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The Fifth Annual Aboriginal Governance Index

Expecting Good Governance
on Prairie First Nations

By Joseph Quesnel

About the author



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*I*deas for a better tomorrow

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Clicking on these words will direct the reader to relevant sites or documents using your associated web-browser.

Foreword

For over a decade, the Frontier Centre for Public Policy has been examining better First Nation governance as a means of improving the living standards of Aboriginals. At the time of writing, the government was considering a law mandating the disclosure of band chief and councillor salaries and benefits. Early in December 2011, the government introduced a far-reaching law to reform First Nation band elections, which includes an extension of chief and councillor terms as well as clear offences and penalties for breaking election laws. Obviously, First Nation governance reform is on the government's radar.

As the only think-tank in Canada that has interacted directly with First Nations to study and measure grassroots opinion on this important topic, the Frontier Centre finds itself uniquely situated to comment on reserve governance. Our Aboriginal Governance Index (AGI) Project is probably the most difficult research project in Canada's think-tank world. Our team had thousands of meetings with ordinary First Nation residents in the three Prairie provinces. The team travelled thousands of kilometres, often over challenging terrain, to generate a treasure trove of opinion surveys. To put it all together was an expensive effort involving unique staffing challenges, creative information-collection approaches (i.e., getting access to reserves), leasing vehicles, using specialized software and computer equipment, and some telephone surveying.

This effort has provided Canada's only independent barometer of opinion on the quality of First Nation governance and services. We consider this a privilege that carries a responsibility to be open and honest in our methods and to use the Index as a tool for improvement in the communities we survey.

The AGI is a measurement of the perception of governance on First Nations by First Nations peoples on the Prairies in four broad categories of governance—services, elections, human rights and transparency. If anything, our Index clearly tells us what expectations reserve residents have of their local governments and whether and how those governments are meeting these expectations. The Index has certainly grown, expanded and evolved over the years. It started almost as an informal add-on to reserve visits by Frontier in Manitoba in 2006. Since then, the Index has expanded to include Saskatchewan and Alberta, and it includes communities that are remote and difficult to reach.

Over time, for statistical reasons, we eliminated some of the smallest reserves and focused on the larger First Nations in order to improve the accuracy of measuring grassroots perceptions of governance. Getting access became an added challenge during this round of surveys, and we were unable to obtain consent from as many communities as we had in previous years. In particular, the number of Alberta communities has gone down this year. This means we will need to double our efforts next time around. We are optimistic that the next sample will be better than ever.

Through consistent input from grassroots First Nation people we interviewed, we improved the language to ensure that the surveys are readable and relatable to life on the reserves. We worked with COMPAS, an independent polling firm, to assist us in further improving the surveys. We introduced an ordinal scale in our questions to reflect opinions more accurately as well as to improve the readability of our survey.

We also introduced an exploratory phone sample of seven First Nations to supplement our in-person survey sample. Professional COMPAS interviewers called band members at their homes and asked them in-person survey questions. In the report, we identify the communities we surveyed by phone versus those we surveyed in person.

We hope our work on the AGI will continue to keep the government focused on improving governance on Canada's reserves. Of course, our chief objective is to encourage band governments to adopt the appropriate changes. We hope our Index will show the bands which communities are doing better so that they can share the most-effective best practices amongst themselves.

We again wish to recognize the generous support of the Lotte and John Hecht Memorial Foundation for this pioneering and challenging project.

We dedicate this project to the trend-setting First Nations people who are intent on improving their communities and who are not afraid to share their ideas with other bands across Canada.

Peter Holle,
President,
Frontier Centre for Public Policy

THE 2011 RANKING OF MANITOBA, SASKATCHEWAN AND ALBERTA FIRST NATIONS

Executive Summary

The intent of the Aboriginal Governance Index (AGI) is to provide Manitoba, Saskatchewan and Alberta First Nations with a convenient benchmark against which individual bands can measure their progress in developing high-performance governance institutions. We strongly emphasize that the Index measures the perception of governance, not necessarily governance itself.

The performance of each First Nation was evaluated by a survey that our research assistants conducted with local residents. As will be explained later, this year's survey also included phone surveys by a professional polling firm.

We hope individual band members reading this report can benefit from the information it contains. Knowing where their band government places in the perceptions of good governance can be a source of empowerment for individuals. They can use this information to encourage their communities to adopt better institutions of governance. (The survey questions are in the Appendix.)

Each band's overall ranking is based on a weighted composite of scores that evaluate four broad areas of good governance (previously, we had five). The dimensions of good governance evaluated in this report are as follows:

- Services - How well are health, education, social and other public services delivered?
- Elections - How fair and impartial are votes for leaders?
- Human Rights - How much regard is assigned to basic rights?
- Transparency - How well-informed are citizens about their government?

This year, we focused more closely on what our survey means for what First Nations expect of their governments and how well these expectations are met.

The results confirmed several statistical connections that we observed in previous AGI studies. Category scores tend to be correlated with each other. In other words, high performance in one category tends to predict good results in other categories.

This year's report includes a section on proven best practices. In it, we provide helpful tips on how to separate band politics from administration, business and service delivery as well as help First Nation governments to be as transparent as they can be. Some of the ideas include:

- Promoting the development of independent media within the community
- Posting all essential financial and electoral information on band Web sites
- Implementing policies that ensure most band council meetings are held on-reserve
- Establishing an independent official to resolve disputes
- Implementing policies that separate business or program managers from the chief and council

We looked at the issue of remedial intervention in First Nation communities and how it relates to our rankings. We discuss funding to band governments and whether it will affect governance on First Nations.

What is the Aboriginal Governance Index?

The AGI is a convenient way to measure the governance of participating bands on the Prairies. Each band receives scores in several areas: services, human rights, elections and transparency. Ranking in each area is based on the responses to the survey questions that our research assistants asked a sample number of band members. We tabulate the rankings from these responses. Each band receives a score between 14 and 100 on four dimensions of good governance. Higher scores mean that respondents generally described high-quality governance. Each of the category scores is averaged out to provide the total AGI score for each band.

The AGI is part of the Aboriginal Frontiers Project at the Frontier Centre for Public Policy. It was developed as a means to provide an on-the-ground account of First Nation governance. To our knowledge, it is the only survey project that asks these questions of grassroots Aboriginal people. The project began in Manitoba in 2006 under the direction of Don Sandberg, then head of the Aboriginal Frontiers Project. In 2007, the project expanded to Saskatchewan, and in 2008, Alberta was included. Since then, we have been building on the project, including improving its methodology and questions, based on input from the respondents and professional polling firms.

The meaning and content of good governance

The AGI seeks to evaluate the quality of governance institutions in Aboriginal communities in Manitoba, Saskatchewan and Alberta. To develop a methodology for the AGI, we were forced to grapple with the question of “What is good governance?” and to reflect on the dimensions of good governance that are the most important for evaluation and analysis.

Although cultural and historical forces shape perceptions of what constitutes good governance, the belief that there are some core characteristics of good government that are universal animates our project. These include respect for basic human rights and adherence to open processes.

The Organisation for Economic Co-operation and Development (OECD) identified a more detailed and specific list of characteristics that define good governance. Some of these include:

- Participatory - Directly or through legitimate representatives, informed and organized men and women engage in decision-making that considers the concerns of the entire community.
- Transparent - Decisions and their enforcement follow rules and regulations; information and access are freely available in understandable forms.

- Effective and Efficient - Processes and institutions make the best use of available resources to meet the needs of society in a sustainable, environmentally protective manner.
- Responsive - Processes and institutions try to serve all stakeholders within a reasonable time.
- Accountable - Government, the private sector and civil institutions are held to rules of responsibility for the effect of their actions on stakeholders.

In addition to focusing on these universal characteristics of good governance, our selection of criteria, questions and survey methodology was informed by the substantial body of literature that has grown around the identification of the characteristics that lead to successful tribal governance in the North American Aboriginal context.

In 2003, the Harvard Project on American Indian Economic Development identified the elements that characterize successful tribal governance. While this project focused on Aboriginal communities in the United States, its conclusions are applicable to Canadian Aboriginals.

Among the characteristics that define good government are a clear separation between politics and day-to-day administration and service delivery, a competent and ethical administration, fair dispute-resolution mechanisms, and stable institutions and policies.

In particular, the Harvard Project identified two models. The standard approach, which emphasizes high dependence on federal dollars, is a system based on short-term political and economic gain, where, in effect, everything is about “spoils.” The nation-building approach focuses on asserting decision-making powers, creating effective governing institutions and a strategic vision for the future rather than focusing on short-term gain.

