Chapter 8
Tribal governments today

Nations within a nation

Tribal governments are quite different from state or local governments, because tribes are "nations within a nation." Tribal governments are not all alike. Most tribes have a tribal constitution, but some do not.

Each tribe sets the rules about who is considered a tribal member. That is because the federal government required them to do so.

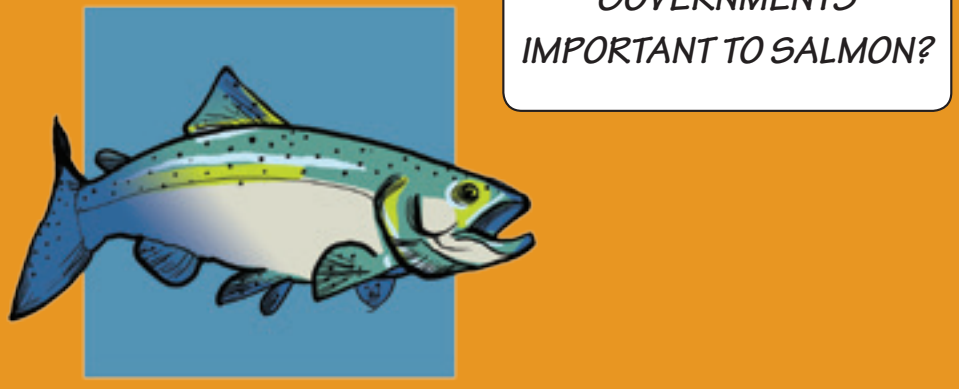


Illustration by Nguyen Tran

Tribal councils

Most tribes have an elected council that serves as their tribal leaders. Usually, the chair of the tribal council is the person who speaks for the tribe.

Tribal councils get advice from a lot of committees made up of tribal members. In some tribes, the committees have the power to make decisions on their own. Committees deal with tribal membership, housing, fisheries, elections, programs for children and elders, hunting, education, and culture.

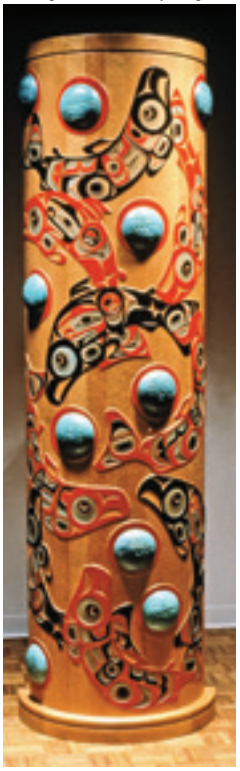
Tribal councils and committees do what Indians did before settlers came: they spend a lot of time talking—and listening—about problems to try to find solutions that everyone can agree on.

Governing by consensus

The structure of most tribal governments is different than it was before settlers came. But the cultural habit of seeking consensus—which means everyone agrees—is still strong. This sometimes frustrates people from state and local governments because they are used to meeting deadlines, no matter what. In many tribal governments, it is more important to take time to reach agreement than it is to meet a deadline. Tribes want to make sure that everyone is heard and that everyone's needs are met.

Taking care of tribal members and the environment

Today, tribes are working hard to improve their governments so they can take better care of their members. Health clinics, services for the elderly and people with disabilities, child welfare services, law enforcement, and schools and

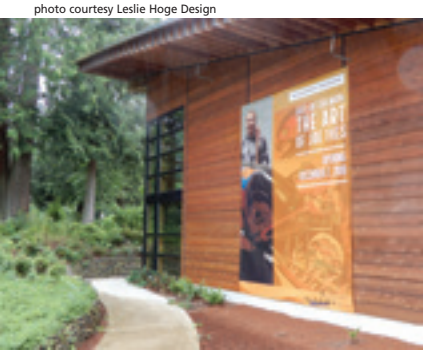


River of Life, by Marvin Oliver, Quinault Nation

Marvin Oliver carved this piece to celebrate salmon returning to the streams where they started their lives. The circles are the eggs they will lay that will become the next generation of fish. He was famous for using traditional designs and colors in new ways.

He was a professor of American Indian Studies at the University of Washington.

photo courtesy Leslie Hoge Design



The Suquamish Museum, located on the Port Madison Indian Reservation, maintains art and archives related to the Suquamish Tribe.

colleges are being created. In the treaties, Indians were promised health and education services "in perpetuity" (which means forever), but they often didn't get them.

Tribal governments are working with other governments to protect and restore salmon runs and improve the health of rivers and streams. Tribes are also opening new museums and working to preserve their history and renew their cultural traditions.

Casinos and tribal businesses

Like states, tribes can pass any law that doesn't violate federal law. For instance, tribes can run casinos because there is no federal law against it. (Casinos are legal in the state of Nevada because the Nevada state government chose to make them legal.) Many tribal governments have made casinos legal on their lands. The federal and state governments can make rules about how tribal casinos operate, but it is the tribes' right to operate them.

Tribal businesses are to tribes what taxes are for other governments. Many tribes use money earned by tribal casinos to pay for government services for their members. Tribal casinos are an important source of new jobs and income for tribes and nearby communities. Tribes also donate money from casinos to charities and community projects that help everyone.

