By the end of instruction, students will:

- Recognizes landmark legislation that affected and continues to affect tribal sovereignty and explain the governmental structure of at least one local tribe (tribal sovereignty objectives 1 & 4)
- Evaluate how Indian and non-Indian interaction with the environment has affected economic growth and sustainability (GLE 3.2.1, grade 12)

**Level 1:** Sovereignty differs between our nation, states, and tribes. Students will recall the complexity of sovereignty and recognize tribal governments’ status with federal and state governments.

**Day 1**

1) Motivate the lesson by calling for student volunteers to spell the word “Sovereignty” on the board. Repeat with different student volunteers until the class agrees that the correct spelling of sovereignty is on the board. Use a dictionary to confirm the correct spelling and to define the word. Tell the students that sovereignty is not only a difficult word to spell, but it is also a difficult concept to understand.

2) Ask students to do a one minute quick write listing all the sovereign nations in the world they can think of.

3) Call on individual students to tell you one nation each, compiling the list on the board or overhead, deleting duplicates.

4) Look over the list as a class. In small groups, students will discuss what makes those countries sovereign nations. One student will be chosen in each group to record their discussion. Give them several minutes to discuss the issue. If help is necessary, their lists might include: national boundaries, a political structure or government, ability to make and enforce laws, a common language, and identity as a people or nation.)

5) Ask groups to report in on their discussion. What defining elements of a nation’s sovereignty did they agree on?

6) Then discuss with students whether they feel that the sovereignty of Indian Nations is the same or different from other nations in the world.
7) After some discussion to get ideas generated, students will write on their own how they think Indian nations are the same and/or different from other nations in terms of sovereignty.

8) Sovereignty differs between the Nation, states and tribes. Students will read the article titled “Sovereignty” (Appendix 1.A) by Robert J. Lyttle (Cheyenne/Arapaho), Attorney, from Norman, Oklahoma, 1999.

9) Outline the article on the board or overhead. Students will copy the outline onto their own paper, or ask students to summarize the article on their own. (Appendix 1.B)

10) Provide students with a large sheet of paper and ask them to create a diagram of national, state and tribal sovereignty. A Venn diagram or web diagram would work well for this activity. (Appendix 1.C)

Looking Ahead to Level Two Curriculum:

If time allows, have students brainstorm what tribal governments may have been like in the years before contact and colonization.

US History Reform, Prosperity, and the Great Depression

INDIAN REORGANIZATION ACT: FROM THE MERIAM REPORT TO IRA Level 2

Level 2: Students will understand how the Meriam Report documented the dismal state of Indian Country and ultimately led to the Indian Reorganization Act. They will understand the goals of the Indian Reorganization Act and how it restricted at least one local tribal government. Students will create a graphic organizer to summarize the recommendations of the Meriam Report and purpose of the Indian Reorganization Act.

Day 1

- Students view powerpoint “Meriam Report and IRA” and read the article “John Collier and New Respect for Indian Culture” (Appendix 2.A)
- Students create graphic organizer. (Appendix 2.B)
Level 3: Student will analyze and evaluate the success of the Indian Reorganization Act or other federal Indian policy on a local tribe.

Day 1

1) Explain the idea of dual citizenship and that Indian people who are enrolled members of a tribe are dual citizens of the tribal government as well as the United States government, just as other people may be dual citizens of two other nations. Have students read “Indians as Citizens” (Appendix 3.A) for further clarification.

2) Together read the Preamble to the United States Constitution, found at:


   Discuss the definition of a “preamble” = A preface, an introduction or explanation of what is to follow.

3) Discuss words contained in the preamble that students do not know, or that they feel other classmates may not know. Include those words on a classroom wall thesaurus.

4) Students will group themselves according to interest and will research and look at samples of tribal constitutions to compare and contrast to the United States Constitution.

   Tribal Constitutions for 7 Washington tribes can be found at:
   Tribal Court Clearinghouse: http://www.tribal-institute.org/lists/constitutions.htm
   NARF National Indian Law Library: http://www.narf.org/nill/triballaw/onlinedocs.htm

5) Students will list at least 10 similarities and 10 differences that they observe between the two documents in the preamble sections.

