

**The Evergreen State College
Master of Public Administration Program**

**Path to Sovereignty Syllabus
Fall, 2014 – 1st Year Core (Tribal Cohort)**

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TESC MPA MISSION STATEMENT

“Be the Change”

Our students, faculty and staff create learning communities to explore and implement socially just, democratic public service. We *think* critically and creatively; *communicate* effectively; *work* collaboratively; *embrace* diversity; we *value* fairness and equity; *advocate* powerfully on behalf of the public; and *imagine* new possibilities to accomplish positive change in our workplaces and in our communities.

COURSE DESCRIPTION

This course, the first of the 1st Year Tribal Concentration Courses, relates the historical foundations for federal Indian policy to the contemporary legal and political issues confronting Indian Nations and their respective governments. The focus will be upon the scope and nature of the inherent right and responsibility of tribal sovereignty and self-government. Particular focus will be given to the legal and public policy developments impacting upon all Indigenous Peoples, and the specific ramifications for Indian Nations in the United States. Readings and discussions will cover the historical period from prior to European contact, through the implementation of the 1934 Indian Reorganization Act. From there, an examination of key legal cases and statutes will be undertaken, as well as significant law and public policy issues such as Termination, Public Law 280, the Indian Civil Rights Act, and the Public Law 93-638 Indian Self-Determination and Education Assistance Act. Our goal in this first quarter is to gain understanding of the historical origins of the current laws and policies that constitute the legal, economic, social and political foundations for the environment in which tribal sovereignty operates today and the leadership and persistence of Tribes in the policy formation process. As such, in this quarter we explore

- Your role as a reflective administrator
- The role(s) of power(s) of Tribal Government
- Development of the field of federal Indian Law – the discipline and practices of federal Indian Law, past and present, and its relevance to tribal administration
- The contexts within which we practice tribal public administration (political, economic, social, legal and environmental)

Learning Objectives

1. Understand the legal historical development and current expressions of Federal Indian Law.
2. Understand how to read case law and use the principles of statutory interpretation.
3. Understand the sources, developments and contemporary aspects of tribal sovereignty and self-government in a wider Indigenous Peoples context.

4. Understand your relation to Federal Indian Law and aspects of tribal sovereignty and self-government.
5. Understand the relationship between Indigenous views on sovereignty and nation-state views on sovereignty.
6. Improve skills in critical thinking, writing, presentation and research.
7. Develop ability to work effectively in teams.
8. Develop ability to work effectively in diverse environments and with diverse populations.

EXPECTATIONS

Format of Assignment Submissions: All papers will be submitted to Canvas. All papers must meet assignment parameters and cite works using the citation style you are most comfortable with as long as it is consistent. All written work will be of high quality, grammatically correct, clear and without spelling errors. If you require it, please request resource writing assistance from faculty and/or contact the Graduate Writing Assistant. Check assignment details for each submission. Sometimes your faculty will ask you to work with the Graduate Writing Assistant; if so, you are required to do to the satisfaction of your faculty member.

Late assignments: Late assignments are accepted with prior permission of the faculty.

Participation & Attendance: Students are required to attend each class meeting. Participation includes focusing on class content, being engaged in class and seminar, listening to others, taking notes, completing class interactive exercises, avoiding distractions, and listening to and dialoging with the guest speakers. If an absence is unavoidable, faculty must be notified prior to a class and/or seminar absence. After one absence per quarter, make-up work may be assigned at faculty discretion, case-by-case. Makeup work must be completed by the end of the quarter in question for course credit.

Use of Electronic Devices: This course is Canvas-based and mostly paperless. We understand, and expect, that you will need to use electronic devices in class. However, the class is also participatory and the learning community is dependent upon people being present to what is happening in class. This means that electronic devices should not be used for anything other than for class-related activities. Resist the siren call of all the ways in which your devices can distract you from what is going on in the classroom. We will ask people to put away their devices, except for note taking, for guest lectures. Please extend similar courtesies to the faculty when they are lecturing.

Credit: Students will receive 4 graduate credits at the completion of each quarter if all course requirements have been satisfactorily completed to meet course objectives. No partial credit will be awarded. Incompletes may be offered on case-by-case basis. Refer to the MPA student handbook.

Academic dishonesty and plagiarism (i.e., using other peoples' work as your own, see [MPA Handbook](#) for more), failing to complete one or more assignments, completing more than one assignment late, or multiple absences may constitute denial of total credit. Students will be evaluated based upon their progress towards the learning goals, assessed from classroom, seminar, and assignment performance. Students at risk of losing credit will receive written notification prior to the end of the term.

Evaluation: Written self-evaluations and a faculty evaluation are required for credit at the end of each quarter, along with faculty evaluations of students. Please note that while self evaluations are required for the course, we do not require them to be submitted to the Registrar. **Evaluation interviews will not be conducted during class time.** After the final session you will make arrangements to either have your evaluation interview over the phone or via skype, etc., or to come in and do it one on one. More details will be forthcoming during the last weekend.

Biculturalism, Multiculturalism & Diversity: Faculty and students work toward weaving bi-cultural, multiculturalism and diversity throughout our learning in readings, lectures, seminars and group projects.

