

ROUGH DRAFT

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FROM HERE TO SOVERIEGNTY

(First slide is a shot of outer space)
(Music of Desiderata fades in)
You are a child of the Universe, you have a right to be here... X

(Second slide is a shot of a moonlit desert night) ^{pix. drawings to cart- and tribal settings}
(SOUND of a Coyote howling)
(MUSIC--traditional Indian music begins)

(A series of urban, technological pollution, misery etc. shots in rapid succession accompanied by music) 6 photos X
(MUSIC continues)

Why are tribes not anxious to melt into the white man's society?

(A series of woods, mountains, nature, animals etc.) 6 photos X
(Music only)
(MUSIC fades out)

(Slide of a drawing of tribal people looking up.) X

Tribal people indeed have stubbornly refused to give up their tribal world. ~~There is a name for this strong desire to preserve a groups identity and power. It is called TRIBAL SOVERIEGNTY.~~ ^{not a desire but an authority}

(Slide with large very bold letters TRIBE overprinted with very small letters SOVERIEGNTY.) X

We don't need to explain what a tribe is to tribal people. It might be helpful, however, to take a closer look at this word....SOVERIEGNTY.

(slide of word SOVEREIGNTY under a magnifying glass.) X

Even though it is a term borrowed from Eurpoean political thought, the notion of SOVERIEGNTY is extremely important to the TRIBE. It was important

in the past. It is important HERE and NOW.
And it shall continue to be important in the
future.

SOVERIEGNTY. What is it?

To appreciate the notion of soveriegnty for
tribes, we must go back to the time when tribal
people understood their governments in their own
language.

Slide of ancient tribal group.
followed by a series of historical slides....with the following text.

Having no written language, there was
little need for courts, laws and legislators,
but there was a form of ^{self-}government. Tribal
people conformed to codes of behavior common
to the tribe. Tribal leaders made decisions on
behalf of tribal people.

When bands of people first formed themselves
into the group we now call...the TRIBE...soveriegnty
began. In very simple terms, soveriegnty means wanting
to live together for mutual benefit. To be soveriegn
is to be able to live without outside interference
in customs, traditions and lifestyles.

SOVERIEGNTY itself is invisible. It is the will
of the people to govern and be governed.

Once recognized by individuals in a group, the power
of soveriegnty is expressed in the formation of what is
known as government. The extent to which a group determines
its own lifestyle, codes of behavior and qualifications for
membership is the measure of its soveriegnty.

SOVERIEGN tribes determine who is a citizen of the tribe,
how people should behave on tribal soil and what should
be done when outside interference threatens the peace and
security of tribal people.

A tribe is a soveriegnty. The power of tribal

*Group Authority
Not self-government*
APP#2

people to determine how they shall live and work together cannot be limited by any outside agency. The simple wish to maintain uniqueness within the confines of tribal lands is the only requirement for the assertion of sovereignty. ^{The application} ~~Once recognized,~~ this invisible collective power called SOVERIEGNTY gives birth to a verbal or written system of codes of conduct, methods of enforcement and definitions of the relationship of individuals to the collective instrument of the TRIBE....the TRIBAL GOVERNMENT.

*is self government
in the application
of sovereign
authority*

possible slide for the above...a pregnant figure labeled SOVERIEGNTY....giving birth to the letters...GOVERNMENT.

SELF

SIX slides with drawings symbolizing inherent powers of sovereign governments.

Taking a closer look at the ramifications of sovereignty, one discovers there are six basic powers inherent to any sovereign government.

The first is the power to determine the form of government. (slide with pix of a constitution) In the modern world, most governments are spelled out in a document called a CONSTITUTION. However, is important to note that the form of government need not be written to be ~~SOVERIEGNTY~~ ^{valid}. Even with a constitution, a group may choose between any number of varieties of government for its people. It can be democratic or dictatorial. Leaders can be elected or selected by any means the group wishes to employ.

overrules.

The CONSTITUTION is merely a device for formally defining the limits of power a government has.

(slide with rubber stamp and membership card)

The second power which can be exercised by *self-*
~~sovereign~~ governments is the power to determine
membership (or citizenship). The United States
Congress has assumed power to determine who is
an Indian based on blood quantum, but only the
tribe has the legitimate authority to determine
who is a citizen of the tribe. ~~THE STATES~~ ^{EXERCISE}
OF SOVEREIGNTY IS NOT NOW AND NEVER HAS BEEN
A RACIAL MATTER FOR TRIBES. This power to
determine who is a member of the tribe has always
been a political power. Racial identity is
not as important as tribal identity.

*meaning is
exercise of sovereignty*

(slide with badge and gavel)

The third power inherent to *self-*
~~sovereign~~ governments
is the power to make and enforce laws. In some
cases, tribal authority over criminal law has been
inappropriately denied to tribes by outside governments
such as the states and counties. Nevertheless, tribal
law is still the supreme law on all tribal reservations.

