

The Evergreen State College
Graduate Program in Public Administration
The Path to Sovereignty---2012

Intensive Weekends: Nov. 16 - 18, Nov 30 – Dec 2

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Program Overview and learning objectives

This is the first quarter of a yearlong series of courses concentrating on tribal government studies as part of the Master in Public Administration. This quarter, the Path to Sovereignty course will focus on the historical foundations for federal Indian policy. We will then examine the contemporary issues confronting Indian tribes as governments. Your reading materials provide an overview discussion of the legal and policy foundations for the contemporary roles of self-governing Indian tribes. (See Indian Tribes as Sovereign Governments) We will spend approximately ¼ of our time on readings and discussion of the historical period, pre-colonial times through the implementation of the 1934 Indian Reorganization Act. We will then concentrate on the period that we call, “the modern era” of federal Indian policy. For our purposes, we define the modern era as that period beginning with the foundation of the National Congress of American Indians in 1944 up until the present day. (See “The National Congress of American Indians: The Founding Years”) Our goal in this first quarter is to gain an understanding of the historical origins of the current laws and policies that constitute the legal, economic, social and political environment in which tribal governments operate today. (See “The Path to Indigenous Nation Sovereignty in the 21st Century”) We will also examine the various applications of the legal doctrine of **federal trusteeship** and how it is being transformed today.

During the second quarter of this academic year we will focus on the external relationships of tribal governments. These include relationships between other tribes or indigenous nations on a local, regional, national and international basis as well as relationships with the United States government and state and local governments. In our discussion of relations between US Tribal Nations and the Federal Government, we will analyze the meaning of the dominant policy of **Indian Self-determination** and its progeny, the **Tribal Self-Governance Act**. Finally, we will review how the policy of government-to-government relationships guides tribal governments in their dealings with the US, other tribal nations and state and local government.

The third quarter of this program will focus on the structure and administration of tribal governments. We will analyze the responsibilities of tribal governments to deliver social services to their tribal members, to regulate commerce within the boundaries of Indian reservations, to manage lands and natural resources, and to develop and implement fiscal policy. We will look at how tribes have organized themselves to perform this wide range of functions and activities.

The fourth quarter of your MPA Tribal studies begins in fall of the second year and it will be devoted to analysis of the economic environment within which tribal governments function. We will examine sources of government revenue and the operation tribal enterprises, such as tribal casinos. Indian tribal governments are unique in relation to all other forms of government in the United States in that they also administer properties that are owned collectively by the members of the tribe. Tribal ownership serves as the basis for tribal development of enterprises that enjoy protection from state and federal taxation.

The fifth quarter will focus on the internal policy making processes of tribal governments and the policy context for their operation. Many of the fundamental powers of tribal governments will be explored, such as the power to determine who is a member and to define membership/citizenship rights and responsibilities. Students are encouraged to explore specific policies during this quarter leading to the development of a topic for their **Capstone research project**. The quarter will wrap up with an approved research plan for capstone projects. Our sixth and final quarter is structured around conducting individual and group research projects that are intended to integrate Research Methods skills acquired in the MPA core program with our academic studies of tribal government issues. The research projects completed in Spring Quarter serve as a capstone of each student's graduate work, resulting in a major applied research paper and a formal public presentation of their work by each student.

This fall quarter has several specific learning objectives:

1. Students will gain an understanding of the fundamental legal doctrines that define the status of tribes in the exercise of their governing powers and their relationship to surrounding governments.
2. Students will analyze the historical and contemporary record of tribal political initiatives that have impacted the formulation and implementation of US Government policy toward tribal governments and individual tribal members.
3. Students will gain an understanding of the historical context for current policy regarding tribal governments, such as the tribal self-governance initiatives and trust reform proposals. We will then analyze how tribal political initiatives impact policy-making today.

