

A Beginner's Guide to Governance Development – a Community Based Process

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Governance – What is it all about anyway?

- Effective Leadership
- Skilled and motivated Administration
- Community empowerment
- Administrative tools – i.e. policies, codes
- Community tools – i.e. laws, standards, Constitution, self-government
- A sound, sustainable and accountability foundation to direct and guide the community into the future
- Includes measurable results

Land & Resources

Language

Culture

Governance

Leadership

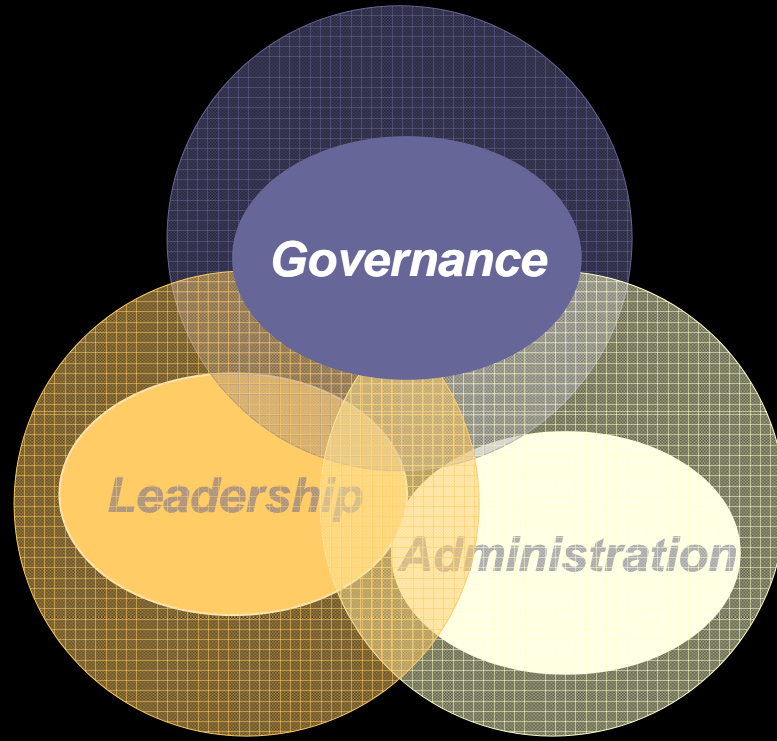
Administration

Infrastructure

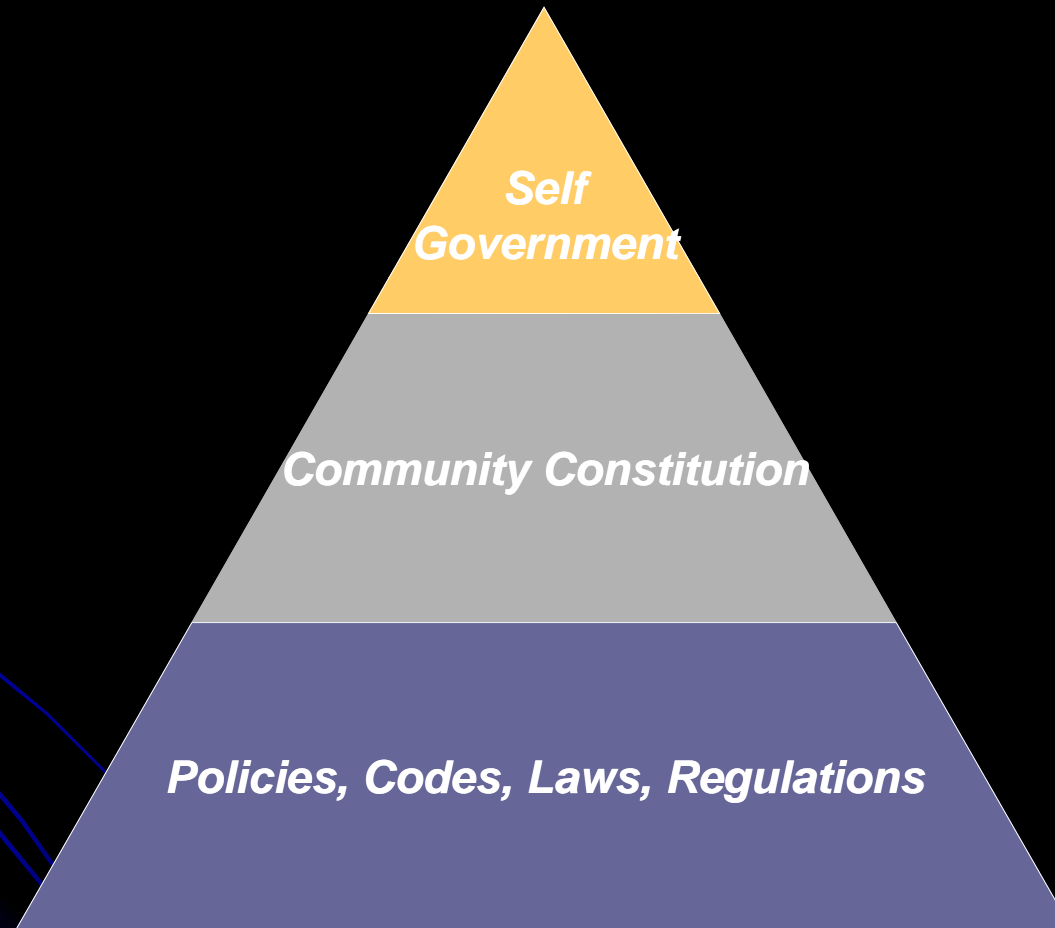
Citizens

Economy

Governance Development



Governance Tools & Process



Governance Development

Governance Tools - Examples

- Lands and Resources
 - Land Management Act
 - Environmental Laws/Codes
 - Land Use Planning Tools
- Infrastructure
 - Development Plans
 - Capital Plans
 - Comprehensive Community Plan
 - Infrastructure Standards
- Membership
 - Community Membership Code
 - Membership Rights and Responsibilities Policies
 - Conflict of Interest and Privacy Policies/Codes
- Economy
 - Businesses, industry, fees, development charges, environmental charges, business permits and fees
 - Development Regulations/Codes
 - Investment Strategy
 - Development Strategy
- Administration
 - Administrative Code
 - Human Resource Policies
 - Finance Policies/Codes
- Leadership
 - Election Code
 - Conflict of Interest Code
 - Strategic Plan
- Community Constitution
 - Provides legislative authority
 - Provides guiding principles
 - Focuses on Nation Building

Community Constitution Development Process