The Harvard Project also put to rest the idea that location or resource endowments alone create successful indigenous economies. Institutional arrangements and governance institutions play an important part. In particular, the following elements are crucial:

- The governing institutions are stable. That is, the rules do not change suddenly or arbitrarily.
- The governing institutions protect day-to-day business and program management from political interference. This usually involves an independent board of directors that separates leaders from program directors or business managers.
- The governing institutions take the politics out of court decisions and other dispute-resolution systems.
- The governing institutions provide effective administration.

The Harvard Project helps to clarify the characteristics of effective governance in the context of Canadian First Nations. Our study’s design and the dimensions of government we chose to evaluate were informed by universal principles of good governance such as those set out by the OECD, with a special focus on the characteristics that have been identified in the research literature as especially important in this context.

The purpose of the AGI is to evaluate through surveys and analysis the extent to which these previously mentioned good governance practices characterize Aboriginal governance in Canada. The questions contained in the AGI attempt to evaluate whether these important elements are being realized in governance.

In our survey this year, we highlight the expectations First Nations have of their governments. What follows is a snapshot of those expectations. One will quickly see that these specific expectations of First Nations on the Prairies are not much different from the vision of governance outlined by the Harvard Project and other universal definitions of good governance.

Expectations and views about good governance in First Nations communities

The AGI seeks to contribute to an enhanced understanding of the views and expectations of First Nations people about what constitutes good, effective democratic governance and to provide an assessment of the extent to which those expectations are being met. This year's AGI survey reached over 3,000 residents on more than 30 First Nations communities. It is among the most ambitious efforts ever undertaken to generate survey data on Aboriginal Canadians' opinions of good governance as well as their opinions about whether their band councils are providing it.

Our results show that First Nations people have clear expectations about several characteristics of good governance. Our data show there is a broad social consensus among First Nations people on several issues concerning how governments should conduct themselves.

For example, our respondents demonstrated a firmly held view that governments should be highly transparent. When asked whether they thought that everyone in the community should be able to find out what decisions were made by the band council, approximately 80 per cent of respondents answered "definitely, yes." Similarly, when asked whether they thought all residents should be able to learn how much money is paid to band chiefs and council members, approximately 77 per cent also responded "definitely, yes." Only 9 per cent of respondents said this information should "definitely not" be freely available to anybody who wants it. Clearly, the vast majority of our respondents value transparency as a component of good governance and think that residents should have access to information about council decisions and the amount of money paid to local politicians.

Another view about good governance that commands a near consensus in First Nations communities is a strongly held opposition to nepotism. We asked our respondents whether they consider it "right and fair" for the chief and council to award better housing or better jobs to their friends and relatives compared with other residents. Over 70 per cent of respondents gave the strongest possible negative response, indicating that they think it is not at all "right and fair" for friends and relatives of council members to receive this sort of special treatment. Less than 10 per cent of respondents expressed the opposite view.

The data indicate that First Nations people have a clearly defined view of what some of the important characteristics of effective governance are. There is broad agreement that governments should be transparent and should treat all residents equally.

This year's results

Each of the four areas of governance that we measured had a few corresponding questions that were used to measure that concept. This past year, we made some changes to the AGI. The first was the inclusion of a phone sample to accompany our in-person surveys. For this, COMPAS, a professional polling firm, was commissioned to conduct surveys with band members. Due to varying levels of telephone penetration across the First Nations, COMPAS was able to reach band members in seven First Nations in the three Prairie provinces. The questions were identical to those of the in-person survey; however, when we refer to the communities that COMPAS accessed by telephone, we will explicitly mention it in the report.

The other change was a comprehensive reform of the questionnaire by COMPAS. The questions were made even more readable and a seven-point ordinal scale was introduced to capture opinion more succinctly and accurately.

In total, there were 3,084 surveys, 2,662 in person and 422 by telephone. Thirty-two bands in the three provinces were surveyed. The lower number of completed surveys than in previous years is due to our elimination of the smallest First Nation communities, which we began last year, and an unusually low rate of participation, especially in Alberta. We are still investigating the reasons for this low participation.

In conducting the surveys, we attempted to include a cross sample of band members to ensure that the sample was representative.

The analysis of the AGI showed that the following communities have better systems of governance. Each of the top bands' overall score—the average of the results in the four dimensions of good governance that we evaluated—is also provided.

- Ahtahkakoop (SK) 72%
- Onion Lake Cree Nation (SK) 69%
- Montreal Lake Cree Nation (SK) 69%
- Red Earth First Nation (SK) 68%
- Fisher River Cree Nation (MB) 66%
- Long Plain First Nation (MB) 65%
- Siksika Nation (AB) 65%
- Mistawasis First Nation (SK) 65%
- Norway House Cree Nation (MB) 63%
- Cross Lake Band (MB) 62%
- Fort Alexander (MB) 61%
- Little Grand Rapids (MB) 61%

The scores for the remaining 32 First Nations are included in this report. A map of their locations is also included.

The following tables show the overall scores for the highest-ranked bands in each of the Prairie provinces.

Unfortunately, many First Nations chose not to participate in the survey, and some simply did not respond to our requests within a reasonable amount of time.

First Nations who refused to participate were not included in the rankings. Last year, after careful consideration, we decided to exclude any First Nation community with an adult population of fewer than 100 people. We decided that securing an adequate sample in these small communities would be too onerous. These rankings feature only communities with an adult population of more than 100 people.

We must stress that bands that scored near the bottom of our list in terms of overall ranking are not necessarily the lowest-performing bands in the Prairies. It is quite likely that the lowest-performing governance institutions are among the communities that refused to grant us permission to speak with their citizens. This refusal to allow research assistants to enter the community suggests a troubling lack of openness. We strongly advise readers not to judge the lowest-ranking bands too harshly—their willingness to participate in the survey indicates a degree of openness and commitment to improvement that was unfortunately not evident in the communities that barred us entry.

Furthermore, we would like to caution readers against attributing undue importance to small differences between the overall scores earned by different bands. Bands that are separated by just a few points in overall scores or in a particular category likely have governance institutions that operate at a similar level of performance. In other words, it would be a mistake to conclude definitively that Band A has a superior government to Band B based upon a one-point gap between the communities in the overall rankings.

The tables below present the complete results of the 5th Annual Aboriginal Governance Index. The band number is a number for Frontier Centre use; it is not the band's official reserve number or treaty number as used by Aboriginal Affairs and Northern Development Canada (AANDC).

NB: The First Nations with one asterisk beside their rank number and without an internal band number are the communities that participated in the phone surveys. Communities under either third-party management or co-management have two asterisks beside their rank.

SUMMARY OF ALL FIRST NATIONS 2011 SURVEYS

Rank	Band Name	Band # (Internal)	Elections	Human Rights	Transparency	Services/ Admin	Total
1	Ahtahkakoop (SK)	406	80%	77%	67.8%	63%	72%
2	Onion Lake (SK)	344	74%	70%	73%	59%	69%
3	Montreal Lake (SK)	354	76%	78.7%	64%	55%	68.7%
4	Red Earth (SK)	356	72.9%	68.6%	72%	58%	68%
5 **	Paul (AB) – Under co-management **	441	80%	84%	51%	52%	67%
6	Fisher River (MB)	264	78%	68%	69%	50%	66%
7	Long Plain (MB)	287	74%	71%	71%	45%	65.2%
8 *	Siksika Nation (AB)		78%	68%	71%	43%	65.1%
9	Mistawasis (SK)	374	71%	75%	60%	52%	65%

Continued next page

SUMMARY OF ALL FIRST NATIONS 2011 SURVEYS

10	Norway House Cree Nation (MB)	278	72%	72%	61%	44%	63%
11	Cross Lake First Nation (MB)	276	68%	66%	64%	48%	62%
12	Fort Alexander (MB)	262	72%	71%	57%	45%	61.3%
13	Little Grand Rapids (MB)	270	68%	62%	64%	50%	61.1%
14	Lac La Ronge (SK)	353	79%	64%	46%	55%	60.9%
15	Hatchet Lake (SK)	352	58.6%	70%	66%	48%	60.57%
16	Kawacatoose (SK)	393	67%	63%	69%	43%	60.54%
17	Tataskweyak Cree Nation (MB)	306	66%	64%	64%	46%	60.1%
18 *	Little Red River Cree Nation (AB)		61%	66%	69%	41%	59%
19	Waywayseecappo First Nation (MB)	285	67%	61%	61%	44%	58%
20	Peguis (MB)	269	66%	64%	58%	44%	57.9%
21	Big River (SK)	404	61%	61%	70%	39%	57.7%
22	Mosakahiken Cree Nation (MB)	312	64%	61%	59%	44%	56.9%
23	Sioux Valley Dakota Nation (MB)	290	63%	57%	64%	42%	56.5%
24 *	Blood Tribe (AB)		64%	56%	63%	37%	55%
25 *	Piikani Nation (AB)		64%	61%	61%	33%	54.9%
26 *	Sturgeon Lake Cree Nation (AB)		65%	60%	58%	33%	54%
27	Black Lake (SK)	359	58%	64%	54%	39%	53.8%
28	Peter Ballantyne Cree Nation (SK)	355	53%	57%	66%	38%	53.5%
29 *	James Smith First Nation (SK)		64%	61%	51%	36%	53.1%
30	Cold Lake First Nations (AB)	464	52%	63%	50%	40%	51%
31	Chemawawin Cree Nation (MB)	309	59%	54%	53%	34%	50%
32 *	Sandy Bay First Nation (MB)		46%	51%	52%	32%	45%

BEST PRACTICES

Linking rankings with practices

There is no perfect template for all First Nations. Each community is unique and aspires to different things. Many of the First Nations listed in our ranking make use of best practices, some of which are included below for reference.

