

University of Montana

ScholarWorks at University of Montana

University of Montana Course Syllabi

Open Educational Resources (OER)

Spring 2-1-2019

NASX 475.01: Tribal Sovereignty

David R M Beck

University of Montana - Missoula, david.beck@umontana.edu

Follow this and additional works at: <https://scholarworks.umt.edu/syllabi>

Let us know how access to this document benefits you.

Recommended Citation

Beck, David R M, "NASX 475.01: Tribal Sovereignty" (2019). *University of Montana Course Syllabi*. 10296.
<https://scholarworks.umt.edu/syllabi/10296>

This Syllabus is brought to you for free and open access by the Open Educational Resources (OER) at ScholarWorks at University of Montana. It has been accepted for inclusion in University of Montana Course Syllabi by an authorized administrator of ScholarWorks at University of Montana. For more information, please contact scholarworks@mso.umt.edu.

Spring Semester, 2019
University of Montana
T-Th 9:30-10:50
Hours: TTh 11-11:30; T 2-4
& by appointment

David Beck; 243-6097
Office: NAC 203D
david.beck@umontana.edu
3 Semester Credits

Native American Sovereignty NASX 475 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.

Deer, Sarah, *The Beginning and End of Rape: Confronting Sexual Violence in Native America*. Minneapolis: University Of Minnesota Press, 2015.

Pevar, Stephen L. *The Rights of Indians and Tribes*. Any edition; 3rd or 4th edition are best (Recommended)

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, January 10: What is Sovereignty?

Week 2, January 15, 17: Traditional Tribal Law
Read Pevar, Chapter 1-4

Week 3, January 22, 24: Federal Law
Read Pevar Chapter 5-7

Week 4, January 29, 31: Treaties
Wilkins, *Précis 1 due Thursday*

Week 5, February 5, 7: Treaties and Removals
Thursday, Exam I

Governance and Economics

Week 6: February 12, 14: Forced Assimilation
Read Clark; *Précis 2 due Thursday*

Week 7, February 19, 21: Forced Assimilation

Week 8, February 26, 28: Reorganization
Read Margold, Pevar chapter 8-12

Week 9, March 5, 7: Termination
Read Pevar Chapters 13-15
Thursday: Exam II

Week 10, March 12, 14: Relocation

Week 11, March 19, 21: Self-Determination
Read Arnold, *Précis 3 due Tuesday*

WEEK OF March 25-29 SPRING BREAK

Social/Cultural/World

Week 12, April 2, 4: Self Determination
Complete Pevar reading

Week 13, April 9, 11: Oceania
Read Deer, ***Précis 4 due Thursday***

Week 14, April 16, 18: Cultural sovereignty
Presentations 1-15

Week 15, April 23, 25
Read Kipp
Presentations 16-30
Term Paper Due Thursday

Exam III: Tuesday, April 30, 8-10 AM

Graded Assignments:

Precis/Book Analysis: Each student will write 4 précis (500 word maximum): on Wilkins, Clark, Arnold, and Deer. 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. 3 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 (1750-2500 word) 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. TOPIC MUST BE APPROVED BY INSTRUCTOR VIA E-MAIL.

Points		Grading		
Exam I	15		93-100: A	90-92: A-
Exam II	15	87-89: B+	83-86: B	80-82: B-
Exam III	15	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	30 (10 each)			

All students must practice academic honesty. Academic misconduct is subject to an academic penalty by the course instructor and/or a disciplinary sanction by the University. All students must be familiar with the University of Montana Student Conduct Code: http://www.umt.edu/vpsa/policies/student_conduct.php

This course is accessible to and usable by otherwise qualified students with disabilities. To request reasonable program modifications, please consult with the instructor.

Disability Services for Students will assist the instructor and student in the modification process. For more information, visit the Disability Services website at www.umt.edu/disability

UM has a Cultural and Ceremonial Leave Policy: “Cultural or ceremonial leave allows excused absences for cultural, religious, and ceremonial purposes to meet the student’s customs and traditions or to participate in related activities. To receive an authorized absence for a cultural, religious or ceremonial event the student or their advisor (proxy) must submit a formal written request to the instructor. This must include a brief description (with inclusive dates) of the cultural event or ceremony and the importance of the student’s attendance or participation. Authorization for the absence is subject to approval by the instructor. Appeals may be made to the Chair, Dean or Provost. The excused absence or leave may not exceed five academic calendar days (not including weekends or holidays). Students remain responsible for completion or make-up of assignments as defined in the syllabus, at the discretion of the instructor.”

<http://catalog.umt.edu/academics/policies-procedures/>