- A “*Community driven process*” is essential to identified the components of a Community Constitution that will guide the community, its leadership and administration into the future
- A *process focuses on* documenting and evaluating the elements the First Nation has in place as a foundation; and then establishes a development plan to complete the components that have been identified and recognized by the community as essential for a final Constitution or a set of laws and principles applicable to the First Nation.
- With the accountability, sustainability, and transparency principles of a Community Constitution, the community as a whole benefits by being empowered as a “***Nation***”, and by the stability of a set of laws and principles that can only be changed or rejected by the community members themselves.

Community Constitution Development Process and Workplan - Phase I:

2 - Engage
Community

3 - Development
Of
Draft

1 - Establish
Committee
And
Mandate

Governance Development

1 - Establish Committee

- Establish a Committee or Working Group
 - Should include community members, and representatives from both the Council and Administration
 - Should include mandate and terms of reference
 - Should include a reporting mechanism, timelines and requirement for a work plan
- Establish Sub – Committees if needed
 - Engage community group representatives such as Elders, youth, family heads, etc.

2 - Engage Community – Communication Strategy

- Target both on reserve and off reserve membership for sustainability
- Constitution development covers membership, not just community citizenship
- Consider effectiveness of communication tools for both target groups
 - Include Focus groups for input aimed at “ownership and buy in”
 - Youth
 - Administration
 - Council
 - General Membership
 - Boards, Committees, etc.

● Communication Strategy Tools:

