

IHANKTUWAN DAKOTAH OYATE



**FROM MAY TO OCTOBER:
CONSTITUTIONAL REFORM PROCESS**

FROM MAY TO OCTOBER: CONSTITUTIONAL REFORM PROCESS

The constitutional reform process is not a panacea to heal all the wounds of political and economic instability, but it is a beginning. All those engaged in the process agree that beginnings are a fragile time and that change comes slowly. Each sovereign individual of the Ihanktuwan Dakota Oyate must have a chance to define what their future will be.

We hope that this small project will, in some way, contribute to that process.

Presented to: Vince Two Eagles, Chairperson
Ihanktuwan Dakota Oyate Constitution Revision Committee

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Executive Summary

EXECUTIVE SUMMARY:

The Ihanktuwan Dakota Oyate Constitution Revision Committee has been entrusted with the task of recommending constitutional amendments which can help ensure the future political stability and economic development of the Tribe. The Ihanktuwan Dakota Oyate are proud of their culture and traditions and their future economic potential.

KEY THEMES

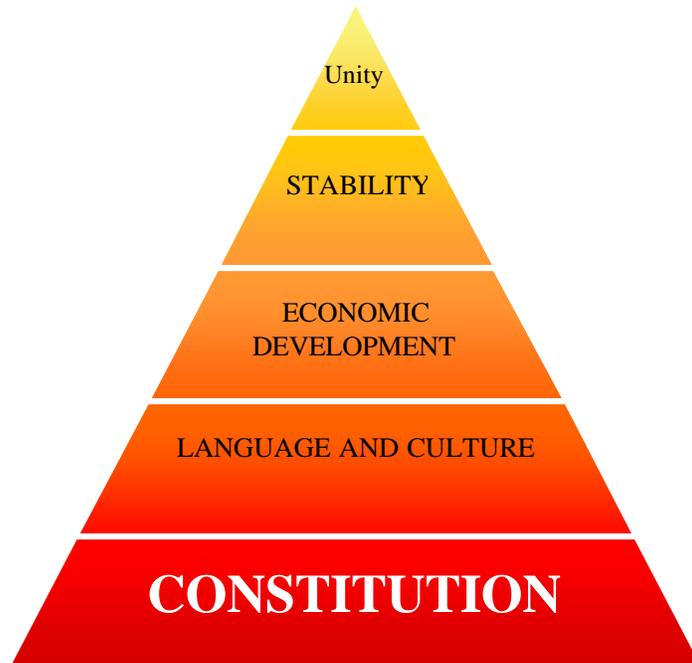
A new constitution could help:

- ? promote political stability
- ? promote a more responsive government
- ? promote economic development
- ? protect your Nation's land
- ? preserve your language and culture

Currently, the Ihanktuwan Dakota Oyate is governed by a General Council made up of all the voting members of the Tribe. The elected executive, entrusted with the management of the business of the Tribe is the Business and Claims Committee (directly elected by members of the Tribe). Other committees have been formed to deal with specific issues. They include the Treaty Steering Committee, the Enrollment Committee and the Constitution Revision Committee. Families also play a very important role in tribal politics.



Many in the Tribe recognize that a **strong constitution is the foundation** of political stability and economic development in the future. The Constitution Revision Committee invited us to provide advice on possible constitutional reforms vis-à-vis governance structures and processes, and models for community engagement around that constitutional reform.



During our site visit many people shared their vision for the future of the tribe, an ambitious and generous vision, despite past experiences of discrimination, abuse and neglect by the government.

It was agreed that the constitutional reform process will take many years for the tribe to complete. It was also agreed that this reform process will not be possible without the active participation of **all the members of the tribe**, old and young.

THE 5 MONTH PLAN
MAY TO OCTOBER

We have therefore provided a community engagement model for the first set of constitutional reforms, to be carried out over a 5 month period (**May 2003 – October 2003**). The elements of this model are accessible, straightforward and capable of modification and replication for future constitutional reforms.

Now, begins the process of full tribal participation.

HELPFUL TOOLS

HELPFUL TOOLS



WE HAVE INCLUDED:

1. A timetable for community participation;
2. A description of everyone's roles in the reform process;
3. A Guide to the Constitution;
4. An advertisement to publicize the constitutional reform process,
5. Best practice models for focus groups and public meetings;
6. Notes for effective public meetings;
7. A draft survey;
8. A description of the overarching goal of constitutional reform envisioned by the Constitutional Reform Committee.
9. A constitutional reform Reference Guide for your use.