The Harvard Project and other initiatives tell us that there are basic government practices that are clearly linked to superior economic performance, improved democracy and greater social cohesion.

It makes sense that transparency characterizes effective governance institutions. The light of exposure helps keep people informed, and it keeps decision-makers accountable.

Posting band documents online

In this electronic age, there is no reason First Nations cannot place major documents and financial data on band Web sites. Many of the high-performing First Nations in our survey already put this information online. Audited statements, salaries, expenses and band election results are suitable items for disclosure.

Developing independent media

Media is a big area where improvements can be made. Band newsletters are legitimate, of course, but they cannot be the only means of reaching members. Often, they merely paint a limited picture. One good practice is the encouragement of independent media within the community. Some of the best reserves have media outlets that publicize activities on the reserve.

Policies requiring most meetings be held on-reserve

Policies to ensure that the chief and council are available to members who have questions should also be developed. Oftentimes, we noticed that the chief and council held meetings off-reserve, usually in larger urban centres. Sometimes this is legitimate, but many members think the leadership should have all essential meetings on the reserve so that members can attend. Specific policies for holding meetings on-reserve or for the notification of band meetings should exist and should be enforced.

A “firewall” between businesses and program managers and elected officials

A significant area in need of reform is the level of separation between the elected officials and businesses and service providers. Too many members complain that band businesses and administration are not far enough removed from politics. In the Harvard Project, Professor Stephen Cornell at the Native Nations Institute (University of Arizona) provided evidence that band enterprises that are separate from band politics through independent boards of directors are more profitable. This is because these businesses can focus on

the bottom line rather than on pleasing politicians. Often, politicians use band enterprises as a way to reward voters or to hire friends and family. As a result, business performance suffers, as the eye is taken off merit and focused on politics.

Siksika Nation in Alberta performs well in our surveys (3rd in Alberta and 13th overall last year, 8th overall this year, top in Alberta given that Paul is under co-management), and it is adopting policies to remove politics from administration and services. It is working with the University of Lethbridge to have a third party act as an independent appeals tribunal to deal with complaints against program service providers. This is a type of ombudsperson who is separate from the community and can engage in dispute management.

Not surprisingly, First Nations that adopt a system of appointing independent officials to resolve disputes do better. This contributes to improved transparency and administration scores, and as the Harvard Project has shown, it leads to more-profitable businesses and better decision-making. A top priority for all First Nations is ensuring that committees that provide public services are kept separate from politics by competent and independent boards of directors that answer first to program, and by service managers who are thinking about the good provision of services and not politics. In such instances, the result is a “firewall” between the managers and committees and the chief and council.

Notes about First Nations under Intervention

AANDC maintains a Default Prevention and Management Policy to help First Nations with financial management when problems are uncovered. The policy has three levels of intervention with an increasing level of federal involvement at each stage.

The stages, as listed on AANDC's Web site, are as follows:

- **Recipient Managed:** The First Nation develops and implements a Management Action Plan (approved by AANDC) to remedy and recover from the default, to address its causes and prevent its recurrence.
- **Co-Managed:** (i.e. Expert Resource Support): Collaboratively, the Co-manager and the First Nation work to address the causes of the default, and then to identify and develop the necessary capacity to prevent recurrence.
- **Third-Party Managed:** Approved by AANDC, the Third-Party Manager administers AANDC funding for the delivery of programs and services normally managed by the First Nation while the First Nation works to remedy the underlying causes of the default and resume administration of funding for programs and services.

Being under remedial intervention is not necessarily evidence of mismanagement, although it raises legitimate concerns. Although the AGI did not directly ask about remedial management, if a community is co-managed and especially if it is under third-party management, this affects its ability to deliver services independently. Therefore, any community in our survey that was under third-party management is not eligible to be included in our top five rankings. Any community under co-management, cannot unfortunately place in the top ten rankings. Communities that are recipient managed are eligible to place in the top five but will be flagged as such. The intent is not to punish the community or place it under suspicion but to stress the integrity of the process and to ensure that our top-ranking communities are freely able to design and deliver their programs and services and control their financial management. Unfortunately, the more-serious levels of remedial intervention compromise that independence.

Notes about First Nation funding and AANDC

While we conducted our survey, many leaders raised the issue of funding for band governments from Aboriginal Affairs. They thought that the poor public services on many First Nations were not the fault of the First Nation governments or the people. After all, the federal government, through AANDC provides funds for on-reserve programs. The federal government has stated that what they send to band governments for services is supposed to be comparable to what non-Aboriginal Canadians receive from their federal, provincial and municipal governments for services. By the government's own admission, much of this funding is not meeting the target. The extent to which the federal government is actually underfunding Aboriginal communities is an open question that deserves further exploration. It should be noted that for the survey—none of the questions were tightly linked to funding levels.

In addition to arguing that current levels of federal government funding are insufficient, many leaders stated that existing laws—especially the *Indian Act*—limit their freedom to take action in ways that they determine would benefit their communities. First Nation governments under the *Indian Act* often face legal constraints that prevent them from freely deciding where to invest or how to govern the programs they are required to deliver. That responsibility still often rests with federal policy-makers.

Despite the possibility of underfunding and the fact that the leaders operate under political constraints, there exists a consensus that they have an obligation to deliver the highest-performing government possible under the circumstances they face—even as they press for reform at the federal level.

There is also the reality that when the federal government began to devolve program delivery responsibilities to band governments in the 1980s, it did not provide the expertise or training that was necessary to deliver those programs effectively. Building policy capacity, especially in the area of financial management, among First Nation communities should be a priority, and it would help improve public management in several areas.

None of this excuses mismanagement when it occurs at the local level. First Nation governments have an obligation to their membership to spend all available funds responsibly and transparently. Regardless of flaws in existing funding formulas or unhelpful constraints imposed by the *Indian Act* and other laws, there is still an obligation to ensure that band funds are allocated to the proper programs and that they reach their intended targets. It is important for public managers at the local level to be as accountable, transparent and effective as possible while they are pushing for comprehensive reform. We are convinced that the overwhelming majority of First Nation leaders shares this principle.

Basic Findings

(Results within the results)

This year, we wanted to take a closer look at how band members perceive governance. COMPAS completed this section.

Thus, we have taken the seven First Nation communities surveyed by phone and have evaluated what they can tell us about First Nations expectations about governance.

The questions in the AGI survey have very high “face validity.” They are clean and easily understood.

The questions also have high statistical validity. If some or many questions had been incomprehensible or if some questions had involved trickery, no sensible pattern would have emerged from the multivariate (more than one variable) analysis. However, the multivariate analysis of the answers to the 7-point scale questions by means of factor analysis yielded meaningful, consistent underlying patterns of thinking.

The survey results portray First Nations people as having well-developed views and expectations with respect to democratic governance along with concerns about band councils’ performance.

In summary, respondents...

- think that band councils (Q7), like the federal government (Q4), do not carry out their promises;
- perceive band councils to be doing poor jobs (Q9);
- believe in total transparency in governance (Q10, Q19) and perceive by a huge margin that band councils are becoming less transparent (Q12) and are making it impossible for people to know what the chiefs and other leaders earn (Q20);
- roundly oppose nepotism (Q13), yet, by an overwhelming margin, believe band councils to be nepotistic (Q8) and perceive chiefs and councils to be practising nepotism (Q14);
- are divided about the fairness of band elections, with just under half believing with certainty that the ballots were counted fairly (Q15) and three-quarters reporting that voters were either paid for their votes or promised future favours in return for their votes (Q16);
- report fear of arbitrary power by the band government, with more than half asserting that some people are afraid of the consequences of being disliked by the chief or council (Q17) and more than half reporting that they know people who live in fear of being expelled from their community for arbitrary reasons (Q18).