Money from casinos is important because tribal governments have not had much of a tax base. Some tribes taxed tribal fishing and logging, but most tribes

Illustration by Nguyen Tran

photo courtesy Nisqually Red Wind Casino

Nisqually Red Wind Casino is located in Olympia.

Centennial Accord

photo courtesy GOIA

Centennial Accord meeting,
Chehalis Tribal Center, 2005

The Boldt Decision (see page 86) set the stage for a new relationship between state government and the tribes. It said state government has to respect treaties.

This wasn't an easy change to make. Most people in state government knew very little about tribal culture, history, and treaty law. Many resisted the changes that were needed.

In late 1988, a group of four tribal leaders met with Bob Turner, a policy advisor to Governor Booth Gardner, to talk about this problem. The leaders in that meeting were Joe DeLaCruz, president of the Quinault Nation; Mel Tonasket, chair of the Confederated Tribes of the Colville Reservation; Larry Kinley, chair of the Lummi Nation; and W. Ron Allen, chair of the Jamestown S'Klallam Tribe.

They agreed that a new understanding between state agencies and the tribes was urgently needed. The governor and his staff understood that the state had to do a better job of respecting tribal sovereignty. But Washington's state government includes nine elected state officials, over 50 state agencies, and hundreds of state boards and commissions. How could all of them be engaged in making this change?

"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has."

No one remembers which of them came up with the idea, but someone at that meeting suggested a new state/tribal treaty to clearly spell out that state agencies needed to respect tribal sovereignty and legal rights. But, they quickly realized, it couldn't be a treaty, because treaties are agreements between nations. So what should they call it—a compact, a memorandum of understanding, a contract? Somewhere along the line, they came up with the term *accord*. And since the state centennial would be the following year, the idea evolved into the "Centennial Accord."

Allen was the only one in the room with a computer, so he took notes, and he and Turner wrote the first draft. They sent their draft around to the others and to the governor's chief of staff. Everyone liked it. Then they sent it around to more tribal leaders. Along the way, people made changes and improvements.

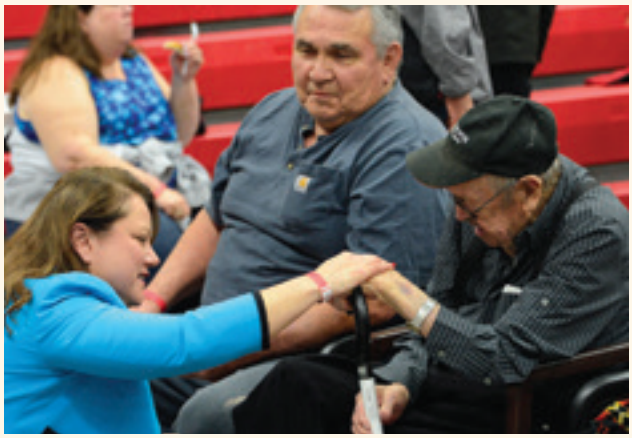
The Accord called for yearly meetings between state and tribal leaders and a program to educate state employees about tribes and treaties.

The Centennial Accord hasn't solved everything, but it's made a big difference, and inspired other states to take similar actions.

All this started with a handful of people sitting around talking about how to solve a problem. And it just might prove something anthropologist Margaret Mead once said: "Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has."

A nationally recognized leader

As a kid, Fawn Sharp said her after-school program was "hanging out in the tribal office," where her mom worked for Joe DeLaCruz. He was president of the Quinault Indian Nation from 1971 until 1993. He was a world-famous advocate for the rights of Native people, and one of the authors of the Centennial Accord. *(See page 133)*



Fawn's mom recorded the meetings of the Northwest Indian Fisheries Commission, so Fawn went too. "My job was to hit 'record' and 'play' on the tape recorder," she said. That's where she met Billy Frank, who became a friend and mentor. As she listened to people at those meetings, she learned that a lot of the progress in winning Indian rights came from court cases, so she decided to help her people by becoming a lawyer.

She graduated from college when she was 19 and then went to law school. She also earned an advanced certificate in International Human Rights Law from Oxford University in England.

In 2006, she was elected president of the Quinault Indian Nation. She works hard to involve the whole tribe in planning for the future. It's a big job. Over the last 30 years, as the tribe has gained more control over its own resources and governance, it has grown from 30 employees to 400.

Now Sharp is a national leader too. In 2019, she was elected president of the National Congress of American Indians, the oldest and largest organization of American Indian and Alaska Native tribal governments in the United States.

All photos courtesy the Quinault Indian Nation

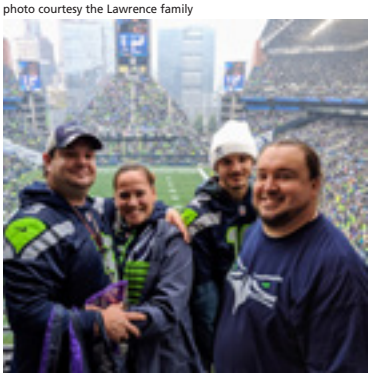
didn't really have anything to tax. They had to rely on limited amounts of money from the federal government.