Each of these is based upon the repetition of the **key themes** behind constitutional reform. We have also included instructions to ensure that each is capable of modification and replication, as well as information on attending executive sessions and possible funding sources.

WHAT'S THE 5 MONTH PLAN?

WHAT'S THE 5 MONTH PLAN?

It's a timeline with concrete steps for educating the citizens and maximizing participation when considering constitutional reform. Specific things to do include:

- ✓ Educate the community
- ✓ Hold public meetings
- ✓ Prepare and send out survey
- ✓ Listen to what the people have to say
- ✓ Incorporate this input into draft revisions
- ✓ Get the amendments onto the ballot
- ✓ Ratify the September vote
- ✓ Prepare for the next round of reforms

Constitutional reform is one of the most daunting challenges faced by any nation. "An inclusive reform process provides citizens with the education, information and opportunity to fully participate in shaping the future of their government."

Executive Session on American Indian Constitutional Reform, 2002.



WHO?

WHY?
WHAT?

WHY CHANGE THE CONSTITUTION?

A good constitution is the foundation of a stable government and ensures the rights of all the people in the nation. It should project a positive image of the Tribe as a **sovereign** entity that deserves **respect** and **recognition** from the wider community.

A GOOD CONSTITUTION COULD:

- ? PROMOTE POLITICAL STABILITY
- ? PROMOTE A MORE RESPONSIVE GOVERNMENT
- ? PROMOTE ECONOMIC DEVELOPMENT
- ? PROTECT YOUR NATION'S LAND
- ? PRESERVE YOUR LANGUAGE AND CULTURE

The current constitution looks like it does because of Congressional policy in the 1930s.

Some of the things in the current constitution might not suit the culture and the history of the Tribe.

Now it's your chance to look at it again and see if it does what you need it to do in order to ensure that you have political stability, and a more responsive government; protects your land; and preserves your language and culture.

Every Nation has its own reason for reforming its Constitution.

- The Grand Traverse Band of Ottawa and Chippewa Indians want to rewrite their preamble in the Ottawa Language to lock into the future some of their language.
- Some Nations want to make their leaders more accountable to the people by separating powers.
- The Cherokee Nation of Oklahoma wanted to strengthen its economy.

Any changes to the Constitution must be made by the IHANKTUWAN DAKOTAH OYATE.

WHAT CHANGES COULD BE MADE TO THE CONSTITUTION?

Short answer: It depends

ON WHAT, THEN?

Every nation is different,
so constitutional reform changes are different for every nation.

CHANGES DEPEND ON:

- The culture of the tribe
- The current constitution
- The community's understanding of the constitution
- The community's understanding of the constitutional reform process
- Who has the power to reform the constitution

WHAT TO CONSIDER WHEN DECIDING ON CONSTITUTIONAL REFORMS?

- Is the reform consistent with cultural norms? ("cultural match")
- Does the reform address the real problem that exists in the community or does it address a symptom of the real problem?
- How feasible is it to actually get the reform passed?
- Is the community involved in the reform making process?
- Do you have the community's support for the reform? ("buy in")

WHO IS INVOLVED IN THE CONSTITUTIONAL REFORM PROCESS?

EVERYONE!!

“A constitution must be a reflection of a people’s history, fears, concerns, aspirations, vision, and indeed, the soul of the nation.”

*Hassen Ebrahim,
Former Executive Director of South Africa’s Constitutional Assembly.*

- ✓ **Everyone in the nation has an important role to play in reforming their constitution.**
- ✓ **Constitutional reform is a lengthy, complicated process that must be closely tied to the wishes and cultural beliefs of the people.**

A constitution that is owned by the people must flow from a reform process owned by the people.

ROLES

WHAT IS THE ROLE OF THE BUSINESS AND CLAIMS COMMITTEE?

The **Business and Claims Committee** is the elected executive tasked with managing all aspects of the business of the nation. Due to this important position in the nation, all members of the BCC should play an active role in constitutional reform. The BCC also has a vast knowledge of governing procedures and bureaucracy that is valuable to the reform process.

Responsibilities:

- ✓ **Authorize the May to October plan.**
- ✓ **Help educate the people about the importance of the constitution**
- ✓ **Promote the need for constitutional change**
- ✓ **Promote and attend public meetings**
- ✓ **Support the Constitution Revision Committee**
- ✓ **Be the liaison with the General Council**
- ✓ **Give the CRC the tools to do their job (enabling legislation and funding and staff)**

Some Tribes have had good success by setting up a website explaining the process with a copy of the Constitution.

WHAT IS THE ROLE OF THE CONSTITUTION REVISION COMMITTEE?

