—and your citizens

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**Who Will Manage the Reform
Process?**

Neither councils nor the attorneys should run the show. Councils will politicize it and may antagonize factions that aren't well represented. The attorneys should advise, not manage.

A Constitutional Commission—perhaps appointed by council but *independent* of it—is a better approach.

**A Constitutional Commission
will need to be:**

- Representative of the people
 - By geography?
 - By family or clan?
 - By...?
- Independent
 - What is the role of the Tribal Executive Committee?
 - What is the role of other groups?
- Respected
- Well-informed
- Well-funded

**Responsibilities of Commission
Members**

- Obtain community input and participation
- Organize culturally appropriate ways to consider issues, and organize settings where citizens will feel comfortable—and safe—talking about change
- Bring ideas, models, examples to the table
- Develop drafts of changes for feedback
- Organize referendum on final proposals

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**But perhaps the changes you need are
less comprehensive**

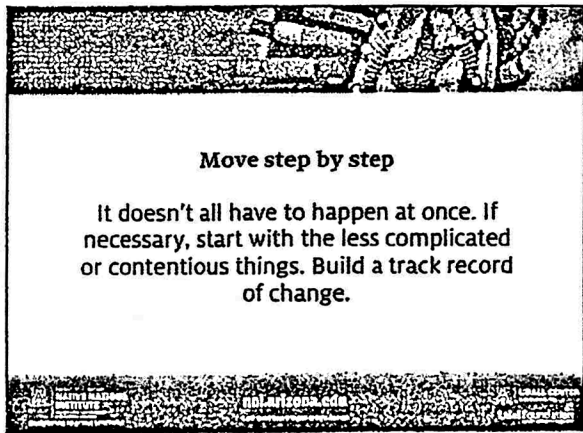
For example...

- Actually live by the constitution you have—if it's a good one.
- Adopt new laws and codes—and enforce them
- Establish rules that get politics out of the enterprises—and out of the court
- Establish rules that encourage entrepreneurs
- Clarify roles throughout government
- Increase transparency and accountability
- Build joint institutions with other Native Nations
- Report to the community on progress toward strategic goals



Move step by step

It doesn't all have to happen at once. If necessary, start with the less complicated or contentious things. Build a track record of change.



Mobilize the Community

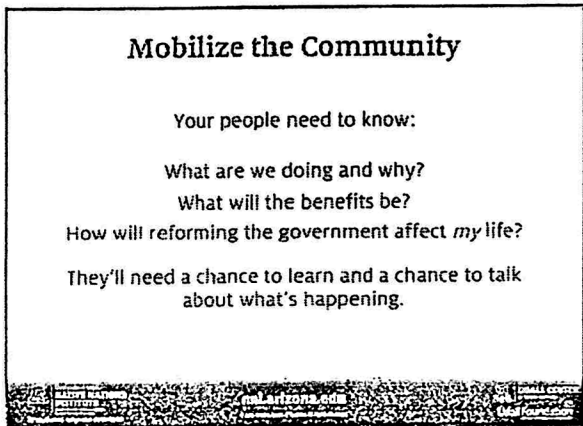
Your people need to know:

What are we doing and why?

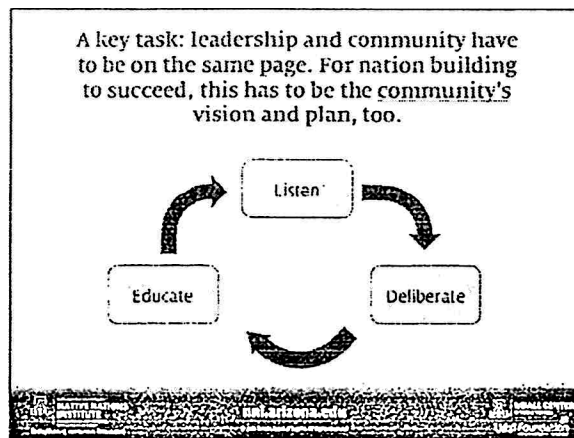
What will the benefits be?

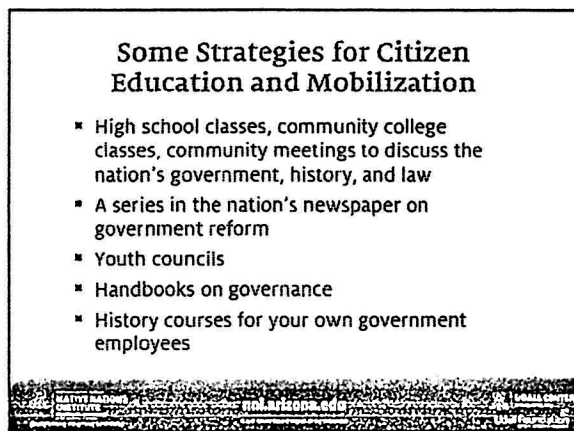
How will reforming the government affect *my* life?

They'll need a chance to learn and a chance to talk about what's happening.



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THE OSAGE NATION
IAZAZO



- Elected leaders did not dictate the governance reform process;
- Reform efforts were well-funded by the Osage Nation;
- Community input was sought and gathered throughout the entire process;
- Osage Nation civic education was created;
- Osage Nation youth were involved;
- Technical assistance occurred at the request of the governance reform committee but those with technical expertise did not manage the process; and
- The governance reform committee helped with the transition process.

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BLACKFEET NATION

Blackfeet Tribe Rejects Constitutional Reform Measure



Clayton Gray is a Blackfeet tribal member who led an opposition group to the proposed reform. She supports changing the tribe's constitution, but says this version did not offer enough opportunities for public involvement.

"I would really like to see the Blackfeet Tribal Business Council sit down with everybody at a meeting and say, 'let's outline a constitutional convention process, and where do we begin,'" says

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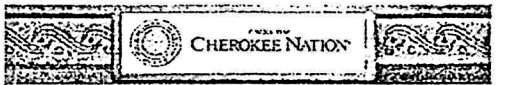

Four First Nations have joined hands to restore their Ktunaxa identity and build a government that works:

- Tobacco Plains
- St. Mary's
- Lower Kootenay
- Columbia Lake

We may not get a treaty, but we'll get a government.

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• 1827 and 1839 – adopted written constitution
 • 1975 – stipulated a constitutional convention would be convened every 20 years to consider revisions, amendments, or changes
 • 1999 – 79 delegates served and attended a 9-day constitutional convention at which each written word and line of a draft constitution was reviewed
 • 2003 – BIA Secretarial election resulted in Cherokee citizens voting to remove the Secretarial approval clause

After 20 years for the purpose of the Cherokee Nation Constitution, the Cherokee Nation has decided to convene a constitutional convention to consider revisions, amendments, or changes to the Cherokee Nation Constitution. The Cherokee Nation has decided to convene a constitutional convention to consider revisions, amendments, or changes to the Cherokee Nation Constitution.

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Constitution Reform Initiative
 Seeking progressive solutions to problems, pursuing economic stability and revitalizing cultures, languages and traditions.

The Government of
RED LAKE NATION

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For nation building to last, both
 leaders and citizens have to build
 capable governing institutions
 —and then abide by them.

Who will take responsibility for the
 future of the nation—and walk the
 sovereignty walk?

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