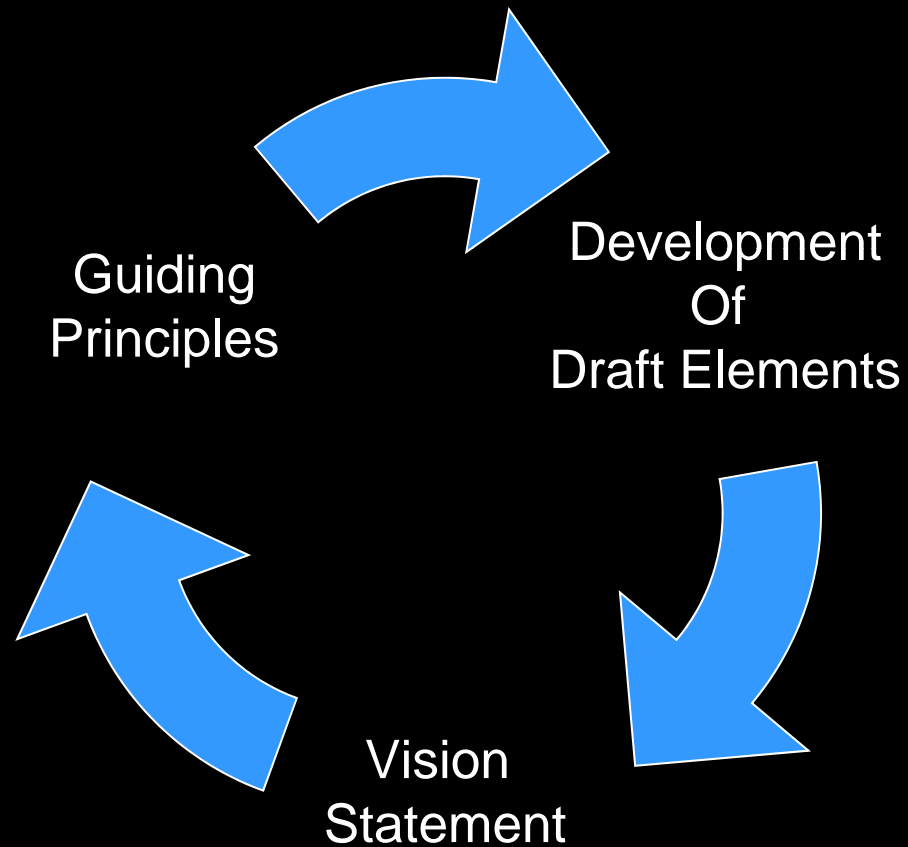
- Community meetings
 - Presentation format - introduction, definitions
 - workshop format – interactive - development tool
- Publications- flyers, newsletters, drafts, posters
- Questionnaires – key questions
- Website – interactive for input – on and off reserve
- Mail outs – meeting notices, feedback, status reports
- Contests – poster, theme, questionnaires

3 - Develop Draft

- Through the communication strategy, elements of a Constitution of significance to the community can begin to be drafted.
- Updates are reported back to the community for confirmation and/or further discussion and drafting.
- Elements might include, as an example:

1. Community History - Treaties, oral traditions, etc.
2. Individual Rights and responsibilities - members, leadership, administration
3. A statement of identity
4. Jurisdictional Authorities - laws, codes, etc.
5. Enforcement
6. Appeals and Redress
7. Amendment process

Community Constitution Development Process and Workplan – Phase II:



Develop a Community Vision

- Through the consultation sessions, the development of a Community Vision can be undertaken to establish the Guiding Principles to be used as the foundation for community governance development.
- Could reflect the community's past, present and future
- Could reflect the community's values and principles

- ***Keep it simple and meaningful***
- ***Ensure it is achievable and sustainable***
- ***Used as the “thread” for all community development activities***
- ***Example: Wholistic approach - health, harmony, social equality, prosperity, etc.***

Summary:

- Decide what is right for your community
 - Community consultation
- Assess what currently is in place, what works, what doesn't work, commitment to change
- Develop a good foundation
 - Policies, processes, vision, strategic plan
- Constitution development
- Nation building
- Self Government

Food for Thought:

Measure – Where does the Nation stand? Excerpt from “Rebuilding Native Nations”

Standard Approach

- Institutions are unstable, viewed with suspicion by the people, and incapable of exercising sovereignty effectively
- Tribal government hinders development through micromanagement, politics, and overregulation
- Tribal government is dependent on federal funding policies and hostage to federal decisions
- Elected Leaders are preoccupied with quick fixes, crises, patronage, distribution of resources, and factional politics

Nation Building Approach

- Institutions are stable, fair, legitimate in the eyes of the people, and capable of exercising sovereignty effectively
- Tribal government clears the path for development through appropriate rules and even handed enforcement
- Tribal government has the capacity to fund its own activities and to collaborate with other governments
- Elected Leaders focus on strategic decisions, long term vision, and setting good rules, and they bring the community with them

Characteristics & Results ("Rebuilding Native Nations") STANDARD APPROACH

CHARACTERISTICS:

- Decision making is short term and non strategic
- Someone else sets the development agenda
- Development is treated as primarily an economic problem
- Native culture is viewed as an obstacle to development
- Elected leadership serves primarily as a distributor of resources

RESULTS:

- Failed enterprises
- A politics of spoils
- An economy highly dependent on federal dollars and decision making
- Brain drain (young educated members go elsewhere)
- An impression of incompetence and chaos that undermines the defense of sovereignty
- Continued poverty and cultural stress

Characteristics & Results ("Rebuilding Native Nations") NATION BUILDING APPROACH

- CHARACTERISTICS:
- Native Nations assert decision making power
- Native Nations back up that power with effective governing institutions
- Decision making is strategic
- Leaders serve as nation builders and mobilizers.

- RESULTS:
- More effective access to and use of resources
- Increased chances of sustained and self determined economic development
- More effective defense of sovereignty
- Societies that work – economically, socially, culturally, politically.



Miigwetch!