The **Constitution Revision Committee** has been tasked with the 'hands-on' job of developing possible amendments to the constitution. Reform committees are the 'glue' that hold the process together.

Responsibilities:

- ✓ Implement the May to October Plan
- ✓ Educate citizens about the importance of the Constitution
- ✓ Conduct public meetings and workshops.
- ✓ Assemble feedback and opinions from citizens
- ✓ Be the 'middle-man' between BCC and citizens
- ✓ Report to the BCC
- ✓ Prepare sample amendments for September elections
- ✓ Secure adequate funding



WHAT ARE THE ROLES OF ALL CITIZENS?

The Constitution has a major impact on everyone's lives and future. As such, it's important that **everyone is involved**. With everyone's input, the reforms have a better chance of success.

Responsibilities:

- ✓ Follow the May to October plan.
- ✓ Learn as much as possible about current Constitution
- ✓ Learn about how Constitutional change can help them
- ✓ Read and respond to the survey
- ✓ Attend public meetings and workshops
- ✓ Provide input to BCC and CRC
- ✓ Vote in September.

"The most important aspect of communication is LISTENING."

Leonard Dixon, Lummi Nation Constitution
Outreach Coordinator

WHAT IS THE ROLE OF THE ATTORNEYS?

For a constitution to be useful everyone must understand it so that it can be used to defend the Ihanktuwan Dakota Oyate and its people. Tribal attorneys play an important role in constitutional reform but this role must be clearly defined by the people because the people know what's best for the nation.

Some Nations have found that involving attorneys too early in the reform process is counterproductive because the process gets bogged down in details and nobody knows what anything means.

Reminder!!

A constitution that is owned by the people must flow from a reform process owned by the people.

“When you're dealing with lawyers, make sure that you're very clear with them what their role is and what your role is, and I think they will understand that. I mean if they don't, find a different lawyer.”

ROBERT CLINTON

Barry Goldwater Chair of American
Institutions

Arizona State University College of Law
Chief Justice, Winnebago Supreme Court

Associate Justice, Cheyenne River Sioux Court of Appeals

EXAMPLES:

- ✓ At Northern Cheyenne, tribal leaders worked hand in hand with the long-time tribal lawyer to ensure the final product reflected the will of the people.
- ✓ The Cherokee Nation's constitutional convention had a majority of delegates who were not lawyers. This helped the people feel more trust and ownership in the process.

HOW CAN YOUTH BE INVOLVED?

The youth are the future of the Tribe and so have an important voice in deciding how to change the constitution. Many Tribes undergoing constitutional reform have found that young people have a lot to say about where the Tribe should be going in the future.

Possible options for engaging youth:

- Create a youth council.
- Have a CRC or BCC member attend meetings where youth are present.
- Appoint a youth representative to the reform committee.
- CRC or BCC member speak at school assembly.
- Discuss potential of course at school teaching tribal history and politics.
- How about creating a web site explaining the process?

WHAT ARE THE ROLES OF ELDERS?

Elders can have a powerful and stabilizing effect on the Tribe. Their experience and knowledge of traditions, culture and language can teach the rest of the citizens, especially the youth, important lessons about the Tribe.

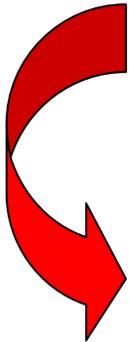
“It is the tribal leaders that we wish to seek out and inform. For they are the true conduit to the community and carry credibility earned over a span of several years. These leaders are often supported by the elders and have a solid foundation and knowledge of the culture.”

Leonard Dixon, Lummi Nation Constitution Outreach Coordinator

Possible ways to involve Elders:

- ✓ Create an Elders Council that will advise the reform committee
- ✓ Elders can speak at a school assembly about the history of the Tribe
- ✓ Appoint an elder representative to the reform committee
- ✓ Have a BCC or CRC member attend elders meeting to explain reform process and get feedback

HOW CAN OTHER CITIZENS BE INVOLVED?