Learning Styles: Faculty endeavor to provide information in multiple formats: auditory, visual, kinesthetic, etc. However, style applications are limited to means appropriate for the classroom environment. Consult your seminar faculty to discuss learning style options or personal challenges.

Accommodations: Provided for any student who desires them through a working relationship with Access Services, the Writing Center and the Quantitative and Symbolic Reasoning Center. If you need to request academic accommodations due to a disability, please contact the office of Access Services for Students with Disabilities (867-6348 or 6364). Information about a disability or health condition is regarded as confidential. Please refer to TESC's Students With Disabilities Policy [here](#).

Other Expectations of Students and Faculty: We commit to promoting a cooperative, supportive atmosphere within the community; give everyone opportunity for self-reflection and expression; use high standards in reading the text and preparing our papers, lectures, and comments in seminar; handle all disputes in a spirit of goodwill; respect our differences; and, discuss any problems involving others in the learning community directly with the individuals involved.

We abide by the [social contract](#), the [student conduct code](#) and the [non-discrimination policies and procedures at TESC](#). See the college's [Student Conduct webpage](#) for more. The Covenant negotiated in the first session is still applicable.

All students are expected to support and contribute to a well-functioning MPA classroom learning community. Behavior that disrupts the learning community may be grounds for disciplinary action, up to and including dismissal from the MPA program.

Guest Policy: Guests are permitted with prior approval of the faculty.

Inclement Weather: In the event of bad weather or emergencies students should check with television, web pages, and radio stations for announcements of campus closures. Students can also call the main campus line 867-6000 to get the latest news regarding a campus closure or delay. Since many students in the program travel from relatively distant locations, faculty may decide to cancel program meeting even if campus is open. If we do this we will send an all-program email by 3:00 pm. If you've not already done so, sign up to receive alerts about campus closing or other emergencies [here](#).

Communication: Email and Canvas are our primary means of communication. You are responsible for checking your Evergreen email and Canvas regularly.

Books:

Deloria, Vine, Jr. and Clifford Lytle. *The Nations Within: The Past and Future of American Indian Sovereignty*. New York: Pantheon Books, 1984.

Lyons, Chief Oren and John Mohawk, eds. *Exiled in the Land of the Free: Democracy, Indian Nations, and the U.S. Constitution*. Santa Fe, NM: Clear Light Publishers, 1992.

Articles, Cases and Statutes posted to Canvas.

Schedule:

November 14th, Friday:

1-3 Lecture, Federal Indian Law (1776 – 1924)

3-4 Seminar, *The Nations Within* Chapters 1-9, *American Indian Politics and the American Political System*, Chapter 3.

4-5 Lecture, Federal Indian Law (1924 – 1975)

November 15th, Saturday:

9-11 Lecture, Federal Indian Law (1975 – Present)

11-12 Workshop, How to Read Case Law, *Washington v. Fishing Vessel Assn.*, 443 U.S. 658 (1979) and *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191 (1978) on Canvas

12 – 1:30 Lunch, @ The Longhouse

1:30 -3:30 Guest Speaker, Nigel Lawrence, Council Member, Suquamish Tribe

3:30- 4:30 Seminar, Overview of Federal Indian Law; Processing information learned.

4:30 – 5:00 Recap

November 16th, Sunday:

9-11, Lecture/Workshop, Statutory Interpretation, Violence Against Women Act Title 9 and the Resource Management Act New Zealand on Canvas

11-12, Workshop, Legislative Process and Public Policy in Indian Affairs, Handout on Canvas

12-1, Lunch

1-3, Lecture, the complexities of Jurisdiction in Indian Country, Handout in Class and posted on Canvas

3-5, Legal issues relating to Sovereignty and Self Government in Hawaii, Alaska, Canada and New Zealand

December 5th, Friday

1-3, Lecture, Indigenous Peoples and International Human Rights

3- 4, Declaration on the Rights of Indigenous Peoples

4-5, Seminar, readings from *Exiled in the Land of the Free*, Chapters 1, 2, 4 and 6. Also read preliminary sections.

December 6th, Saturday

9-11, Lecture, Contemporary Treaty Issues

11-12, Workshop, Treaties

12-1, Lunch

1-3, Guest Speaker, Food Sovereignty, Curtis Clearsky, Blackfoot

3-4, Seminar, readings Posted on Canvas

4-5, Synthesis

December 7th, Sunday

9-11, Lecture, Indigenous Sovereignty

11-12, Workshop, Case Study Issues on Indigenous Sovereignty, Handout in Class

12-1, Lunch

1-3, Role of Women in Indigenous Sovereignty issues

3-4, Seminar, readings posted on Canvas

4-5, Recap

Assignments:

Assignment 1: Seminar Paper on Chapters 1-9 in *The Nations Within*, and Chapter 3, *American Indian Politics and the American Political System*.

Due November 16th

Assignment 2: Seminar Paper on readings from *Exiled in the Land of the Free*, and readings posted on Canvas.

Due December 5th

Assignment 3: Case Study. Choose a Case handed out in class and write a 1000 word Case Study analysis.

Due December 9th

Assignment 4: Academic Paper, Write a 4000 word paper on an issue in Federal Indian Law, and examine how it could be influenced by a wider Indigenous Peoples understanding of sovereignty and self-government. For example, you might examine Tribal Courts and the incorporation of customary tribal values. Due December 12th