Construction of the Governance Survey

Our analysts wrote several drafts of possible questions and divided them into four categories that reflect different aspects of good governance: elections, administration/services, transparency, and human rights.

Throughout the process, survey constructors relied on our Aboriginal Frontiers research and on grassroots reporting to inform the choice of categories and the wording of questions. We also had considerable on-the-ground input from our policy analysts and field workers about our questions. This input will be taken into consideration as we continue to develop and improve our questionnaires. As mentioned earlier, we had the expert advice of COMPAS pollsters in developing our questionnaire. Special thanks go out to COMPAS president, Conrad Winn.

The surveying work

We assigned points to each question depending upon the answer given. Answers that suggested better governance earned more points, whereas answers that suggested worse governance earned fewer. For each question, the “best” answer was assigned 100 points and the “worst” answer was assigned 14. To produce a band score for each category and an overall score, each band’s survey scores were averaged. For each category and overall, the best score a band could receive was 100 per cent if every respondent gave the “best” possible answer to each question. The worst score would be 14 per cent if each respondent gave the least favourable answer.

Weightings

In this year’s report, we weighted all four categories of governance equally. To obtain the final band score, we added up the category scores and divided the total by four, the number of categories examined.

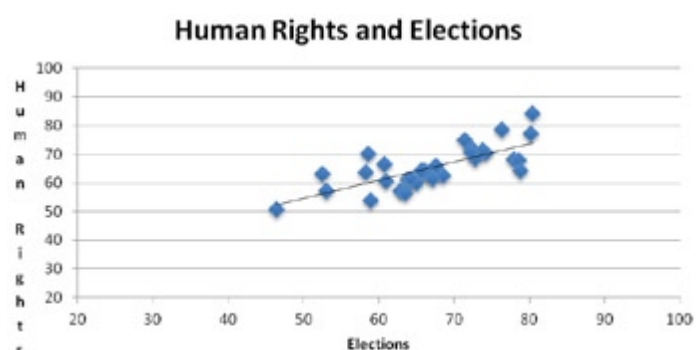
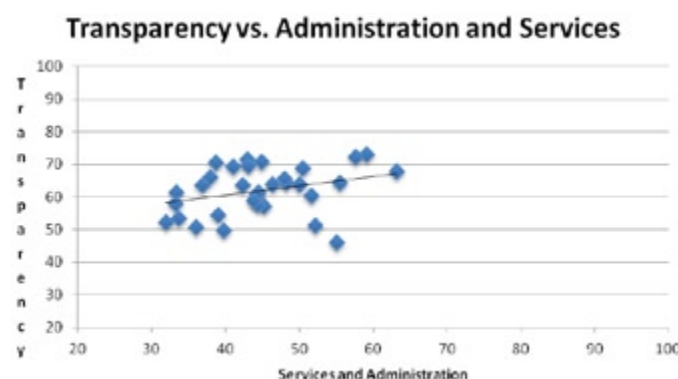
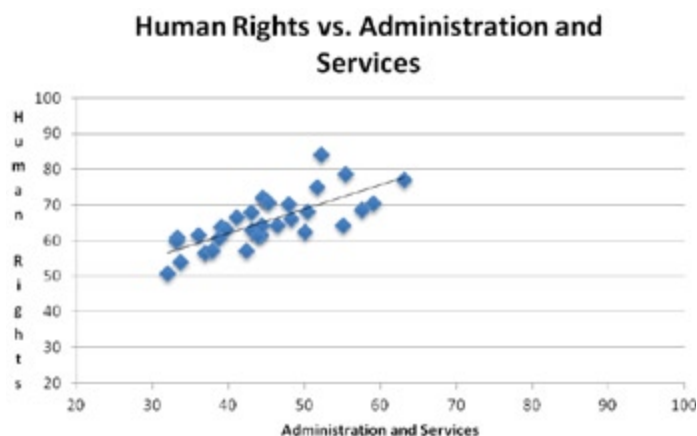
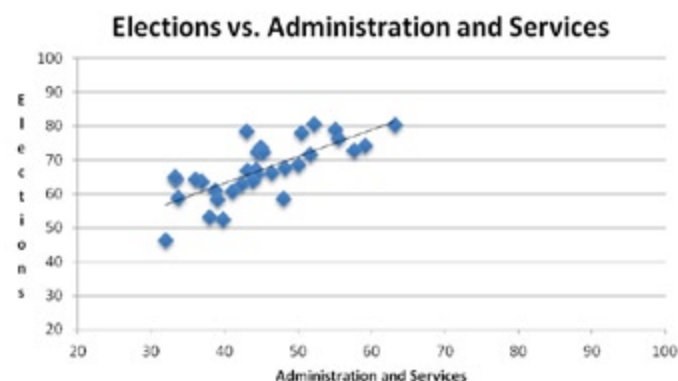
The category results generally correlated positively with one another. In other words, strong performance in one area generally predicts strong performance in the others. Therefore, the results of our survey are quite robust to different approaches to weighting the category scores. Small changes in the weighting system do not produce very different survey results.

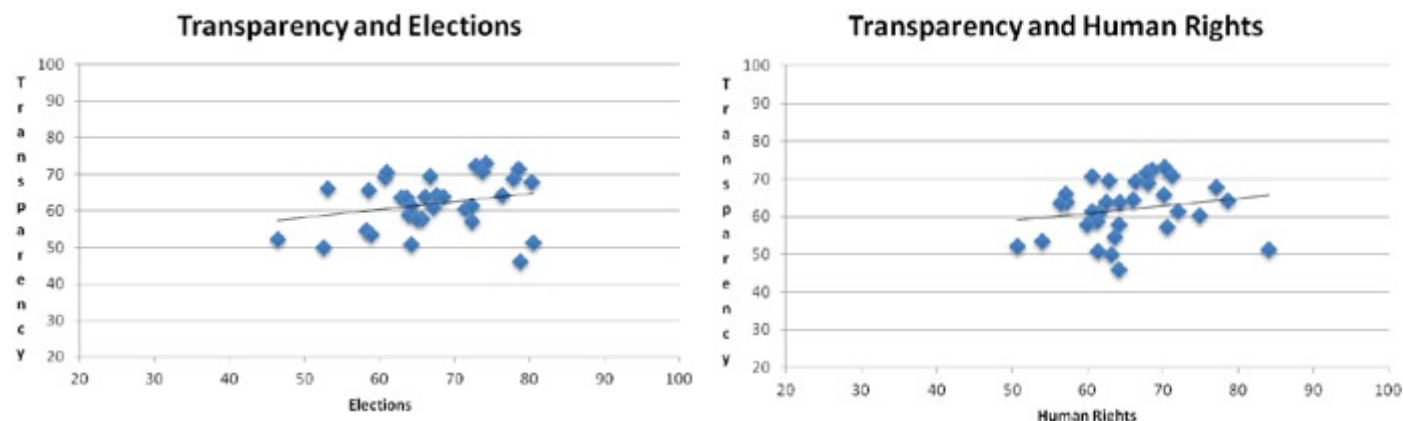
Relationships between band scores in different categories

Summary

- In past editions of the AGI, we found, generally speaking, that there is a positive correlation between the scores earned by bands in each of the different areas of good governance that we analyze. In other words, strong performance in one category tends to go along with strong performance in all the others. It is rare for a band to earn exceptionally strong scores in some areas and exceptionally poor scores in others.
- This pattern of positive correlations between the scores earned by bands in different categories was again evident this year. Regression analysis (a technique for analyzing the relationship between different variables) showed positive correlations between band scores in each of the five categories examined in this year's report.
- Several of the correlations were statistically significant at the 95 per cent confidence level. The only exceptions were the relationships that involved the transparency category. In all three of these cases, there was a positive correlation, but it was not statistically significant at the 95 per cent confidence level.

The following set of Charts illustrate the positive correlation between each pair of categories examined. In each case, the trend line shows a positive slope and each indicates the existence of a positive correlation between band scores in each pair of categories.





Perceptions of strengths and weaknesses of Aboriginal governance on the Prairies

While there is broad agreement on many points among First Nations people about how governments should conduct themselves, there is a diversity of opinion between bands and within them about whether band councils are succeeding in meeting expectations and in providing transparent, fair and effective governance to their residents. This section of the AGI discusses the perceptions of local governance performance in First Nations communities.

Since its inception, the AGI has shown that it is difficult to make sweeping generalizations about Aboriginal governance, because the quality and nature of governance structures differ significantly from one community to another.