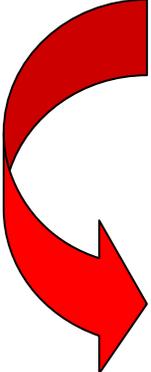
School teachers:

1. Initiate classroom discussions regarding tribal history and culture and the importance of constitutions for all nations.
2. Discuss possibility of a course on civic education
3. Help CRC and BCC members distribute information



Tribal Managers:

1. Implement a civic education program for all Tribal employees. **For example**, the Cherokee Nation has a mandatory 40 hour course on tribal government and history for all tribal employees.
2. Help the BCC and CRC educate Tribal citizens



Organizations and Clubs:

1. Invite Committee members to speak at meetings
2. Help distribute information regarding constitutional reform
3. Discuss constitutional reform among membership



AN EFFECTIVE CONSTITUTIONAL REFORM COMMITTEE

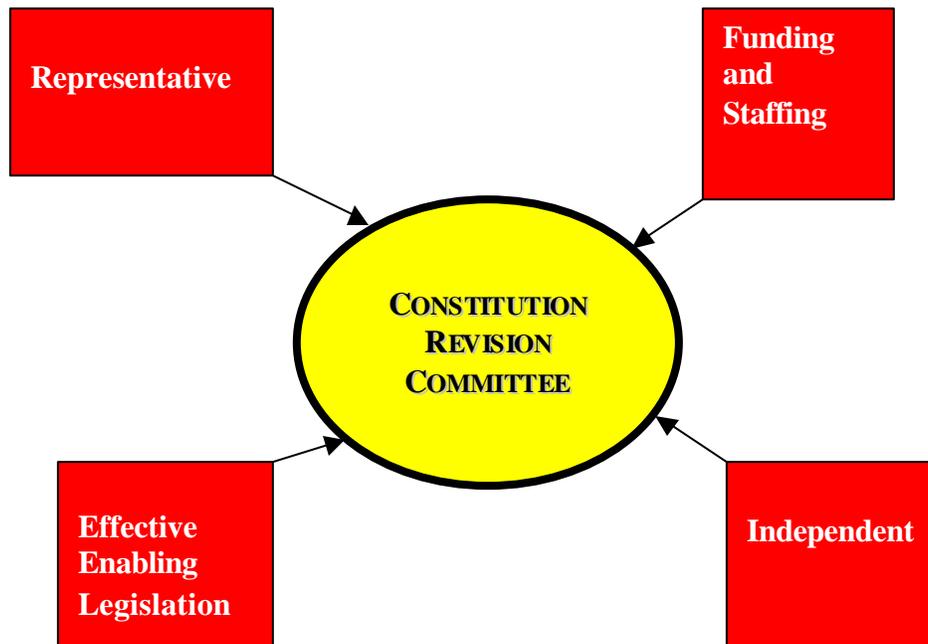
AN EFFECTIVE CONSTITUTIONAL REFORM COMMITTEE

One of the most important aspects of constitutional reform is the creation of the committee responsible for managing and leading the reform process. This body must be legitimate in the eyes of the people, as well as be effective so that its recommendations are heard.

The Ihanktuwan Dakota Oyate has already taken important steps by carefully selecting the members of the Committee. The seven members of the Committee were selected from a wide cross-section of the Tribe. It is now the Committee's job to determine what the people want and present these recommendations to the Business and Claims Committee and General Council for the September ballot.

For a successful reform process, a Reform Committee should:

- ✓ Be **representative** of the nation.
- ✓ Be empowered by **effective enabling legislation**.
- ✓ Have enough **funding and staff** to do its job.
- ✓ Include representation from the legislature, yet at the same time be **independent**.



Representative:

A Reform Committee should be comprised of members who represent a wide cross-section of the nation as a whole. This is important to ensure that the members have a good sense of what the people really want their constitution to say.

It will also prevent the chances of one group's opinion outweighing the others.

For example, the Committee could include one or two members of the Business and Claims Committee as voting members. This enhances the representative nature of the Committee by involving elected officials in the reform process and will prevent any gaps in communication.

It is important to remember that **Article XI** of your current Constitution describes

“The Cherokee Nation Constitutional Commission included appointees from all three branches of government. In smaller Indian nations, family representation may be the crucial component.”

Executive Session on American Indian Constitutional Reform, August 22, 2002

Effective Enabling Legislation:

The ordinance or resolution creating a Reform Committee should clearly set out how a Committee is to do their job. It should strengthen its independence by stating what will happen when the Committee makes its recommendations to be considered by the people.

For example, effective legislation does not need to be complicated, just clear and empowering. It can take the form of a resolution or ordinance- or however else the legislature does things.

The Cherokee Nation's enabling legislation had as its first priority the education of Cherokee citizens as well as ensuring their participation in the reform process.

