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# WHO BELONGS?

## FROM TRIBAL KINSHIP TO NATIVE NATION CITIZENSHIP TO DISENROLLMENT

*A National Conference in Honor of Vine Deloria, Jr.*

**March 9 & 10, 2017**

Ares Auditorium University of Arizona James E. Rogers College of Law

Diandra Benally, Matthew L.M. Fletcher, Gabriel S. Galanda, Robert Alan Hershey, Norbert Hill, Miriam Jorgensen, Joseph Kalt, Richard Luarkie, Oren Lyons (Invited), Pamela Palmater, Patricia Riggs, Kawika Riley, Lorinda Riley, Wenona Singel, Tribal Leaders, Rebecca Tsosie, Joan Timeche, Kevin Washburn, David Wilkins, and Robert A. Williams, Jr.

**Conveners: University of Arizona Rogers College of Law Indigenous Peoples Law & Policy Program,  
University of Arizona American Indian Studies Department**

May qualify for up to 12 CLE credits including one hour of professional responsibility | Register here: [conta.cc/2jsh06q](http://conta.cc/2jsh06q)



JAMES E. ROGERS COLLEGE OF LAW  
Indigenous Peoples  
Law & Policy



# WHO BELONGS?

## A NATIONAL CONFERENCE REQUISITES FOR THE INTERGENERATIONAL TRANSMISSION OF NATIVE AMERICAN AND INDIGENOUS PEOPLES IDENTITY AND HERITAGE — FROM TRIBAL KINSHIP TO NATIVE NATION CITIZENS TO DISENROLLMENT —

The drives for self-determination and self-government are reinvigorating indigenous conceptions of such matters as government, citizenship, and their attendant rights and responsibilities. For most indigenous peoples, the political entity known as the tribe or nation is itself an instrument of the community. It is the community that matters, and the community consists of persons who share identity and interwoven obligations arising from their social and cultural relationships. These relationships commonly include kinship ties, cultural practices, and values, history, connections to specific lands, and other elements. The community's political entity—e.g., the tribal government—is the locus of formalized tribal self-government and a vehicle that directly engages with the United States or other governmental bodies.

But the relationships that matter most are the ones not between citizens and the tribal state but among citizens themselves. These are the ties that give identity, meaning and life to the community. The political structure of the nation or tribe emerges out of those relationships as a tool for survival and self-defense, a means of organizing aspects of social, political, and economic life, and a vehicle for the promotion of shared interests [Stephen Cornell and Joseph P. Kalt, "From Tribal Members to Native Nation Citizens," in Norbert Hill and Kathleen Ratterree, Eds., *The Great Vanishing Act: Blood Quantum and the Future of Native Nations*, Fulcrum Publishing (In Press May 2017)].

### THURSDAY, MARCH 9

7:30–8:30 A.M. On-Site Registration

8:30–9:00      Welcome & Blessing Ceremony

9:00–9:15      Introduction—Setting the Stage

- Robert Alan Hershey, Clinical Professor of Law, Director of Clinical Education, Indigenous Peoples Law & Policy Program, University of Arizona Rogers College of Law
- Gabriel S. Galanda (Round Valley Indian Tribes of California), Managing Partner, Galanda Broadman Law Firm, Seattle, Washington

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9:15–10:30      Who Is Kin? Who Belongs?

- Dr. Richard Luarkie (Laguna), Former Governor, Laguna Pueblo
- Norbert Hill (Oneida Nation of Wisconsin), Oneida Trust & Enrollment Committee
- Oren Lyons (Onondaga)(Invited), Faith Keeper of the Turtle Clan, Onondaga Council of Chiefs, Haudenosaunee

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10:30–10:45      Break

**10:45–12:15** **Membership to Citizenship to Nation Building: What Kinds of Citizens Do You Want? Set of Entitlements, Rights, Obligations. Does a Nation Have to Have a Citizenship Strategy?**

- Joseph P. Kalt, Ford Foundation Professor (Emeritus) of International Political Economy and Co-Director Harvard Project On American Indian Economic Development, John F. Kennedy School of Government, Harvard University
- Rebecca Tsosie (Yaqui), Regents Professor of Law & Special Advisor To the Vice-Provost for Diversity and Inclusion, University of Arizona Law
- Patricia Riggs (Ysleta Del Sur), Citizen of Ysleta Del Sur

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**12:15–1:30** **Lunch**

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**1:30–2:30** **Historical and Contemporary Legacies: Introduction and Comparative Discussion of Blood Quantum, Categorization, Critical Race/First Nation Identity & Citizenship**