Day 2

1) The IRA of 1934 represented a shift in federal policy away from forced acculturation and assimilation, but tribal people had different opinions about the effects of the IRA on their tribes.

   a. Listen to Ramon Roubideaux (Brule Sioux) as he criticized the IRA in “It set Aside the Indian as a Problem.” Text and audio can be found at:

      History Matters: http://historymatters.gmu.edu/d/76/
b. Listen to Amos Owen (Mdewakanton Sioux) as he gives a mixed review of the IRA in “It Didn’t Pan Out as We Thought It Was Going to.” Text and audio can be found at:

History Matters: http://historymatters.gmu.edu/d/34

c. Listen to Alfred DuBray (Sioux) as he praises the IRA in “It Had a Lot of Advantages.” Text and audio can be found at:

History Matters: http://historymatters.gmu.edu/d/33

2) Have students research the economic, social, political, health, and educational effects of the Indian Reorganization Act.

Resources:
• “We Have Got a Good Friend in John Collier”: A Taos Pueblo Tries to Sell the Indian New Deal: http://historymatters.gmu.edu/d/26
• Indian Land Tenure - Historic Allotment Legislation: http://www.indianlandtenure.org/ILTFallotment/histlegis/histlegisVI.htm
• “We Took Away Their Best Lands, Broke Treaties”: John Collier Promises to Reform Indian Policy http://historymatters.gmu.edu/d/5058/

3) Have students research the evolution of US Immigration Policy especially focusing on immigration during the New Deal.


4) Have students research the economic, social, political, health, and educational effects of US Immigration Policy.

Immigration Policy Center: http://www.immigrationpolicy.org/

5) Students will fill in a Graphic Organizer to compare the Indian Reorganization Act with Immigration policy.

Extension Activity:

Environment, crime rate, demographics may be compared for students who like to research and be challenged.
Sovereignty

From Robert J. Lyttle (Cheyenne/Arapaho), Attorney, Norman, Oklahoma, 1999.

Sovereignty in its simplest form means governmental power over people and land. Governments possess sovereignty. The United States has sovereignty, each state has sovereignty, and Indian tribes have sovereignty. The sovereignty of the United States comes from each state. The original 13 colonies each had their own sovereignty over their land and people after the American Revolution. When the 13 colonies decided to form the United States, they gave a portion of their sovereignty to the central government of the United States. Therefore, the source of U.S. sovereignty is each state.

The United States is a limited sovereign. Its power is limited because the powers that states did not give to the federal government remain with the states. Similarly, Indian tribes are the source of their sovereignty. For thousands of years Indian tribes had the absolute power to govern their territory and the people within their territory. The United States did not “give” Indian tribes any governmental powers or sovereignty. Indian tribes existed for thousands of years before the United States was formed. For example, when the U.S. government encountered Indian tribes, they negotiated treaties as one sovereign government to another sovereign...
government. At the treaty negotiations, both the tribe and the United States would bring their sovereign rights to the table. In this way, each side made promises to the other to forge the agreement. Any powers that the tribe did not relinquish remain with the tribe to this day. Over the years, however, the U.S. government has unilaterally taken pieces of tribes’ sovereignty away. Nevertheless, tribes still retain broad governmental powers over their territories and the people within their territories. As sovereign governments, tribes have power to pass laws addressing such matters as land use, criminal conduct, civil conduct, and business regulation.

Since the formation of the U.S. government, there has been tension between the powers of the states versus the powers of the federal government. Some people argue for a strong central government while others argue for “states rights” or more power to the states. Similarly, the distribution of powers between Indian tribes and the federal government is also constantly in dispute. Tribes, like states, argue that they are the source of their sovereign powers, that is, they have inherent sovereignty, and that the federal government only has limited powers over them. Overall, the extent to which the U.S. government will respect the sovereign rights of Indian tribes remains to be seen.
Sample Outline

“Sovereignty” by Robert J. Lyttle

I. Sovereignty
   a. Governmental power over people and land
   b. U.S., states, and Indian tribes have sovereignty
   c. The source of US Sovereignty is each state

II. Limited Sovereign
   a. US is a limited sovereign
      i. Powers states did not give to US government remain with states
      ii. Any powers tribes did not relinquish in their treaties remain with tribes today.
   b. Tribal Sovereignty
      i. For thousands of years Indian tribes had absolute power to govern territories and people within territories
      ii. US did not give Indian tribes government or sovereignty
      iii. US “treated” with Indian tribes as sovereign nations
      iv. Tribal sovereignty has changed and diminished over the years.
      v. Tribes still retain broad governmental powers over territories and people w/i territories regarding land use, criminal conduct, civil conduct, & business regulation.