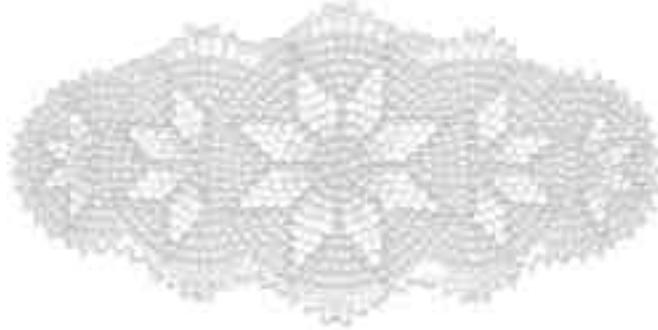
Adequate Funding and Staff:

It is also very important that the Reform Committee be provided with **adequate funding** to properly do its job of informing the people and obtaining their input on what amendments are needed.

If funding is not available, then the Committee should be assisted in securing funding from outside sources.

For example, the Committee should have enough money to purchase items it will need to do its job- maybe like a computer.

It would also be great for the Committee to have some support staff to help coordinate activities like handing out flyers.



Independent

The Reform Committee must be able to make its own decisions based on the feedback it receives from the people.

This independence is largely determined by the enabling legislation and by the role assumed by the legislature and executive branches of tribal government.

For example, the **BCC** members can play a pivotal role in reform.

They can:

- ✓ Be the liaison to Council
- ✓ Be the voice of the people

But, it's important the BCC does not:

- × Restrict independence of the CRC
- × Restrict access to information

THE MONTH PLAN

INTRODUCTION TO THE PROCESS

- The next Ihanktuwan Dakota Oyate general election will be held in **September 2003**.
- The Business and Claims Committee has asked the Constitution Revision Committee to prepare three constitutional amendments for the September ballot. One on a new preamble, one on a new Bill of Rights and one on membership.
- It is crucial that all the citizens of the Ihanktuwan Dakota Oyate have a chance to contribute to the constitutional reform process. Everyone needs to be involved in the discussion on why we need to reform the constitution. The Constitution Revision Committee needs to listen to their ideas on how the constitution ought to be reformed.
- It's a good idea to have these discussions regularly long before the general election. It's hard to get people involved, but not impossible. You can hold public meetings and workshops, send out a survey and have people get in touch with you by mail or telephone.
- All the members of the nation have a part to play which is why we've devised a timetable for action with things to do for everyone, every month between May and October.
- All of the different events that we advise you to have are ways to get as many people as possible involved. We have provided a guide to participation and some other materials on public participation exercises for you to consider.

People need to know that their input matters

Options for Public Participation:

- ✓ **Public Meetings**
- ✓ **Workshops**
- ✓ **Surveys**

GUIDE TO PUBLIC PARTICIPATION

GUIDE TO PUBLIC PARTICIPATION

Public meetings:

- Give people a chance to get involved in the planning of the meetings.
- Hold the public meetings in accessible venues.
- Offer food to encourage people to come along.
- Have an agenda and notes for everyone ready for the meeting so that everyone knows what's going on and so the discussion can stay focused. (see attached suggestions).
- Have a neutral person facilitate the meetings and revolve responsibility for facilitation, maybe members of the Business and Claims Committee AND the Constitutional Revision Committee.
- Don't forget that people will be feeling skeptical about the constitutional reform process and may not want to get involved at first.
- Try to **piggy back** on the end of another meeting, perhaps for the elders of the tribe or at the school and then ask to talk about the constitutional reform process for a while at the end.
- Some communities within the wider community that might be considered are:
 - age groups
 - clubs or organizations
 - businesses
 - local or central political institutions
 - elder care homes
 - hospitals
 - schools

"The Lummi Nation provides an example of how to make tangible to citizens the importance of a constitution. A representative from the constitutional reform committee regularly attends weekly meetings of a community group concerned about public safety on the reservation. At the end of the meeting, he delivers a presentation in which he demonstrates how these community concerns may be alleviated by restructuring the Nation's institutional structure for more local decision-making. The connection between the constitution and everyday concerns is made clear".

Workshops:

- Workshops can be an effective format for teaching people new information and inviting comment on constitutional amendments.
- Workshops are more intimate and informal than a big public meeting and this helps people who might be afraid to talk in a public meeting.
- Workshops can be tailored to specific audience and can focus on particular issues. For example to work with young people on a Bill of Rights for the Ihanktuwan Dakota Oyate.
- A good workshop will introduce participants to the constitutional reform process, answer their questions about that process, build motivation and enthusiasm for citizens of the Ihanktuwan Dakota Oyate to get involved and make recommendations and give participants an ability to connect to community resources and more information when the workshop is over.
- See additional guidelines from the Northern Ireland Human Rights Commission Bill of Rights Process.

Example: The Cherokee Constitutional Reform Commission

At the heart of the Cherokee Commission's outreach efforts, was a well-planned series of public hearings, both within and outside the reservation.