The United States Supreme Court has repeatedly upheld
tribal authority over tribal citizens. And, as tribal
policemen are trained to enforce white man's law, many
tribes are regaining tribal authority over non-whites
as well on tribal lands. In most cases, this has
been accomplished by the deputizing of tribal citizens
as enforcers of county and state criminal codes.
However, in cases where tribes have retained their
full sovereign power, such legal arrangements with
outside governments is not necessary for tribal police
to exercise full authority on anyone within tribal boundaries.

(slide with trading, money etc.)

The fourth inherent power is the power to regulate trade and commerce
Like the other inherent powers, the authority to regulate commerce is common to all sovereignties. In most cases, this power is still fully exercised by tribal governments. Historically, the federal government assumed jurisdiction over white traders who dealt with tribal populations and for over 100 years, it was illegal to sell liquor to Indians. This restriction was lifted in 1953. . . . Tribal governments today continue to define what and how business is to be conducted among tribal people.

(slide of taxes)

Related to the power to regulate trade is the power to levy and collect taxes. This is a very important power for it is the means whereby a sovereign government is able to raise revenues to pay for the services provided. Tribal governments are beginning to recognize the need to exercise this inherent sovereign power more and more. How this can be done will be explained in detail in a sequel to this slide-tape presentation devoted entirely to the problems associated with tribal taxation.

(slide of guns, bows and arrows, cannons)

The sixth inherent power to sovereign governments is the power to Make War and Peace. This includes the powers to form alliances with other sovereignties and establish treaties.

Schultz

In 1934, under a law known as the Indian Reorganization Act, Congress impose democratic models of government and constitutions on tribal people. For a long time, tribes who refused to adopt IRA constitutions were denied federal funds. Faced with choosing between bankruptcy and going along with the U.S. government's wish to change the tribal governments, most tribes chose to establish constitutional democratic governments on tribal reservations. Despite the fact that under IRA constitutions tribes have many strings attached to their relations with the federal government, tribes who wish to pursue a course of self-determination are still sovereign.

A tribal citizen's first allegiance is to his tribal group, not to the U.S. government.

No doubt, many non-Indians have tried to tell tribal citizens, "You are a minority and we are a majority who can tell you what to do and how to live on your lands."

(slide depicting...Wait a minute. We never agreed to be a part of your group.)

But tribes are saying, "Wait a minute. We never agreed to be a part of your group. We are not a minority in a white majority society. We are small, independent majorities on our own lands. On tribal lands, we have always been the majority. Why should we give up this unique status to be lesser powers in the greater society. We don't mind being small, independent sovereignties. This is the way tribal people have always been and there is no reason not to remain this way."

Bottom line is Tribal citizen with respons. Whites to the Tribal group

(cartoon..."I am not an Indian. I am a member of my tribe.)

Tribal people who wish to preserve and strengthen their inherent sovereignty should remember this thought. "I am not an Indian. I am a member of my tribe." It is vital to the future of the tribe. Tribal citizens are Quinaults, Yakimas, Nez Perce, Piute, Sioux, Apache, Navaho, Cherokee, Iroquois, Choctaw, Seminole and so on...FIRST. One possesses sovereignty as a tribal citizen, not as a member of a racial grouping created by the white man. Tribal citizen first. Indian second.

(slide depicting healthy, coexistence with state, federal and international governments)

THE FUTURE SOVERIEGNTY OF THE TRIBE

So what is the future of tribal soveriegnty? Where can the tribe go from here? Will tribal soveriegnty increase or diminish in the future? The answers to these and other questions are being asked by tribal leaders across the nation.

elaborate with specific tribal illustrations

(series of slides showing modern tribal governments and leaders in action)

Soveriegn tribes are working to establish healthy, strong relationships with the United States government and other soveriegn powers such as the states and other countries. Preserving and maintaining tribal soveriegnty in the modern world is perhaps the greatest single task facing tribal peoples. It is true that federal dollars have fed tribal people for generations, but ^{even} with all the strings attached to such monies, tribes still have their own unique qualities.

The outer forms of housing, clothing, language, government and industry may change dramatically, but the essential ^{power} ~~soveriegnty~~ *self gov.* of the tribes is intact and may yet become strong enough to stand on its own without domination or interference from other soveriegnties.

(BEGIN tribal music)

more slides of leaders.

(cartoon...tribal leader saying, "Just give us what you owe us and leave us alone.")

Tribes are not subordinates to the federal government. Soveriegn ^{self-governing} tribes are learning to tell Uncle Same "No ...forget your money, we want our land and our tribal identity. It is much more important to us than money."

Federal government and private interests continue their attempts to ~~buy~~ tribal lands and destroy tribal power. But the will of the tribal people continues to prevail in Indian country. SOVERIEGNTY LIVES. SELF-GOVERNMENT FOR TRIBES CONTINUES TO EXPAND.