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NASX 475X.01: Native American Sovereignty

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Autumn Semester, 2013
University of Montana
T-Th 12:40-2
Hours: T Th 11-12
& by appointment

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3 Semester Credits
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**Native American Sovereignty
NASX 475/PSC 475X Syllabus**

Course description: “An examination of tribal governments from a historical and political perspective. Particular attention is devoted to the issues of tribal sovereignty and tribal-state relations.” There are currently more than 560 federally recognized American Indian nations with which the United States maintains government to government relations based on a sovereign status which is both inherent (i.e. pre-dates the coming of Europeans to this hemisphere) and treaty based. This course explores the legal, cultural, historic, and political foundations of American Indian sovereignty in the U.S. in order to develop an understanding of its meaning for the 21st century.

Course Objectives: This course will provide the student with an understanding of tribal sovereignty, including the historical and modern nature of tribal government, impacts of European and American legal systems and thought, and political, economic and cultural developments. Students will also gain an understanding of the concept of sovereignty as it relates to the political, economic and social realms of American Indian societies. Students will be able to articulate these understandings in writing and orally.

Readings—Books to Purchase:

Arnold, Laurie. *Bartering with the Bones of Their Dead: The Colville Confederated Tribes and Termination*. Seattle: University of Washington Press, 2012.

Clark, Blue. *Lone Wolf v. Hitchcock: Treaty Rights and Indian Law at the End of the Nineteenth Century*. Lincoln: University of Nebraska Press, 1994.

Miller, Bruce Granville. *Invisible Indigenes: The Politics of Nonrecognition*. Lincoln: University of Nebraska Press, 2003.

Pevar, Stephen L. *The Rights of Indians and Tribes*, 4th ed. Oxford University Press, 2012.

Wilkins, David E. *American Indian Sovereignty and the U.S. Supreme Court: The Masking of Justice*. Austin: University of Texas Press, 1997.

Short Readings:

Kipp, Darrell R. *Encouragement, Guidance, Insights, and Lessons Learned for Native Language Activists Developing their own Tribal Language Programs*. Browning: Piegan Institute, 2000.

Margold, Nathan. "Solicitor's Opinion," October 25, 1934, pp. 445-478 in *Opinions of the Solicitor of the Department of the Interior Relation to Indian Affairs, 1917-1914, Vol. 1* (Washington: Government Printing Office, n.d.)

Schedule: Note: Students are expected to complete readings prior to class discussion.

Historical:

Week 1, August 17, 29

Week 2, September 3, 5

Read Pevar, Chapter 1-4

Week 3, September 10, 12

Read Pevar Chapter 5-7

Week 4, September 17, 19

Wilkins, *Precis 1 due Tuesday*

Week 5, September 24, 26

Governance and Economics

Week 6: October 1, 3

Read Clark; *Precis 2 due Tuesday
Thursday, Exam I*

Week 7, October 8, 10

Week 8, October 15, 17

Read Margold, Pevar chapter 8-12

Week 9, October 22, 24

Week 10, October 29, 31

Read Pevar Chapters 13-15

Week 11, November 5, 7

Read Arnold, *Precis 3 due Thursday*

Social/Cultural/World

Week 12, November 12, 14

April 16: Guest appearance: Dr. Laurie Arnold

Thursday: Exam II

Complete Pevar reading

Week 13, November 19, 21

Presentations 1-15

Week 14 November 26, 28

Complete Miller, ***Precis 4 due Tuesday***

THURSDAY: THANKSGIVING HOLIDAY

Week 15, December 3, 5

Read Kipp

Presentations 16-30

Term Paper Due Tuesday

Exam III: Tuesday December 10, 10:10-12:10

Graded Assignments:

Precis/Book Analysis: Each student will write 4 précis (500 word maximum): on Wilkins, Clark, Arnold, and Miller. This consists of a summary and analysis of the book. Must be typed or computer generated, double spaced. Lowest score above “F” discarded, but you must complete all four. 2 points deducted for late paper.

Exams consist of both essay questions and short answer questions. Study questions and lists of terms will be distributed before examinations

Term Paper: Select a contemporary issue relating to American Indian sovereignty, conduct research, and write a 7-10 page paper on the topic. Develop a thesis and support it. Each student will make a brief oral presentation of his/her research. Use a minimum of 5 sources. ALL Internet sources must be approved by the instructor. You will make an oral presentation to the class on your topic. **TOPIC MUST BE APPROVED BY INSTRUCTOR VIA E-MAIL.**

Points		Grading		
Exam I	20		93-100: A	90-92: A-
Exam II	20	87-89: B+	83-86: B	80-82: B-
Exam III	20	77-79: C+	73-76: C	70-72: C-
Term Paper	15	67-69: D+	63-66: D	60-62: D-
Class Attendance	10		↓ 60: F	
Précis	15			

NOTE: P/NP is ***not*** an option in Native American Studies Courses

Please be familiar with the Student Conduct Code, part IV, and follow it.