To ensure consistency, the Commission developed and published rules for the taking of testimony, required the presence of at least three commissioners at each hearing, and determined hearing locations based on voter precinct locations established by the Election Commission.

The Commission made use of both direct mail pieces and media releases to publicize awareness of the hearings and kept a permanent record of all testimony.

One Commissioner attributed the low numbers at several meetings to a lack of access to mailing lists of tribal members and a lack of funds to perform targeted mailings. He believes that attendance could have been improved with improved cooperation with the Nation's newspaper and website.

Eric Lemont, notes on Cherokee Nation Constitutional Commission

GUIDELINES FOR SENDING OUT A SURVEY

GUIDELINES FOR SENDING OUT A SURVEY

- A survey can be a good way to get people involved in the constitutional reform process.
 - You can solicit ideas from people who might not be able to get to public meetings and even people who live off the reservation.
- Surveys** are a good way to get people involved, but remember that you should:

 - Keep questions clear and concise,
 - Include a self-addressed , stamped envelope to increase responses.
 - Provide feedback to those who respond.
- We have included a short questionnaire here for your use. It has five short but open-ended questions for people to answer about what constitutional changes they would like to see. Each question is built around the key themes described earlier:

- ✓ **promote political stability**
- ✓ **promote a more responsive government**
- ✓ **promote economic development**
- ✓ **protect your Nation's land**
- ✓ **preserve your language and culture**

- The survey needs to be distributed to as many people as possible, both on and off the reservation. We suggest that the Business and Claims Committee get a full tribal mailing list from the Enrollment Office and then send the survey out to each citizen of the Tribe.
- Don't be disappointed if you don't get a huge number of replies back. Generally, you should expect between a 20% and 25% return rate on the surveys.
- You should send out the survey with a stamped addressed envelope attached so that people feel it's easy to send in the survey to you.

- Once you receive the surveys back a team of people will need to go through the responses and summarize the results. These responses should then be used to help write the final version of the amendments on the ballot.
- There should also be an article in the Sioux messenger before the general election describing what kinds of things people suggested for constitutional reform and explaining which ideas have been taken up and become part of the amendments.
- It could also describe why certain ideas are going to have to wait for the second round. For example someone might have said that you should make changes to the judiciary but those changes won't be considered until the 2004 round.

If people respond and then feel as if no one is listening to them - they won't bother getting involved during later reforms.

We have also attached an example of a longer, more detailed survey from the Grand Traverse Band of Ottawa and Chippewa Indians. This survey was sent out in the middle of a developed constitutional reform process. The Ihanktuwan Dakota Oyate could carry out a survey like this in the future when people are more familiar with the constitutional reform process.

CONSTITUTIONAL REFORM SURVEY FOR THE IHANKTUWAN DAKOTAH OYATE

As citizens of the Ihanktuwan Dakota Oyate your input is needed to revise your Constitution.

Your Constitution is the guide to governing your organization. It is the foundation of a stable government and balances the rights of the people against those of the government. It should project a positive image of the nation as a sovereign entity that deserves respect and recognition within the community at large.

Please take a moment to consider the following questions, and forward your recommendations to the Constitutional Revision Committee at the address listed below:

The Tribe wishes to have a more stable economy and provide a better future for its citizens. What Constitutional changes would help make this happen?

The Tribe wishes to protect its cultural heritage and incorporate traditional values into the Constitution. How do you think the Constitution can be changed to do this?

What changes to the Constitution would help the Tribe exercise sovereignty over its territory?

What Constitutional changes would help make the government of the Ihanktuwan Dakota Oyate more stable and more accountable to the people?

Any other general comments regarding the process of Constitutional change would be appreciated.

If you would rather speak to a member of the Constitutional Revision Committee, please call Vince Two Eagles at (605) 384-3814.

**Please mail all responses before June 20th, 2003 to:
Ihanktuwan Dakota Oyate
Constitution Revision Committee
Box 9, Wagner, SD 57390**





ARTICLE FOR THE SIOUX MESSENGER

ARTICLE FOR THE SIOUX MESSENGER

“The Ihanktuwan Dakota Oyate needs a constitution which will lay the foundation for a stable government and ensure the rights of all the people in the nation. The constitution which we have at the moment needs to be improved so that it can promote political stability and economic development, protect our Nation’s land and preserve our language and culture.

The Constitution Revision Committee was set up by the Business and Claims Committee to come with some ideas on how to reform the Ihanktuwan Dakota Oyate Constitution. The Committee wants to consult with all the citizens about what changes should be made to the constitution. They will then report back to the Business Claims Committee. The proposed amendments to the constitution will be put to the vote in the September 2003 general elections.