III. Sovereign Powers
   a. Tension between federal and state government
      i. Strong central government
      ii. States rights or more power to states
   b. Tension between federal and tribal government
      i. Inherent sovereignty of Indian tribes
      ii. US respect of tribal sovereignty
The US is a limited Sovereign; the source of US sovereignty is each state.

Any powers not relinquished to the federal government remain with tribes.

Many tribes reside completely within state boundaries and have formed “government-to-government” relationships with state government.
Federal attempts to compel Indians to join American mainstream society began to draw serious organized criticism in the 1920’s. Complaints were raised about the government’s failure to deal fairly with the Taos Pueblo and other tribes involved in land disputes, about the Bureau of Indian Affairs’ attempts to ban Indian dances and ceremonies, and about the poor quality of Indian education, and health care, among other things. Perhaps the most profound complaint was that compulsory assimilation itself was wrong. John Collier of the American Indian Defense Association argued that America needed a new Indian policy that recognized the right of Indians to exist as tribal groups, that respected their culture and their right to practice their religion, ceremonies, crafts, and language as they wished.

Collier got the chance to put his views about the Indians into action when he was appointed Director of the Bureau of Indian Affairs by President Franklin Roosevelt. He was helped by the change in the mood of the country brought about by the Great Depression. Purely private enterprise and individual self reliance seemed to many people to have their limits, and the more communal, back to the land views of the Indians seemed to contain a certain wisdom.

Collier immediately stopped all further allotments of land to individual Indians. He prohibited federal personnel from interfering in Indian religious practices and ceremonies. He tried to increase national appreciation of Indian arts and crafts, and worked to improve market opportunities for them. He sought to return land to Indian tribes that had lost it through
allotments. He directed Indian schools run by the BIA to try to teach more about Indian culture, and sometimes to teach Indian language and Indian crafts.

Most importantly for Indian sovereignty, he sought legislation to allow tribal governments to take on modern legal forms, such as by incorporation, and tried to revive tribal institutions even where they had largely disappeared. This approach was in some respects at odds with Indian tradition. In many cases, Indians governed themselves primarily through small villages and small bands, somewhat loosely associated together as tribes.\textsuperscript{vii} This was especially true in California. The legal structures that Collier proposed, with elections, councils, and districts, were a mixture of English and American forms of government applied to an Indian context. There was controversy about his ideas, including controversy among Indians.

World War II interrupted Collier’s work and changed the experience framework of many Indians. Indians volunteered for the armed forces in somewhat disproportionate numbers, and often served with distinction. Other Indians were drawn to the vast new employment opportunities created by wartime production. They moved to urban areas, earned far more than before, and experienced American life more interactively than on reservations.

Collier embedded a largely new set of expectations and aspirations into America’s relations with Indians. The increased importance of tribal sovereignty today would have been unlikely without his work.

\begin{itemize}
  \item \textsuperscript{1} Lawrence C. Kelly, \textit{The Assault on Assimilation: John Collier and the Origins of Indian Policy Reform} (Albuquerque: University of New Mexico Press, 1983)
  \item \textsuperscript{1} Prucha, op cit, pp. 801 - 804
  \item \textsuperscript{1} The Problem of Indian Administration (known as the Meriam Report) (Baltimore: Johns Hopkins Press, 1928, especially Chapter IX, available at http://www.alaskool.org/native_ed/research_reports/IndianAdmin/Indian_Admin_Problms.html
  \item \textsuperscript{1} “Contagious and Infectious Diseases among the Indians,” Senate Document no. 1038 (Washington: Government Printing Office, 1913).
  \item \textsuperscript{1} John Collier, “America’s Treatment of Her Indians,” Current History 18 (August, 1923), 772 and ff.
  \item \textsuperscript{1} Prucha 951.
  \item \textsuperscript{1} Vine Deloria, Jr. and Clifford Lytle, \textit{The Nation Within: The Past and Future of American Indian Sovereignty} (New York: Pantheon Books, 1984), pp. 186 -
\end{itemize}