

WHAT IS SELF-GOVERNANCE?

Tribal self-governance is the inherent and legally recognized authority of Indian Tribes and Nations to govern their people and territories, manage their internal affairs, and operate as sovereign political entities. This self-governance extends to many areas, including land management, resource allocation, and the establishment of educational and social programs. Tribal elections are a key mechanism that enables this critical self-determination.

Inherent vs. Delegated Power

Unlike local or state governments, Tribal self-governance is not “granted” by the Federal government. It is an inherent right that predates the United States.

Inherent Sovereignty: Tribes possess all powers of a Sovereign Nation except those expressly removed by Treaties or Federal law.

Domestic Dependent Nations: In the U.S., Indian Tribes are recognized as nations that exercise authority over their citizen members and lands but are subject to the Federal government’s authority (plenary power).

Powers of Tribal Governments

Tribal Nations operate as independent governments with a wide range of responsibilities:

- **Law and Order**: Establishing tribal courts and police departments to enforce civil and criminal laws.
- **Citizenship**: Determining requirements for Tribal citizenship/membership.
- **Economic & Social Control**: Managing taxation, licensing, land use, and environmental regulations.
- **Education and Health**: Designing and administering their own healthcare systems and educational curricula to better reflect Tribal values.

Legal Frameworks

In the United States, the Indian Self-Determination and Education Assistance Act of 1975 (ISDEAA) was a turning point, allowing tribes to take control of Federal programs previously managed by the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS).

Key Benefits

Economic Growth: Self-governing Tribes often see faster income growth and improved economic outcomes compared to those under direct Federal management.

Cultural Preservation: Self-governance allows for the active protection of Indigenous languages and traditional practices.

Accountability: Decisions are made by leaders who are directly accountable to their community members rather than distant Federal officials.