Right now the constitution has a General Council with a quorum of 20. The Executive is the Business and Claims Committee with 2 year terms. There is no separate Judiciary and nor is there a Bill of Rights. The constitution also says that membership is based on a ¼ blood quantum.

It takes a long time to reform a constitution. It’s important that each individual in the nation takes times to think about the changes. If we rush it then we might get it wrong and it’s worth making sure that people feel okay about each change. This time around the Constitution Revision Committee is looking at three specific changes.

The three areas are adding a new preamble to the constitution, removing any reference to the Bureau of Indian Affairs and adding a Bill of Rights for the Ihanktuwan Dakota Oyate. The Constitution Revision Committee will be holding public meetings and workshop in June and July to ask people for their opinions on these possible constitutional reforms.

Please get involved in the constitutional reform process. All voices need to be heard and the Constitution Revision Committee is ready to listen to what you have to say.”



**SAMPLE NOTES TO BE
HANDED OUT AT A
CONSTITUTIONAL REFORM
PUBLIC MEETING**

SAMPLE NOTES TO BE HANDED OUT AT A CONSTITUTIONAL REFORM PUBLIC MEETING

The constitutional reform process

The Constitution Revision Committee is holding these meetings to get your ideas on a small number of possible reforms to the constitution. It takes a long time to reform a constitution.

It's important that each individual in the nation takes time to think about each of the changes. If we rush it then we might get it wrong and it's worth making sure that people feel okay about each change. We are going to look at changes in batches of 3 so that we don't move too fast.

Three areas for constitutional reform

- 1) Adding a new preamble to the constitution
- 2) Removing any reference to the Bureau of Indian Affairs
- 3) Adding a Bill of Rights for the Ihanktuwan Dakotah Oyate

1. **Preamble:** The preamble to a Constitution sets the tone of the document and explains its basis and objective. An effective preamble will give notice to anyone who reads it that the Nation is strong and sovereign.

Current Problems:

- References to the Commissioner of Indian Affairs.
- References to the Yankton Sioux Tribe.
- Does not clearly state the goals of the Ihanktuwan Dakotah Oyate .

Proposal:

- Clearly states the purposes and objectives of the people.
- Removes references to Commissioner.
- Replaces Yankton Sioux with traditional name of our people "Ihanktuwan Dakotah Oyate".

2. Removal of requirement of BIA approval.

Current Problems:

- All amendments to our Constitution must be first approved by the Commissioner of the Bureau of Indian Affairs before they are deemed valid.
- A sovereign nation should not have to rely on the approval of another nation.

Proposal:

- As BIA approval is not required by law, by removing these provisions from our Constitution, we will reinforce our assertions of sovereignty.

3. Bill of Rights:

Current Problems:

- Our Constitution does not protect the people from actions of the government.

Proposal:

- The proposed Bill of Rights will ensure that our government will not act in a way that infringes on our basic rights as citizens of Ihanktuwan Dakota Oyate.



APPENDICES

APPENDIX A

EDITING MICROSOFT WORD

- Each of the documents we have provided you with are in Microsoft Word. We have attached the documents on a floppy disk and a CD for future use.
- The May to October Plan is meant to be replicated each year as more constitutional amendments are made and more and more people get involved. You can update the documents at any time.
- When you want to change a document, for example the article for the Sioux Messenger, just open the file on the floppy disk or the CD. Type in your new text and go to File, Save As and then give the file a new name for example "Article for Sioux Messenger 2004". This should leave you with a 2003 version and a 2004 version. Highlight the text you want to remove and hit delete.
- There will be plenty of room on the CD for new documents. This way you can keep a store of constitutional reform materials and update them as and when you need them.
- We have included all the photos we took while in Yankton. There are stored as jpeg files on the CD too. You can insert them into documents by going to Insert, Picture, From File and opening them from the CD Drive (often D Drive). You can then resize the pictures in Word.



APPENDIX B

FUNDING INFORMATION

Following is some information about the Administration for Native Americans (ANA). The ANA through its Social and Economic Strategies (SEDS) has provided funding to Tribes in the past for constitutional reform.

What is the ANA?

The ANA promotes lasting self-sufficiency and enhances self-government largely through grants with social and economic development strategies (**SEDS**). These are competitive financial assistance grants in support of locally determined and designed projects to address community needs and goals.

These programs affirm that Indian Tribes are fully sovereign nations, entitled by treaty and law to be dealt with on a government to government basis.

How do we apply for funding?