Many tribal councils met in church basements or school classrooms until the 1970s or 1980s because they didn't have enough money to build a place to house their government.

Most tribes that have casinos have used some of the money to start other tribal businesses. Tribes now operate businesses ranging from shopping centers to tourist resorts and provide jobs for many non-Indians as well as tribal members. In fact, tribal businesses have become an important source of jobs for many Washington communities.

Some tribes, however, have reservations that are in rural areas where there aren't enough people to support a casino. So even though the growth of tribal casinos and other businesses has helped some tribes, other tribes still struggle to find ways to fund their government and lift their members out of poverty.

photo courtesy the Lawrence family

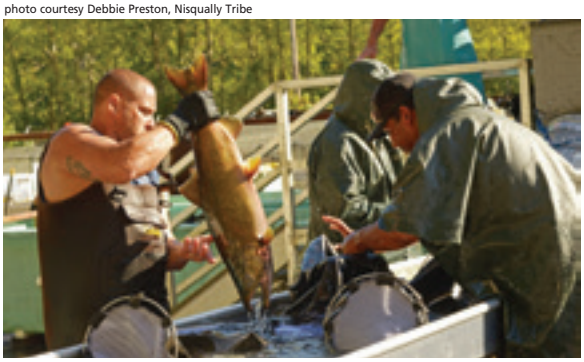


Tribal leaders often play more than one role in the tribe. Nigel Lawrence (right, in this photo with his family Ian, Jessica, and Damian) is not only secretary of the Suquamish Tribal Council but is also a director at the tribe's early learning center.

Tribes employ more fish biologists than our state government does

Today, most tribal governments hire more and more paid staff, as they create more programs to help tribal members and their communities. In fact, tribes actually employ more fisheries biologists than the state does.

photo courtesy Debbie Preston, Nisqually Tribe



The Nisqually Tribe is learning about how to restore salmon runs, as dams now force fish to start and end their lives upriver from the dam.

Jamestown S'Klallam Tribal member and natural resources technician Lori DeLorm takes samples from a creek in the Dungeness watershed on the Olympic Peninsula.

photo courtesy Northwest Indian Fisheries Commission

Tribal police and courts

Most tribes have their own police and courts. Tribal police and courts can deal with crimes committed by tribal members (or members of other tribes), but when non-Indian people commit crimes on reservations, other police agencies are usually called in. This causes a lot of confusion and conflict.

In some places, tribal police and county sheriffs work together to overcome these problems and share responsibility for keeping people safe. They have "cross-deputized" each other so that tribal and nontribal police can act on each other's behalf. In 2008, the state legislature passed a law that gives tribal police more authority and allows them to be certified in the same way as other police officers. Still, non-Indians who commit crimes on reservations must be tried in local rather than tribal courts.

photo courtesy Denny Sparr Hurtado-Skokomish

DeSean Santos, a member of the Suquamish Canoe Family Singers at the opening of Intellectual House (wətəb?altx), a space for Native Americans at the University of Washington.

photo courtesy Debbie Preston, Northwest Indian Fisheries Commission

Students of the Quileute Tribe looking for birds at La Push, on the western edge of the Olympic Peninsula.

Educating the next generation of tribal members

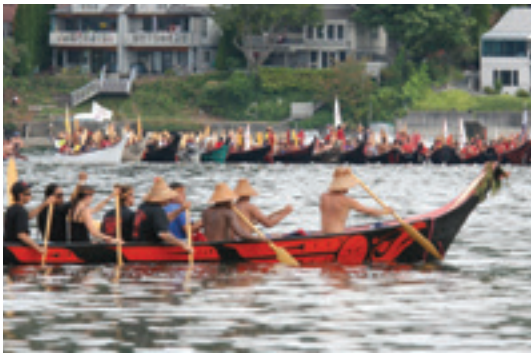
As tribal governments grow, they invest more in scholarships to encourage young tribal members to go to college and to learn the skills they will need to lead tribal governments and run tribal businesses in the future.

Still, Indian tribes and reservations have many people living in poverty, especially in rural areas.

Healing takes a long time

A full recovery from hundreds of years of hardship and broken promises will take more work by both tribal and nontribal governments and all people of goodwill. It will also take more education of non-Indians about the history, culture, and status of the tribes.

photo courtesy Carol Cloen, DNR



About 30 years ago, tribes around Puget Sound started holding annual Tribal Canoe Journeys, which attract tribes from Vancouver and along the Pacific Coast. Paddling canoes in Puget Sound and in the ocean takes a lot of teamwork, strength, skill, and courage.

The Spino family, members of the Yakama Nation, take a break from cooking for the Salmon Feast. The event has been held annually since time immemorial near the Klickitat River in south central Washington. Thanks are given to the Creator for "first foods," which have returned in spring, and for all living things. Salmon return to freshwater rivers where they were born after living in the Pacific Ocean and growing to adulthood.

–Jacqueline Moreau