- Robert A. Williams, Jr. (Lumbee), E. Thomas Sullivan Professor of Law, and Faculty Chair, Indigenous Peoples Law & Policy Program, University of Arizona Rogers College of Law
- Pamela Palmater (Mi'kmaw Eel River Bar First Nation), Associate Professor & Chair in Indigenous Governance, Ryerson University, Toronto, Canada

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**2:30–3:15** **Native Nation Building/Dismembered: Native Disenrollment and the Battle for Human Rights**

- David Wilkins (Lumbee), Professor of American Indian Studies, University of Minnesota
- Wenona Singel (Little Traverse Bay Bands of Odawa Indians), Associate Professor of Law and Associate Director, Indigenous Law & Policy Center, Michigan State University College of Law

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**3:15–3:30** **Break**

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**3:30–5:00** **Reflections and Open Forum**

## FRIDAY, MARCH 10

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**9:00–9:15 A.M.** **Welcome Back**

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**9:15–9:45** **Tribal Sovereignty and the Federal Government's Role in "Who Belongs"**

- Kevin K. Washburn (Chickasaw Nation of Oklahoma), Former Assistant Secretary of the Interior—Indian Affairs, Regents Professor, University Of New Mexico School of Law

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**9:45–10:45** **Introduction to the Epidemic of Disenrollment/Loss of Community/Weakening of Sovereignty/Policy Implications**

- Matthew L.M. Fletcher (Grand Traverse Band of Ottawa & Chippewa Indians), Professor of Law and Director, Indigenous Law & Policy Center, Michigan State University College of Law

**10:45–11:00**      **Break**

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**11:00–12:15**      **Strategies for Challenging Disenrollment/Ethics for Attorneys and Advocates:  
National Native American Bar Association Ethics Opinion No. 1**

- Gabriel S. Galanda (Round Valley Indian Tribes of California), Managing Partner, Galanda Broadman Law Firm, Seattle, Washington
- Robert Alan Hershey, Clinical Professor of Law, Director of Clinical Education, Indigenous Peoples Law & Policy Program, University of Arizona Rogers College of Law
- Diandra Benally (Navajo), General Counsel, Fort McDowell Yavapai Nation, President-Elect, National Native American Bar Association

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**12:15–1:30 P.M.**      **Lunch**

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**1:30–2:00**      **Special Recognition Issues of Native Hawaiians**

- Kawika Riley (Native Hawaiian), Chief Advocate, Office of Hawaiian Affairs
- Lorinda Riley (Cherokee/Native Hawaiian), Professor of Public Administration, University of Hawai'i, West O'ahu

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**2:00–3:30**      **Tribal Leaders Forum**

**Moderators**

- Joan Timeche (Hopi), Executive Director, Native Nations Institute, University of Arizona
- Miriam Jorgensen, Research Director, Native Nations Institute, University of Arizona

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**Guests**

- Hon. Bernadine Burnette (Fort McDowell Yavapai Nation) President
- Hon. Carol Evans (Spokane Tribe of Indians) Chairwoman
- Hon. Reno Keoni Franklin (Kashia Band of Pomo Indians) Chairman
- Hon. Joseph Hamilton (Ramona Band of Cahuilla Indians) Chairman
- Hon. Verlon Jose (Tohono O'odham) Vice-Chairman
- Hon. Ronnie Lupe (White Mountain Apache Tribe) Chairman
- Hon. Edward Manuel (Tohono O'odham) Chairman
- Hon. Greg Sarris (Federated Indians of Graton Rancheria) Chairman
- Hon. Robert Valencia (Pascua Yaqui Tribe) Chairman

Additional leaders to be invited

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**3:30–3:45**      **Break**

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**3:45–5:00**      **Group Reflections**  
**Closing Blessing**

## WHO SHOULD ATTEND

Tribal leaders, government officials, attorneys, and advocates practicing Native American and Indigenous law, Native and Indigenous Peoples, officers of Enrollment committees, faculty, and students of American Indian Studies and Law.

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## CONFERENCE RATES TO ATTEND

FREE to tribal leaders, government officials, Native and Indigenous Peoples, faculty, and students.

**Attorneys and Advocates seeking CLE Credits**

Register before February 20	\$350
Register after February 20	\$400

**General Public**

Register before February 20	\$100
Register after February 20	\$150

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## CONTINUING LEGAL EDUCATION

The State Bar of Arizona does not approve or accredit CLE activities for the Mandatory Continuing Legal Education requirement. This activity may qualify for up to 12 hours toward your annual CLE requirement for the State Bar of Arizona including 1 hour of professional responsibility.

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## ACCOMMODATIONS

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