PURPOSE: This course introduces you to, and more importantly, requires you to analyze U.S. domestic policy and federal law as it pertains to Native nations as the original sovereign peoples in the U.S. and to their individual citizens/members. In Part 1 we engage in a critical analysis of the principal actors--Native nations (including the status of individual Natives), federal, and state governments--involved in this distinctive government-to-government and intergovernmental relationship. We also discuss the role that activism, the media, and organizations--both governmental and non-governmental (i.e., interest groups, the public, etc.)--play in the development or hindering of Native peoples and federal Indian policy, law, and governance. In Part 2 of the course, we broadly examine the historical development of the major federal Indian policy eras and the initiatives generated during those periods from before the beginning of the Republic to the present. Finally, in Part 3 we engage in a focused analysis of several specific Indigenous policy issues and other topics: religious freedom, economic development, federal recognition, treaty rights, and international developments--topics that are particularly important at the moment. We conclude the course by suggesting some possible policy avenues the different sovereigns might consider to improve intergovernmental relations.

REQUIRED READING:


ADDITIONAL READING: An additional group of readings has been put together and is available on Blackboard. The U.S. Supreme Court cases can be found at the Law School, the main library, or on-line. If you go online you can visit these sites: http://www.supreme/ www.supremecourt.gov/opinions; https://caselaw.findlaw.com; https://www.tribal-institute.org/lists/supreme.htm. You might also visit the Native American Rights Fund website out of Boulder, CO. They have an extensive collection of Tribal law related materials that could prove useful.
**VERBAL PARTICIPATION:** As our class is small and meets only once a week, we will operate as a seminar. Thus, you will all be expected to orally contribute to the critical analysis of each week’s readings. To quote a former colleague: “I see you as intellectual producers of knowledge; not as mere consumers of knowledge.”

**LEAD DISCUSSANT:** Each student will be required to be the lead discussant of an assigned article, chapter, court case, law, etc. I will make these assignments at the appropriate times throughout the semester. If you are leading the discussion of a given work you must submit your briefing comments in writing to me the day before you are scheduled to lead the discussion of your text. As the leader of a given assignment you may guide the discussion in class using any approach you deem worthwhile. In previous classes some students have prepared power points, others have organized their classmates into small groups to answer a question or set of questions you will have prepared in advance, or you may simply provide me and your classmates with a critical analysis of whatever the assigned reading was.

**WEEKLY QUESTIONS ASSIGNMENT:** You will be required to submit two broad essay questions to me no later than 5:00 pm each Monday. Pitch your questions as if you were the instructor and I the student and you were testing my knowledge of the materials read. Your questions should address pertinent issues raised in the week’s readings. Your first question should be broadly comparative in nature, when the readings allow for that. Specifically, it should reflect your ability to compare and contrast information, differentiate between facts and opinion, and recognize and evaluate author bias, if that is detected. It should also indicate your competence to make critical judgments and draw firm conclusions about the materials read. Your second question can be about anything that struck you in the readings. If you agree or disagree with an author’s findings I will want to know why. I don’t always agree with the authors I read, so I’ll be interested in your perspective. This exercise will help you focus on the readings and sharpens critical thinking. Because you will have analyzed the materials and not simply consumed them you will be better prepared for class and more confident about engaging in substantive discussions of what we’ve read together. Submit your questions via e-mail. I will always acknowledge that I have received them and will offer suggestions, criticisms, or general thoughts on what you’ve presented. Always make a hard copy of your questions and bring it to class. Your questions are meant to be an opportunity for real engagement with these topics. My goal is that you express your ideas confidently, but your remarks must be based in knowledge and facts, not raw opinion. Your questions are an important way for me to determine that you are actively engaging the assigned materials. You may inquire, at any time, how you’re doing on this important assignment. At mid-term I will provide you with a preliminary letter grade on this component and other aspects of your course work.

**OTHER EXPECTATIONS:** In addition to the reading assignments, active participation, final exam, and written assignments, the only other requirement is that you regularly attend class.
Three (3) unexcused absences and you will be administratively dropped from the course.

I weight the above requirements as follows:

Verbal Participation: 25%
Weekly Questions: 25%
Lead Discussant: 25%
Final Exam: 25%

I use the typical, if imperfect, 10-point scale-- 90 & above =A to A-; 80-89 =B to B-; 70-79=C to C-, etc.

Let me reiterate, I expect a high level of intellectual discussion each time we meet. Remember, you are producers, not consumers in this class. It also behooves you to take copious notes of the readings, outline what you read, and write specific questions about anything you do not fully understand.

P.S. I reserve the right to add or delete readings from those listed below. I do not assign extra-credit projects, I do not loan my notes if you miss class, and I do not use a curved grading system. Finally, cell phones may never be used in class. Laptops are not allowed either, with one exception: if you have a documented need recognized by the university’s Disability Service office. You must have paperwork verifying the same.

As you can see, I expect a high level of intellectual discussion each time we meet. I also maintain a professional learning environment that expects participation and the constructive exchange of ideas. All viewpoints are welcome, as is scrutiny of those viewpoints. Like many others, I continue to learn about and will always show respect for diverse perspectives and identities.

Finally, I have a somewhat formal approach to teaching based in respect for learning and the privacy of students. Therefore, I will address you by your last name and ask that you let me know your preferred honorific, such as Ms., Mr., or Mx. Like most people of my generation, I am still learning and getting accustomed to more inclusive identifications and will do my best to address everyone appropriately.

TOPICAL OUTLINE
(Read it and Reap!)

Introduction & Orientation

PART I: The Political Actors

A. Who are the Native Nations? Indigenous Government Powers and Political Status
READ:


Wilkins and Stark, American Indian Politics (2018): Note on Terminology, (skim the “Timeline”), Read “Introduction,” and Chapters 1 and 3.


B. Rights & Status of Urban Natives

READ:


C. What is the Nature of the Native Nations-Federal relationship: Trade, Treaties, Trust, Jurisdiction & Territory?

READ:

Wilkins and Stark, American Indian Politics (2018): Chapters 2 and 4.

Cherokee Nation v. Georgia, 30 U.S. 1 (1831).


Treaty with the Six Nations, 1794 (7 Stat. 44)

Treaty with the Cherokee, 1835 (7 Stat. 478)

Treaty with the Navajo, 1868 (15 Stat. 667)


D. What is the Native Nations-State relationship?

READ:


E. What role does mass and social media, cultural appropriation, political participation, and Indigenous activism play in the legal, political, and policy process?

READ:


PART II: The Political History of Native Nations: 1492-Present

READ:

Wilkins and Stark, American Indian Politics (2018): Chapter 5.


PART III: The Political Action

A. Native Religious Freedom

READ:


**B. Economic Development in Indian Country**

READ:


**C. Federal (and State) Recognition (Acknowledgment) of Tribes, Bands, or Groups**

READ:


D. Indigenous Peoples and the International Community

READ:


CONCLUSIONS: Where do we go from here?

READ:

Wilkins and Stark, American Indian Politics (2018): Chapter 10.


FINAL EXAM (LAST CLASS)