

C4FE ECONOMIC INSIGHTS

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Unveiling Bureaucratic Hurdles in Addressing the Indigenous Women Crisis

Native American reservations face some of the harshest societal issues: high poverty rates, inadequate healthcare services, and the highest rates of crime committed against Indigenous men and women. The murder rate of women on some reservations exceeds the U.S. national average, and Indigenous women are going missing at **crisis levels**. In a survey conducted by the **First Nations Development Institutes** (FNDI), 37 percent of respondents say that “The high rate of missing and murdered indigenous women (MMIW),” is the most **salient issue** on tribal reservations, with both Indigenous men and women sharing about the same percentage of concern.

Different policies and programs have been initiated on behalf of the U.S. federal government and its agencies to address the Missing and Murdered Indigenous Women Crisis. For example, The United States Department of Justice (DOJ) in 1995 created The Office on Violence Against Women (**OVW**), a component of the DOJ that focuses on legislation related to violence against women. This January 2024, the **OVW released a program** targeting Indian Tribal Governments who are seeking financial assistance to implement programs and services focused on preventing and responding to violence against women, such as domestic violence, sexual assault, dating violence, and stalking within Native American communities.

The U.S. Constitution empowered the federal government to engage in relations with tribes. The historical relationship between the U.S. federal government and tribal governments has been characterized by a series of complex dynamics, and recent events continue to underscore the enduring obstacles faced by Indigenous communities. Despite constitutional provisions empowering federal engagement with tribes, disparities in resource allocation and jurisdictional disputes persist. Moreover, the [effectiveness of federal policies](#) aimed at addressing these disparities remains questionable, as evidenced by the ongoing challenges of poverty and crime rates on many reservations. Notably, in 2020, the [Native Nations Institute \(NNI\)](#) released a report detailing the impact of the [CARES Act](#) on tribal governments. The [NNI report](#) exposed problems in the federal government's distribution procedures and a lack of transparency concerning how funds are used, greatly diminishing the legislation impact. It highlighted disparities, administrative challenges, and obstacles that certain tribal nations face in accessing CARES Act funding and managing it effectively.

While the OVW grants the [Indian Tribal Governments Program](#) financial support and resources to address violence against women in Native American communities, there are several limitations associated with the program. One significant limitation is the complex application process. Tribes must navigate extensive paperwork, meet strict eligibility criteria, and submit detailed proposals outlining their proposed projects. This complexity may present barriers to smaller or less resourceful tribes, limiting their ability to access funding. Another limitation is the limited capacity-building support. While the program provides funding for program implementation, there is little support for capacity-building initiatives to strengthen tribal government's ability to manage these grants. The excessive bureaucratic obstacles imposed by the U.S. federal government present formidable challenges for tribal nations, hindering their capacity to address violence against Indigenous women in their communities effectively.

Addressing issues on Native American reservations presents a complex challenge, as it offers little incentive for policymakers to address them effectively. The problems in Indian Country, encompassing historical, socio-economic, and jurisdictional factors, highlight the importance of understanding the underlying issues thoroughly and taking coordinated actions to develop effective strategies. Instead of addressing these challenges directly, policymakers often opt for superficial solutions that primarily allocate funds, giving the impression of action without substantial impact. This perpetuates inefficiencies that benefit specific politicians and policies, maintaining a status quo where tribal governments continually seek external assistance. With policymakers assuming a 'savior' role, this dynamic fosters a cycle of rent-seeking behaviors and

intermediary roles between the U.S. government and tribal leaders. The absence of structural reforms and the continuation of this cycle further entrench systemic challenges, hindering progress in Indian country and perpetuating dependence on the US government.

Relying solely on additional U.S. federal funding is akin to applying a band-aid to the deep-rooted systemic problems in Indigenous communities. While U.S. federal funding may provide temporary relief for immediate needs, funding does not address the underlying structural issues that perpetuate disparities and hinder development in Indian country. Instead of policymakers relying on short-term fixes, Congress should prioritize revisiting policies that allow tribal governments to make decisions autonomously and manage resources effectively. This approach would better align incentives and allow tailored solutions consistent with their unique social and economic needs. Furthermore, establishing a concrete jurisdictional framework is essential to clarify legal boundaries, reduce bureaucratic hurdles, and ensure effective governance. By shifting the focus from band-aid solutions to comprehensive policy and relation reforms, Congress can play a crucial role in fostering sustainable development and improving the well-being of Indigenous communities across the United States.

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