We are aware of this diversity between Aboriginal communities and recognize that there are exceptions to most comments we could make about the effectiveness of band-level governance across the Prairies. However, due to the size of the sample and the detail of our questionnaires, the responses to our survey provide a great deal of information that can be helpful in better understanding—generally speaking—what the areas of strength and weakness are in Aboriginal governance structures in the communities studied.

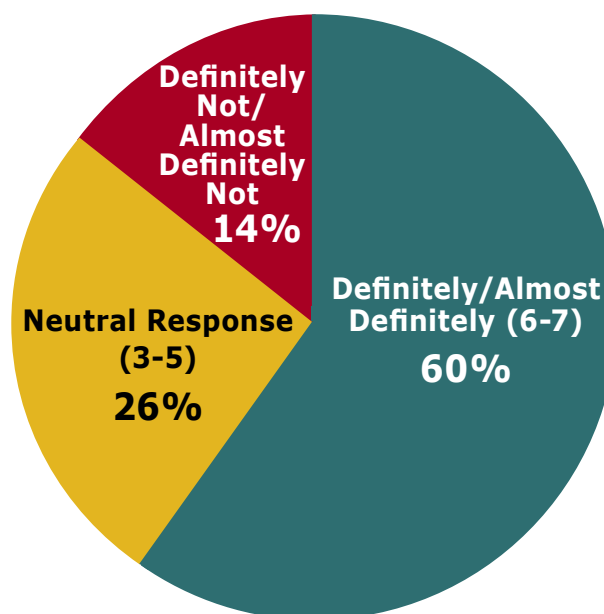
The following notes identify some of the most significant findings of our survey, which shed light on the important issue of where Aboriginal governance structures are currently succeeding and which stand most in need of improvement.

Elections

Our questions concerning the fairness of elections elicited significantly more positive responses than did the questions surrounding some other categories of good governance. Nonetheless, opinions were somewhat divided regarding whether votes were counted fairly in the last election and whether any voters were offered money or other rewards in exchange for voting a certain way.

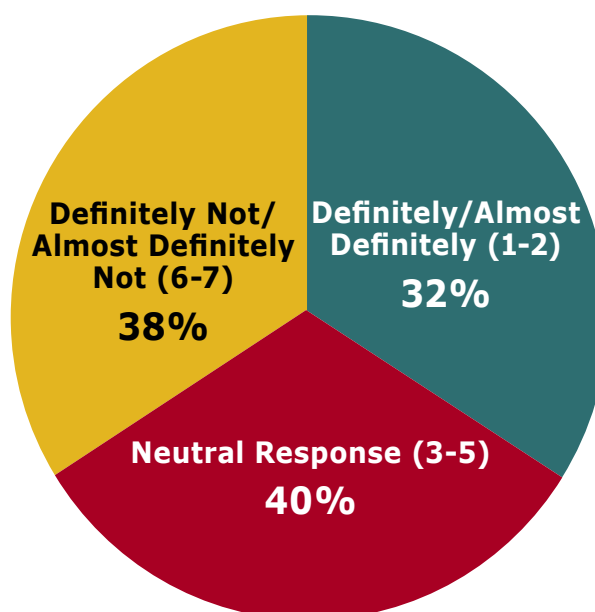
When we asked respondents whether they thought the votes were counted fairly in the most-recent election, a small majority (54 per cent) of respondents expressed complete confidence that they were, saying that they thought votes were “definitely” counted fairly. Respondents were asked to respond on a 7-point scale, with a score of seven meaning votes were “definitely” counted fairly and a score of one meaning that they were “definitely not” counted fairly. Just 12 per cent gave the most-negative answer possible, saying they thought votes were “definitely not” counted fairly. In total, 60 per cent provided a positive response (a 6 or a 7) to this question, 14 per cent gave a negative response (a 1 or a 2) and 26 per cent gave a neutral response (3 to 5).

Thinking of the last Band Council election, were the votes counted fairly? (7-point Scale)



Our respondents' opinions were more divided on the question of whether they thought any voters were told they would receive money or other special favours if they voted a certain way. While 32 per cent of our respondents said that they thought this sort of tampering definitely did not occur, a similar share of respondents (26 per cent) said they thought it definitely did occur. Once again, we asked our interview subjects to answer this question on a 7-point scale. Thirty-eight per cent gave a positive response (6 or 7), 32 per cent gave a negative response (1 or 2) and the remaining 40 per cent gave a neutral response (3 to 5), suggesting they were not certain either way.

So far as you can tell, were any voters told they would get money or favours if they voted a certain way? (7-point scale)



Although our questions about the fairness of elections generated responses that were generally more positive than some of the other categories we examined, these results suggest that many First Nations people continue to have some concerns about the elections. A sizeable minority of respondents (40%) gave either a negative or a neutral response when asked whether they thought votes were counted fairly. Further, opinion was almost evenly divided on the question of whether payments or favours were exchanged for votes in the most recent election. These data show that there remain many individuals in First Nations communities who are not confident that local elections are conducted in a free and fair manner.

Services and Administration

We asked respondents about the extent to which they think that local governments treat residents equally, regardless of the nature of their personal relationships with chiefs and band council members. These questions sought to understand attitudes about the roles that nepotism and favouritism play in shaping the decisions taken by band governments in the Prairies.

Unfortunately, our survey results show that a large number of First Nations people thinks nepotism and personal favouritism play large roles in governance decisions and that chiefs and council members give special treatment to friends and family members.

In the preceding section, we noted that the vast majority of First Nations people thinks that it is neither right nor fair when friends and family members of local politicians receive special treatment. However, the majority also stated that they think this unfair behaviour takes place in their communities.

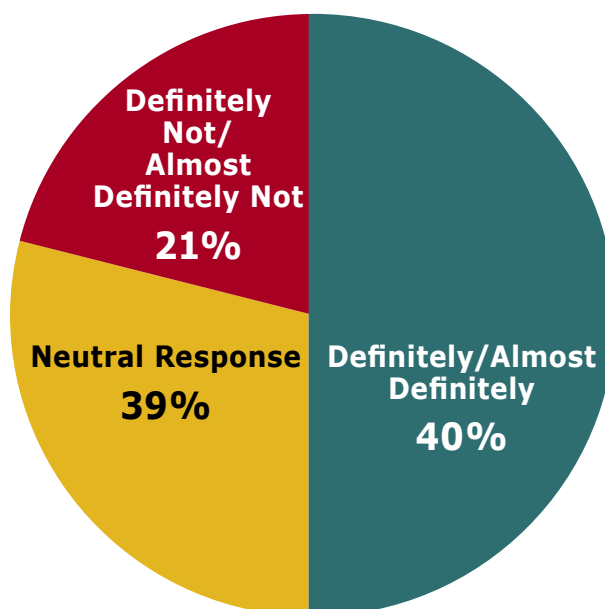
We asked our respondents whether they think that friends and relatives of the chief and council members “tend to get the better jobs or better housing.” We asked them to reply on a 7-point scale. Troublingly, fully a third of them stated that this sort of favouritism

“definitely” takes place. An additional 7 per cent of respondents gave the next strongest answer, suggesting they think favouritism very likely occurs in their communities.

By comparison, just 16 per cent of respondents indicated that this kind of favouritism definitely does not occur by giving the strongest possible answer to that effect. Only a further 5 per cent of respondents gave the second-strongest possible answer.

This suggests that while about 40 per cent of respondents think this type of favouritism definitely or almost definitely occurs, only 21 per cent were of the strong opinion that it does not. The remaining 39 per cent provided one of the three responses in the middle of the 7-point scale or said that they did not know.

In practice, do friends and relatives of the Chief and Council members tend to get jobs or better housing?



A similar question asked respondents if they think the band council treats everyone equally and does not favour friends when deciding whom to hire or how to spend money. This question generated an even stronger reaction, suggesting that many residents suspect unfair favouritism. Again, more than a third of respondents gave the strongest possible answer, suggesting they think their band council is not impartial. Fewer than 10 per cent gave the strongest possible answer at the other pole, saying they think their council is impartial. The remaining answers were concentrated heavily toward the end of the pole, suggesting a belief that favouritism exists.

The scores in the Services and Administration category indicate that some band councils have done a better job than others have of convincing their residents of the impartiality of their local governments. However, the data from across the 32 bands surveyed provide strong evidence that throughout the Prairies, there is skepticism about the fairness and impartiality of band governments.

Human Rights

One of the fundamental prerequisites for a successful community is that individuals feel physically safe and secure in the possession of their property. Our survey suggests that in the minds of some residents, these conditions are not met.

Specifically, our respondents suggested that a significant minority of residents fear that chiefs and councils sometimes abuse their political power by using Band Council Resolutions (BCRs) to remove residents from the community. Expelling residents deprives individuals or families of their membership in the band.

We asked respondents whether they think any members of their community are afraid that they will be forced to leave the community. Fortunately, the largest share of respondents answered that residents do not have this fear. Approximately half gave the strongest possible answer to this question, saying people are “definitely not” afraid the chief and council will force them to leave.

However, a significant minority held a different viewpoint. Just under 20 per cent of our respondents gave the strongest answer at the opposite end of the spectrum, saying that some residents are “definitely” afraid the chief and council will make them leave. A further 5 per cent gave the next strongest answer, suggesting they think some residents have this fear.

Most of our respondents did not suggest that band residents are afraid of being forcibly removed from their communities. It is nonetheless troubling that a significant minority expressed concern about this issue. Forced removal constitutes a perceived threat in the minds of too many individuals on reserve.

Transparency

In order for residents to be engaged in decision-making in local communities and to feel confident that decisions are made fairly and money is spent wisely, it is crucially important for band councils to be transparent. Information concerning council meetings, major decisions and financial records should be easily available to anybody who wishes to see them.

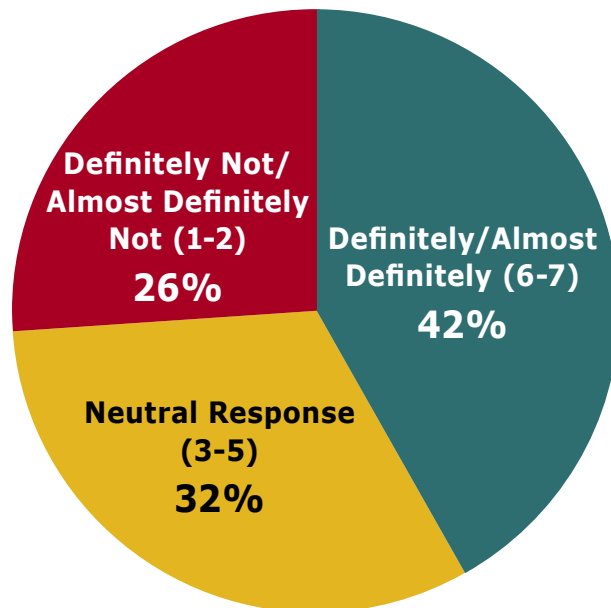
As was the case in the last AGI, the responses to our survey questions about transparency were highly varied. Some respondents reported good access to information about band council activities, while others reported severely restricted access. For example, when we asked whether everyone who lives on the reserve is allowed to find out what decisions have been recently made by council, slightly fewer than one-third of respondents said “definitely, yes.” Just under 20 per cent provided an answer at the opposite end of the spectrum, saying individuals are “definitely not” able to gain access to information about recent council decisions. Approximately one-quarter of respondents provided an answer precisely in the middle of the 7-point scale, suggesting either no opinion or some uncertainty about the answer to the question. It is encouraging that more respondents think they are able to access information than think it is impossible to access it, but further work needs to be done to ensure residents are confident in their ability to monitor the actions of their governments.

We also asked respondents about a topic related to transparency that has been widely discussed this year—the ability of residents to find out how much money chiefs and band councillors make. As noted in the previous section, nearly 80 per cent of respondents told us that they think residents should “definitely” be able to learn how much money local politicians make. Unfortunately, a much smaller number of our respondents confidently stated that they think residents are actually able to access this information.

Just over 35 per cent of respondents told us that information about chief and council salaries is “definitely” available to everyone. A slightly smaller number, approximately 25 per cent, gave the opposite answer, saying that the information is “definitely not” freely available. The remaining respondents provided an answer between these two poles on the 7-point scale. There was a significant degree of variation in the scores earned by the bands in the transparency section, which indicates that the negative responses are concentrated in the lower-scoring bands, whereas in other bands, a large proportion of respondents are confident that information on council earnings is available.

Residents of all communities should know how much money their politicians make—at the band, local, provincial and federal levels. In those communities where large numbers of respondents are not confident such information is accessible, efforts should be made to make sure the information is as easily accessible as possible in order to promote the perception of transparency and to increase confidence in the openness of governing institutions in First Nations communities.

In practice, is everyone in your community who wants the information allowed to learn how much money the Chief and Band Councillors earn?



General perceptions of governance performance

In the preceding sections, we reviewed the evidence our data provide on perceptions of governance performance in four different areas: elections, services and administration, human rights and transparency. In this section, we will briefly discuss the responses to the questions designed to show the extent to which First Nations people think that their leaders provide honest, effective governance.

We asked our respondents whether they think their government keeps its promises. We asked for a response on a 7-point scale. More than a quarter of all respondents gave the most negative answer possible, saying band governments definitely do not keep their promises. Fewer than 10 per cent gave the exact opposite response and said band governments definitely do the things they promise they will do. The majority of the remaining respondents were clustered closer to the negative end of the spectrum, giving the impression that they do not think band governments keep their promises or they are not sure if the band governments keep their promises. Far more respondents expressed skepticism about band governments keeping promises than expressed confidence that they do so.

When we asked respondents whether they think their band council generally does a “good job” when it tries to do something in the community, the response was considerably more balanced. The responses were spread evenly across the 7-point scale, suggesting that there is a wide range of opinion about whether band governments are effective and generally do a good job when they do something.

First Nations perceptions of Federal Government performance

In this report, we thoroughly examined the perceptions of First Nations people about the performance of their band governments. In several instances, we noted areas where widespread concern exists in First Nations communities about the effectiveness of band institutions. Specifically, we noted many First Nations people share concerns about whether band governments do what they promise as well as concerns about the provision of transparent access to financial information.

While many First Nations people were concerned about band government performance, it is important to stress that their unease about the effectiveness of government institutions was generally not confined to the band level. We asked questions about their views on the performance of the federal government and received a large number of negative responses.

Specifically, when asked whether they think the federal government does a good job when it tries to do something in the community, only about 5 per cent said “definitely yes,” the strongest answer on our 7-point scale. By comparison, approximately 30 per cent gave the strongest possible response in the opposite direction, saying “definitely not.” The remaining responses were heavily concentrated in the negative half of the spectrum. Overall, these responses were significantly more negative than those we received when we asked if the band government does a good job, suggesting many First Nations people think the band government is more likely to do a good job than the federal government is when it tries to do something.

Similarly, when we asked First Nations people whether they think the federal government keeps its promises, fewer than 5 per cent said that it definitely does compared to more than 35 per cent who said definitely not. Finally, although we noted that there are widespread concerns about favouritism on the part of band council members in terms of the treatment of their friends, our data suggest that those views extend to the federal government as well. Only a small minority of approximately 5 per cent said they think the federal government treats everyone equally and does not favour its friends when deciding whom to hire or how to spend money. More than 40 per cent of respondents said the federal government definitely does not treat people equally and that it does engage in favouritism.

These responses suggest that skepticism about effective, honest government performance in First Nations communities is not limited to the band council level. There is at least as large a degree of concern about the performance of the federal government.

First Nations people’s doubts about the honesty and effectiveness of the federal government have deep historical roots and will not be easy to address over a short period. However, we hope the federal government will consider this data as strong evidence that there is a continued need to be as open and transparent as possible, to clearly demonstrate results from interventions and to make those results freely available and to continue to work to build trust in its ability to provide effective governance.