Expectations

Students

- Attend every class; be on time.
- Comply with TESC Student Conduct Code:
<http://apps.leg.wa.gov/WAC/default.aspx?cite=174-120>
- Writing is expected to be of the highest quality, clear with accurate grammar and spelling. Students are encouraged, and may be required, to work with the Graduate Writing Assistant.
- Full credit and a positive evaluation depend on timely completion and submission of ALL assignments and regular attendance and participation in class. **In addition, missing more than one full weekend class meeting in any given quarter and/or consistently submitting assignments late will result in no credit.** Partial credit is not

an option. Credit denial decisions will be made by your faculty seminar leader, with consultation in the faculty team.

- Students are required to have an Evergreen e-mail account for communication about class work and to participate in program list serves and to bring their own equipment (laptops or flash drives, etc) to make presentations for class. Laptops are only for note-taking and making presentations---surfing or doing non-class work on them during class is considered non-participation in class activities by faculty and will affect your evaluation.
- Computer and Internet access are required outside class.
- Electronic devices other than laptops (excepting translation devices or those devices needed by students with special access needs that are registered with the college) are not allowed in class. This includes cell phones.
- Students are expected to complete and submit a self-evaluation to faculty at the end of the last class each quarter. Student evaluations of faculty must be submitted at the evaluation conference to the seminar faculty or to the MPA program secretaries in Lab II, room 2250).
- Any deviation from these expectations must receive prior approval from your seminar faculty.
- Students will be assigned to a seminar leader who is responsible for evaluating their work and completing their evaluation.

Faculty

- Faculty members are expected to be prepared for class, responsive to student questions, and to promptly return student work.
- Faculty members can be expected to be reasonably available to students. They may not be available on non-class weekends, school breaks or summer.

REQUIRED READINGS

BOOKS

1. Echo-Hawk, Walter R, “In the Courts of the Conqueror: The 10 worst Indian Law cases ever decided” Fulcrum Publishing, www.fulcrumbooks.com, (800) 992-2908
2. Cowger, Thomas W., “The National Congress of American Indians: The Founding Years” University of Nebraska Press, 1999.
4. Parker, Alan “The Path to Indigenous Nation Sovereignty in the 21st Century” This book will be available in a loose leaf notebook form available for purchase at the price of \$20. Students who do not wish to have the book in “hard copy” format may access it as a PDF document on the class Moodle site.
5. Indian Tribes as Sovereign Governments 2001 edition (American Indian Resources Institute pub. This book is out of print. It has been scanned and will be available in PDF format on the class Moodle site)

Handout materials to be distributed on the last weekend of the Context of Public Administration class, Nov 2-4, 2012, include:

Consultation in Indian Affairs 26 page Article by Phillip S Deloria 1995
Decolonization Strategies for Resistance and Self-determination power point Alan Parker 2010
NCAI Policy Paper submitted to UN Special Rappetour James Anaya April 2012
President Obama's Executive Order on Consultation with Tribal Governments
UN Declaration on the rights of Indigenous Peoples adopted by UN General Assembly
September 13, 2007

Recommended Readings

1. Castile, George Pierre, "To Show Heart" University of Arizona Press, 1998
<http://www.uapress.arizona.edu/books/bid1171.htm> (\$18.95)
<http://www.amazon.com/exec/obidos/ASIN/0816518378/002-8187410-0052002> (\$12 to \$35)
2. Deloria Jr., Vine and Lytle, Clifford M., "American Indians, American Justice" (chapters: 4, 5) University of Texas Press, Austin, 1983
<http://www.utexas.edu/utpress/books/delind.html> (\$16.95)
<http://www.powells.com/cgi-bin/biblio?inkey=1-029273834x-5> (\$7.95 to \$16.95)

Making the Declaration Work: this text is available online

First and Second Sessions

The first weekend session ***schedule of class activities for Path to Sovereignty*** will be passed out at the end of the Context of Public Administration MPA core class Nov 4, 2012. The second session schedule will be passed out at the end of the first tribal government concentration class session November 18, 2012. Assignments for writing of papers will be listed on these schedules. Although the class session schedules are not yet available, you can plan your workload around writing two seminar papers for each weekend and researching a topic for an individual policy analysis paper (5-6 p.) and 10 minute presentation to the class during second weekend session.