



Indian Country Grassroots Support

<https://indiancountrygrassroots.org>

<https://dinelanduse.org>

Ha'át'íish biniinaa, Ha'át'íish biniiyé (Findings)

The Office of Navajo Government Development (ONGD) is the only office in the Navajo Nation created by law to study, record, and explain how the Navajo government has grown and changed. Its work must be based on **Diné bi beenahaz'áanii Bitsé Silei**, the fundamental laws of the Diné people, and it must support Diné lifeways. This responsibility is written into Navajo law (CD-92-20; 2 N.N.C. §§ 971, 973, amended December 24, 2020).

ONGD is not meant to be a normal government office that only manages rules or enforces laws. Instead, it is meant to serve as a bridge between the Fundamental Law and modern government systems. This is important because the Navajo Nation has relied on federal “638 contract” programs for almost 50 years, which often limit true self-governance. ONGD’s strength should come from staying true to Diné law, not from copying outside government models.

Lack of ONGD Findings. ONGD’s own plan of operations requires it to complete evidentiary findings before making recommendations. These findings are supposed to show how proposed laws align with Diné bi beenahaz'áanii Bitsé Silei.

However, ONGD has not produced substantial findings based on a long term study or evaluation. Instead, its proposal mainly relies on responses from a single, brief multiple-choice survey conducted at a few events in 2024. The survey was not shared with local chapters and was not available for public review. This does not fulfill ONGD’s legal responsibilities.

The absence of findings creates a serious problem. Laws made without documented findings only show a frozen snapshot of the Nation. They fail to reflect the living relationships between the people, the land, and Diné law.

In Diné teachings, witnessing means seeing the whole picture in balance. Moving forward without findings risks creating a government structure that looks real but does not reflect lived reality. This fails the principle of ná bináhaazláo—“Witnessing the Whole.”

When the government does not fully document water shortages, the loss of elders and children, or the decline of language, it is not practicing **k'é** (right relationship). Instead of listening and restoring balance, it tries to force change without understanding the harm already present.

Drought is occurring—and worsening—due to climate change, unresolved harm, and weakened stewardship, all of which are working together. When water is not treated as a sacred resource, it threatens the foundational Diné relationships with the land and undermines the principle of **k'é**—right relationship. Using water in different ways for business, especially for outsiders, disrupts the healing, balance, and restoration that Diné teachings require. To uphold Diné Fundamental Law and foster community well-being, water must remain dedicated to supporting local needs and nurturing the land, not causing harm through commercialization or scarcity.

Ná bináhaazláo (Witnessing the Whole). The following findings come from **Indian Country Grassroots Support**, based on years of direct service and many conversations with Diné community members:

There is a noticeable decline in the use and preservation of the Diné language, a responsibility that the government has yet to address. Renewal of Diné lifeways is mainly happening through private community groups focusing on storytelling and wellness practices, rather than through government leadership. If ONGD were to fulfill its responsibilities and uphold Diné law principles, government actions would be based on thorough findings and genuine community engagement. This would allow for a meaningful

restoration of language, lifeways, and relationships with the land. Water needed for local use would be a priority. Instead of unresolved issues and division, the Nation could experience healing, renewed cultural practices, and sustainable solutions for water and community well-being.

- **Key Diné Law Principles.** Diné law begins with how we live in relationship—with the land and with all our relatives. Balance must be maintained so life can continue. When something is taken—such as water, minerals, land access, or authority—there is a legal duty to restore what was harmed. This is not politics; it is fundamental law.

You cannot move forward while damage behind you remains unrepaired. Systems that ask people to forget past harm in the name of progress violate Diné law. Elders teach that without repair, there is no standing to move ahead. The future is earned through restoration, not taken.

- **Shábik'ehgo (Following the Path of the Sun / Circular Time).** Diné people understand time as circular rather than linear. The past, present, and future exist together. Ancestors and future generations are present now through k'é, the principle of relationship.

Government is a living relationship that holds memory and responsibility. When harm from the past remains unresolved, moving forward only repeats that harm. Diné Fundamental Law is clear: if you cannot heal the past, you cannot shape the future.

- **Healing Land as Governance.** Healing is not separate from governing—it is proof that governing is just. Stories teach that poisoned water, broken land, and broken trust must be healed before progress is possible. The future is not something to take for your own; it is something to care for. Repair is not about fear or delay—it is about respect. Memory matters, and the law follows that memory.
- **The Option of Decentralized Compacts.** The land cared for Dine Lifeways as we cared for it. Trust land and federal oversight put us in a position of dependency. Self Governance has given us a path forward, allowing us to control the programs that fund efforts to restore some of our lives. For example, a tribe that negotiated an Indian Health Service compact earned up to triple the funding for an IHS-funded clinic and enabled hiring decisions that can employ our people.

Assessment of ONGD Reform. ONGD's proposed reforms do not align with long term, balanced governance. Treating land as a market asset introduces disorder and exhaustion into Diné lifeways, and turns k'é, a living relationship, into a checklist of duties. This removes its power across generations and reduces it to bureaucracy. True balance depends on living relationships, not administrative rules.

- **Without Replenishment (Article XVIII Concerns):** Transforming Chapters into autonomous municipal corporations removes them from central government financial support and assistance without addressing existing harm. If there are no clear findings or restoration obligations, this could leave communities isolated and unable to recover from language erosion or the migration of elders and youth.
- **Without Stewardship (Article XVIII Concerns):** Decentralizing authority without reinstating people's control over land and water results in responsibility without actual power. Communities are tasked with overcoming social challenges, yet are legally deprived of access to vital resources. Rather than enabling them, this approach depletes communities and disrupts balance.

About Indian Country Grassroots Support. Indian Country Grassroots Support is a 501(c)(3) organization formed on March 18, 2016, by retired Navajo Nation judges, law professors, lawyers, and advocates. This document was written with systems thinkers Patrick Anderson, a Tlingit Aleut Elder who has been a lawyer, Parliamentarian, professor, and Executive, and Meegan Moriarty, former policy advisor, U.S. Department of Agriculture. The organization focuses on Indigenous self determination grounded in relational community strengths.