Conclusions

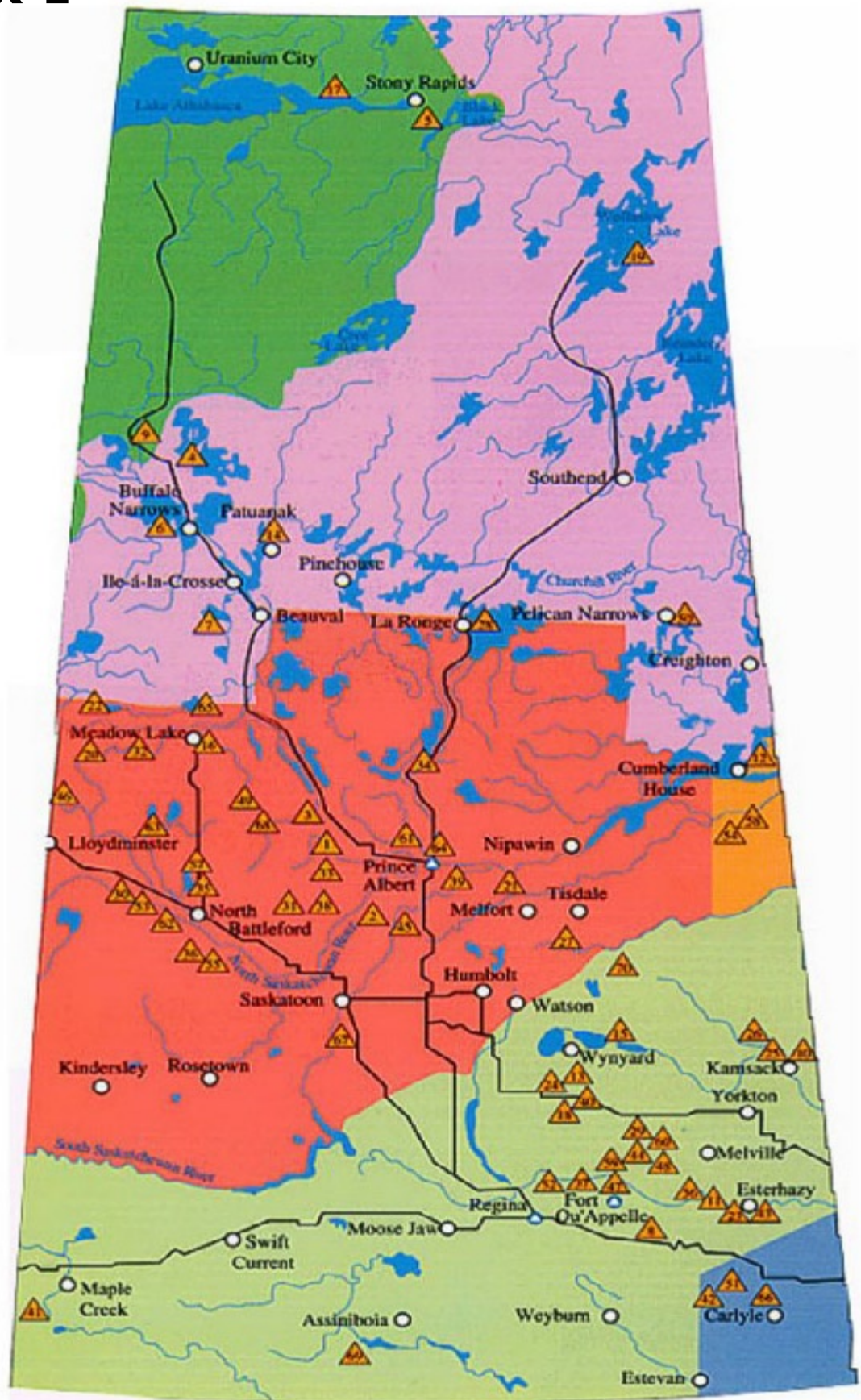
This past year for the AGI was certainly challenging, with all of the new changes. The introduction of phone surveys allowed us to see how receptive our respondents were to a new way of sharing information about quality of governance and services. We surveyed seven communities this way, and we will assess how to proceed with phone surveys in the future. We are grateful to have a competent and professional research partner in COMPAS.

We have concerns about the drop in participation this year, particularly from Alberta. It means we need to increase our outreach to these First Nations between our surveys. It has become our practice to attend larger chiefs' gatherings in order to increase our relationship-building with leadership. Relationships are an important part of indigenous culture and experience, so we respect that as we try to engage with the communities and explain that our project is positive and is intended to be constructive.

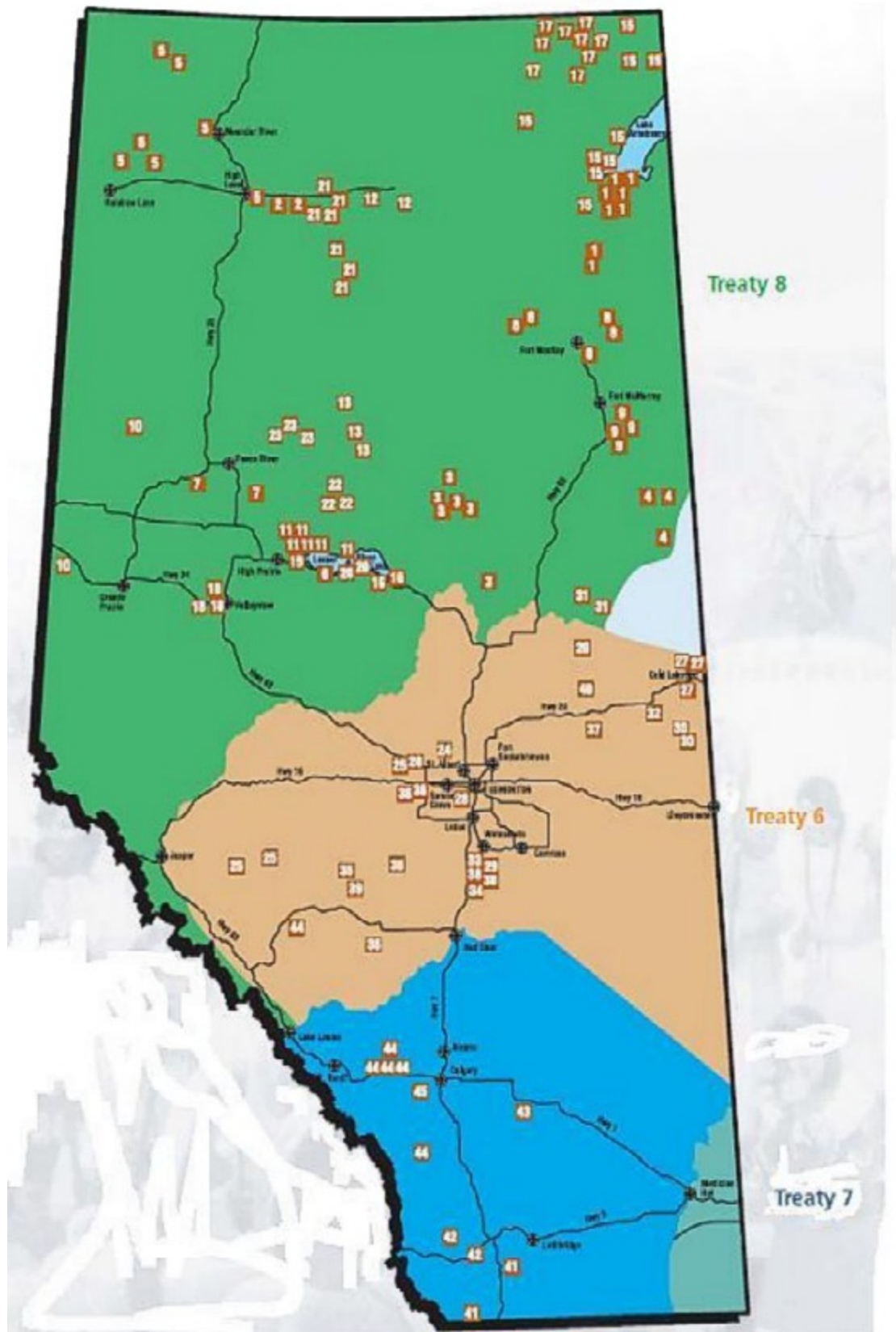
As mentioned earlier, we view the AGI as an important way to gauge expectations of governance and services on the part of First Nations. What are the expectations of band members and do they think their governments are delivering on them? Our analysis of the seven communities surveyed by phone shows that First Nations have very developed expectations and a strong sense of ethical and democratic governance. This past year has been quite interesting on the Aboriginal policy front, especially as top First Nation leadership is calling for major reform of the *Indian Act*. As long as bands are under the *Indian Act*, they must deal with what they have, but this does not mean that band governments cannot meet the basic expectations of their members. We sign-off this year in the hope that First Nation governments across the Prairies will read this report and see what their members expect of them and act accordingly. Improving governance, after all, is a major way of elevating their population so that everyone wins.

Appendix I Maps

Map 1
Saskatchewan

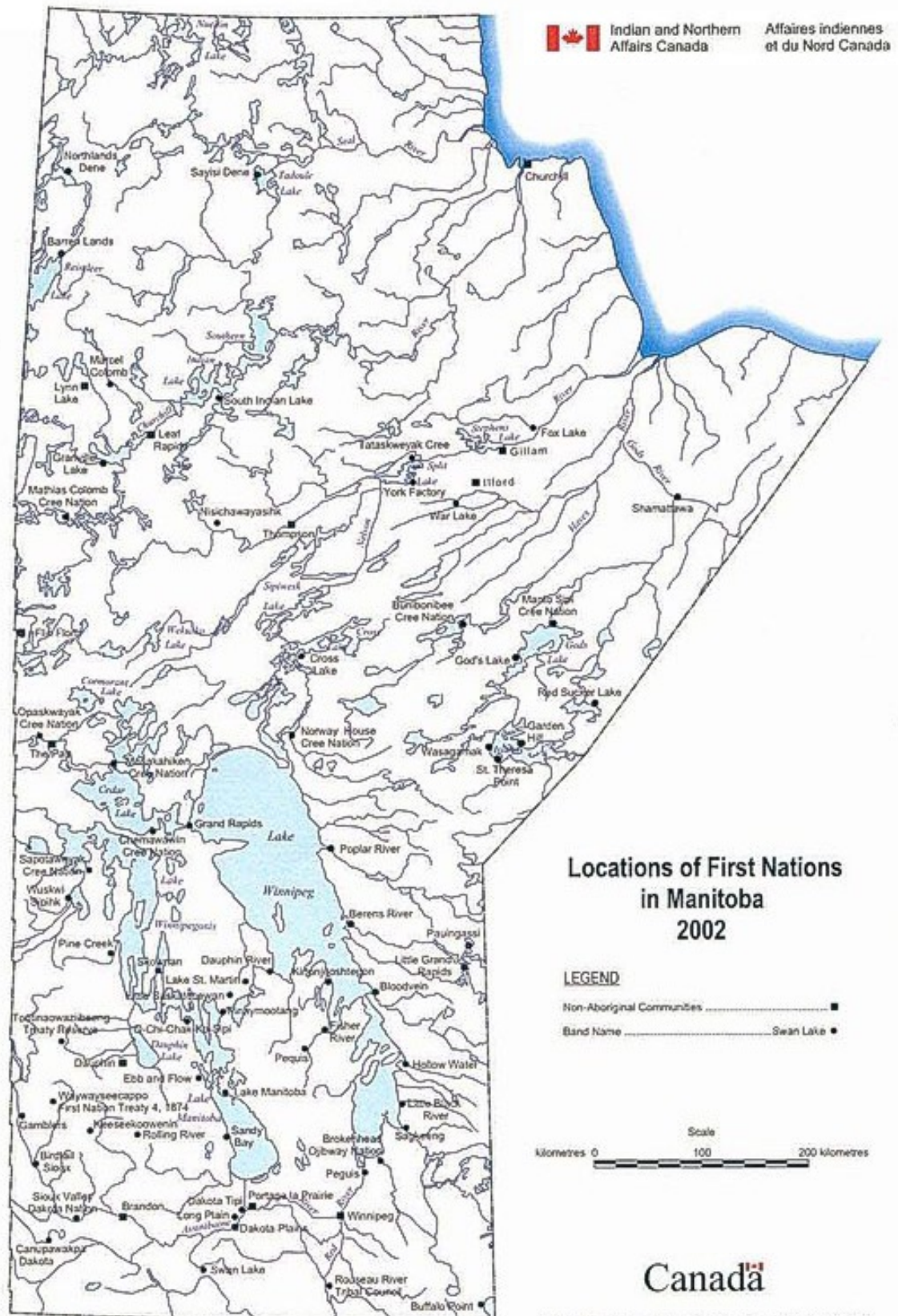


Map 2 Alberta



Map 3

Manitoba



Appendix II

2011 AGI Project Questionnaire

NAME OF FIRST NATION

BandName

11

[BandNumber]

BAND NUMBER

BandNumber

12

Answer:

[AgeofMajority]

Are you over the age of 18?

Age of Majority

13

1 Yes 2 No

[AgeGroup1]

Please select one.

Age Group

14

1 18 - 21

2 22 - 29

3 30 - 39

4 40 - 49

5 50+

[Gender]

Please select one:

Gender

15

1 Male

2 Female

Background

16

[BackgroundQ1]

Thinking of the federal government in Ottawa, do you think that what the federal government does in First Nations communities affects your own life?

BackgroundQ1

17

1 Definitely

2 Probably

3 Not sure

4 Probably not

5 Definitely not

6 Don't know

[BackgroundQ2]

Now thinking of the local government, the band council here in your community, do you think that what the local government/ band council does here in your community affects your own life?

BackgroundQ2

18

1 Definitely

2 Probably

3 Not sure

4 Probably not

5 Definitely not

6 Don't know

[BackgroundQ3]

Thinking of the job the local government/ band council does here in your community, do you tend to have your own opinions about how good a job it does?

BackgroundQ3

19

1 Definitely

2 Probably

3 Not sure

4 Probably not

5 Definitely not

6 Don't know

Section: General Measures

General Measures

20

Do you feel the federal government does what it promises?

Please use a 7-point scale where 7 means they do what they promise and 1 they don't do what they promise.

[General Measures Q1]

21

Do you feel the federal government treats everyone equally and doesn't favour their friends when they decide whom to hire or how to spend money?

Please use a 7-point scale where 7 means they treat everyone equally and 1 they don't treat everyone equally.

[General Measures Q2]

22

Do you feel the federal government does a good job when it tries to do something here in your community?

Please use a 7-point scale where 7 means they do a good job and 1 they don't do a good job.

[General MeasuresQ3]

23

Do you feel the band council here in your community does what it promises?

Please use a 7-point scale where 7 means they do what they promise and 1 they don't do what they promise.

[General Measures Q4]

24

Do you feel the band council here in your community treats everyone equally and doesn't favour their friends when they decide whom to hire or how to spend money?

Please use a 7-point scale where 7 means they treat everyone equally and 1 they don't treat everyone equally.

[General Measures Q5]

25

Do you feel the band council here in your community does a good job when it tries to do something here?

Please use a 7-point scale where 7 means they do a good job and 1 they don't do a good job.

[General Measures Q6]

26

Section: Transparency

Transparency

27

In general, should everyone in this community who wants the information be allowed to find out the decisions that the band council has made?

Please use a 7-point scale where 7 means everyone should be allowed to know band council decisions and 1 not everyone should be allowed to know band council decisions.

[TransparencyQ1]

28

In practice, is everyone who lives here allowed to find out the band council's decisions?

Please use a 7-point scale where 7 means everyone is allowed to know band council decisions and 1 not everyone is allowed to know band council decisions.

[TransparencyQ2]

29

[TransparencyQ3]

I think that finding information on band council decisions:

TransparencyQ3

30

1 Is getting easier

2 Has not changed

3 Is getting harder

I don't know where or how to receive information on band council decisions.

Section: Administration and Services

Administration and Services

31

In general, do you think it's right and fair if some people get better jobs or better housing because they are friends or relatives of the chief or council members?

Please use a 7-point scale where 7 means it isn't right and fair and 1 it is right and fair.

[ServicesQ1]

32

In practice, do friends and relatives of the chief and council members tend to get the better jobs or better housing?

Please use a 7-point scale where 7 means definitely not and 1 definitely yes.

[ServicesQ2]

33

Section: Elections

Elections

34

Thinking of the last band council election, so far as you can tell, were the votes counted fairly?

Please use a 7-point scale where 7 means the votes were counted fairly and 1 they weren't counted fairly.

[ElectionsQ1]

35

So far as you can tell, were any voters told they would get money or special favours if they voted a certain way?

Please use a 7-point scale where 7 means definitely not and 1 definitely yes.

[ElectionsQ2]

36

Section: Human Rights

Human Rights

37

So far as you can tell, are any of the people in your community afraid of what might happen to them if the chief or council disliked them?

Please use a 7-point scale where 7 means definitely not and 1 definitely yes.

[HumanRightsQ1]

38

Are any of the people in your community ever afraid of being forced to leave?

Please use a 7-point scale where 7 means definitely not and 1 definitely yes.

[HumanRightsQ2]

39

Section: Council Earnings

Council Earnings

40

In general, should everyone in your community who wants the information be allowed to learn how much money the chief and band councillors earn?

Please use a 7-point scale where 7 means everyone should be allowed to know and 1 not everyone should be allowed to know.

Council Earnings Q1

41

In practice, is everyone in your community who wants the information allowed to learn how much money the chief and band councillors earn?

Please use a 7-point scale where 7 means everyone is allowed to know and 1 not everyone is allowed to know.

Council Earnings Q2

42

Section: Arm's-length

Arm's-length

43

As a final question, please select all that apply to you:

Arm's-length Q1

44

I am or have been a band council member.

[ArmsLengthQ1.I_am_or_have_been_a]

1

I am or have been related to a band council member.

[ArmsLengthQ1.I_am_or_have_been_re]

2

I am not nor have I ever been related to a band council member.

[ArmsLengthQ1.I_am_not_nor_have_I]

3

Further Reading

June 2010

The Fourth Annual Aboriginal Governance Index

By Joseph Quesnel

<http://www.fcpp.org/publication.php/3332>

June 2009

The Third Annual Aboriginal Governance Index

By Joseph Quesnel

<http://www.fcpp.org/publication.php/2807>

November 2011

How to Improve First Nation Economies

By Joseph Quesnel

<http://www.fcpp.org/publication.php/3987>

For more see

www.fcpp.org