The ANA makes applying for funding as easy as possible and is willing to help as much as they can. To receive a grant from ANA, a Tribe or Native non-profit organization must submit an Application for Financial Assistance. An Application kit which gives detailed instructions for submitting an application may be downloaded from the ANA web site at: <http://www.acf.hhs.gov/programs/ana/application.html>



HELP!

Can we get help with our application?

YES!!

The **Training and Technical Assistance (T/TA)** Providers are available to assist ANA applicants to conceptualize strategies for Social and Economic Development and translate them into a viable application for ANA funds. The T/TA is provided at **no cost to the recipient**.

Who do we contact for help?

The T/TA provider for South Dakota is:



Native American Management Services, Inc.
6858 Old Dominion Drive, Suite 302
McLean, Virginia 22101
Toll Free: 1-888-221-9686
(703) 821.2226 x-234
Fax: (703) 821.3680
Allison Nyholm, Project Manager
Email: nyholm@namsinc.org
www.namsinc.org/ana/

What are the deadlines for our application?

The deadlines have not been announced for this year but last year they were:

January 17 and May 2

APPENDIX C

TRAINING INFORMATION

NCAI WORKSHOP ON AMERICAN INDIAN CONSTITUTIONAL REFORM

We have enclosed information regarding the National Congress of American Indians (NCAI) mid-winter conference to be held in Phoenix this June 17 and 18th. This conference will be very helpful and it would be great if the Committee members could attend.

We have enclosed:

- ✓ Registration Form
- ✓ Announcement with contact information
- ✓ Agenda

Below is a brief outline of what will be discussed regarding constitutional reform:

Mornings of June 17 and June 18, 2003

(DRAFT AGENDA)

1. Introduction by Harvard Project

Eric Lemont (Harvard Project Research Fellow and Project Director, Initiative on American Indian Constitutional Reform)

2. Planning a Successful Reform Process

Maximizing Citizen Education and Participation
Lenny Dixon (Lummi Nation Constitutional Outreach Coordinator)

3. Managing the Politics of Reform: Large Nation

Jay Hannah (Chair, Cherokee Nation Constitution Convention)

4. Meeting New Challenges While Retaining Traditional Values

Le Roy Shingoitewa (Chair, Hopi Tribe Constitutional Reform Committee)

APPENDIX D

BIBLIOGRAPHY

1. Erik Lemont, Current Issues in American Constitutional Reform (Book in Progress).
2. David Wilkins, *Seasons of Change: Of Reforms, Melees and Revolutions in Indian Country*, in CURRENT ISSUES IN AMERICAN INDIAN CONSTITUTIONAL REFORM (E. Lemont, ed.) (Book in Progress).
3. Erik Lemont, *Realizing Constitutional Change Through Citizen Participation*, in CURRENT ISSUES IN AMERICAN INDIAN CONSTITUTIONAL REFORM (E. Lemont, ed.) (Book in Progress).
4. Kirke Kickingbird, *Models for American Indian Civic Education*, in CURRENT ISSUES IN AMERICAN INDIAN CONSTITUTIONAL REFORM (E. Lemont, ed.) (Book in Progress).
5. Erik Lemont, *Overcoming the Politics of Reform: The Story of the 1999 Cherokee Nation Constitution Convention*, in CURRENT ISSUES IN AMERICAN INDIAN CONSTITUTIONAL REFORM (E. Lemont, ed.) (Book in Progress).
6. Hassen Ebrahim, *Constitution-Making in Southern Africa- Challenges for the New Millennium*, in CURRENT ISSUES IN AMERICAN INDIAN CONSTITUTIONAL REFORM (E. Lemont, ed.) (Book in Progress).
7. REPORT ON BEST PRACTICES IN DEVELOPING EFFECTIVE PROCESSES OF AMERICAN INDIAN CONSTITUTIONAL REFORM (Executive Session on American Indian Constitutional Reform, August 26, 2002).
8. Conversation with Vince Two Eagles, Chair, Yankton Sioux Constitution Revision Committee (March 21, 2003).
9. Conversation with Margaret Zephier, Member, Yankton Sioux Treaty Steering Committee (March 21, 2003).
10. Conversations with Ron Sully, Thurman Cournoyer, Gordon Shields, and Leo O'Connor, Members, Yankton Sioux Constitution Revision Committee (March 20, 2003).
11. Stephen Cornell and Joseph P. Kalt, *Where's the Glue? Institutional Bases of American Indian Economic Development*, Harvard Project on American Indian Economic Development (1991).

APPENDIX E

SAMPLE SURVEY, GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS