

AMERICAN INDIAN HISTORY, CULTURE AND LANGUAGE

Curriculum Framework

Leadership

LESSON PLAN MODELS

Primary

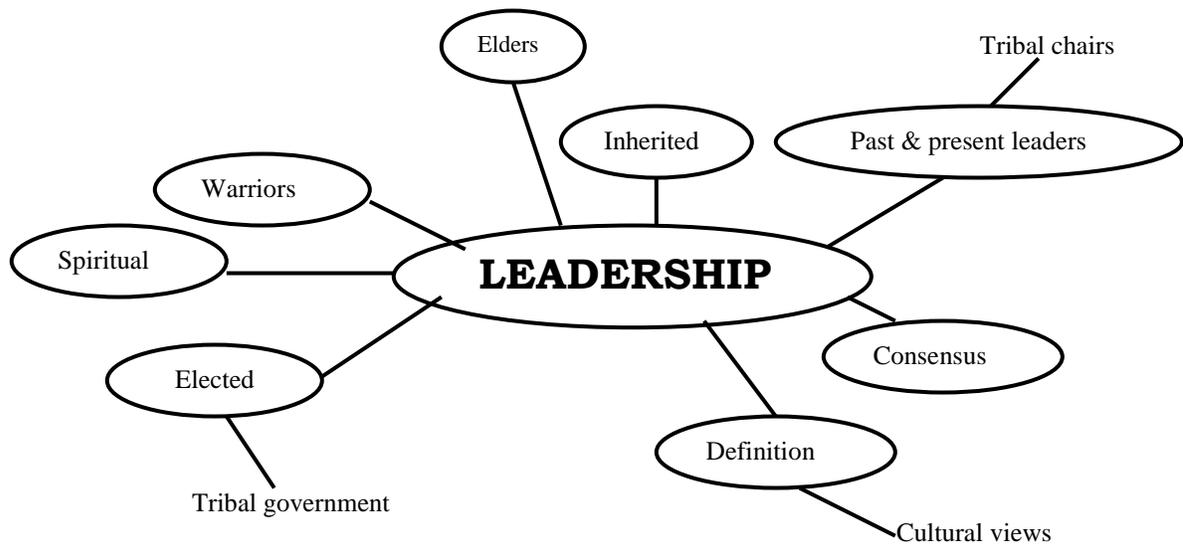
Intermediate

Middle School

Senior High

Office of Indian Education
Minnesota Department of Education
1500 Highway 36 West
Roseville, MN 55113-4266

651-582-8831



Learner Outcome:

Students will be able to identify past and present American Indian leaders and characteristics of American Indian **leadership**.

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Students will be able to identify past and present American Indian leaders and characteristics of American Indian **leadership**.

ATTRIBUTES

This outcome includes:

- defining tribal sovereignty;
- relating tribal sovereignty to the concept of dual citizenship;
- understanding impact on contemporary issues such as gaming and hunting/fishing rights; and
- recognizing historical link to treaties.

RATIONALE

Tribal sovereignty is a vital issue to American Indian tribes today. All students should have knowledge of this concept in order to understand American Indian cultures of the past and contemporary tribal issues. Students will be able to function as responsible citizens if they know how sovereignty affects interactions of tribes with the federal government, the state of Minnesota and local governing units.

CULTURAL CONTENT/AMERICAN INDIAN WORLD VIEW

American Indian nations possess an inherent and unique political status based on sovereignty. This legal political status conveys dual citizenship along with specific rights and responsibilities. This **inherent political status** sets American Indian nations apart from all other racial and ethnic groups in United States.

TEACHER BACKGROUND INFORMATION

Tribal Sovereignty

“Tribal Sovereignty” refers to the right of American Indian tribes to determine their own future. American Indian tribes, through elected tribal governments, have the right to operate as self-governing nations.

Historical Perspective

When the United States government signed treaties with tribal nations, it affirmed the inherent sovereignty of the tribes. American Indian tribes have always been sovereign nations and controlled their own destiny. The United States Congress acknowledged this under House Concurrent Resolution 331. Among the attributes of sovereignty are American Indian control of the land and inherent powers. The inherent powers include: the powers to determine the form of government; to define conditions for membership in the nation; to administer justice and enforce laws; to tax; to regulate domestic relations of its members; and to regulate property tax.

One of the aspects of sovereignty is to be able to exert power to enforce the sovereignty.

The governments of these nations have always operated in accordance with democratic principles. An example is the Iroquois Confederacy. The framers of the U.S. Constitution based many of their basic concepts on this Confederacy. Each nation within the confederacy selected individuals to represent them at confederacy meetings. Issues were deliberated until all were in agreement on a common course of action. This method of decision-making still used today is called consensus democracy.

Treaties

In all the treaties and agreements, which took place between American Indian nations and the United States government, the tribes retained the right to maintain their own governments. This right has been upheld since the 1830's when federal courts affirmed a trust responsibility to the tribes. That responsibility includes the protection of tribal rights and interests particularly with regard to tribal lands and resources. Federal Indian policy, however, followed an opposite course. In the treaties American Indian tribes agreed to cede vast segments of their homelands in exchange for honoring their right to retain small segments of this land for tribal members in common. The treaties included provisions which guaranteed the tribes government services in the areas of education, health and technical assistance. Some of the treaties guaranteed tribal members the right to hunt, fish and gather resources in a customary manner on ceded lands.

Federal Policies and Practices

The federal government did not honor the treaties. Instead, the federal and state governments pursued policies and passed laws which led to the erosion of tribal political rights and the further confiscation of American Indian lands. Although the right of tribes to govern their own nations has been affirmed by treaty, federal laws, executive orders, federal policy and procedure have eroded the tribes' freedom to exercise this sovereign right.

Early in the relationship between American Indian Nations and the United States government, Congress used constitutional powers as justification for passing laws and approving treaties and agreements to regulate trade with Indian Nations. Later Congress arbitrarily passed legislation which interfered with the internal affairs of Indian Nations and assumed plenary power over Indian Nations. These actions attempted to exercise control over all aspects of American Indian life. United States courts have usually supported the plenary powers of Congress.

In 1970, the enactment of the first Indian Trade and Intercourse Act brought federal control over non-Indians on Indian land. The act was designed to "control" invasions of Indian land. This act and subsequent Trade Acts encouraged broader intrusions upon American Indian self-government.

The loss of the Indian land base through acts of the federal government has been enormous. Despite provisions of acts authorizing the acquisition of lands for American Indians, Congress did not appropriate money for the purpose of Indian land buy-back. The Dawes Act 1887 allotted Indian lands that resulted in the further loss of millions of acres.

Assimilation policies followed the loss of land. These policies sought to destroy tribal cultures and assimilate American Indians as individuals into mainstream society.

The exercise of sovereign powers by Indian Nations had already been eroded through legislation. The following methods were used:

1. **The political question doctrine:** Questions decided by the legislature or executive branch and not by courts.
2. **The guardian – ward relationship:** “Trust” responsibility supposedly allowed Congress extraordinary power to take actions to protect Indian Nations.
3. **Plenary power of Congress:** The courts have said that the power of Congress in Indian affairs is plenary (full and complete). Congressional power in Indian affairs is mentioned in the United States Constitution.

External controls are requested by American Indian governments, but often Congressional action has been prompted by special interest groups who oppose the exercise of tribal sovereignty.

From 1770 to 1870 Congress increased its role in Indian affairs from regulating trade with American Indians to controlling almost all facets of American Indian government. Treaty specifications were systematically reduced by subsequent acts of Congress.

One example is the reduction of land holdings of the Red Lake Reservation: Prior to 1863 to seven clans who comprise the Red Lake Chippewas owned and controlled more than 13 million acres of land in northwestern Minnesota. Land holding extended into North Dakota on the west and Canada on the North.

Red Lake was and is a separate and distinct nation. The treaty of 1863 officially recognized Red Lake as separate and distinct with the signing of the Old Crossing Treaty of 1863. In this treaty, the Red Lake Nation ceded more than 11 million acres of the richest agricultural land in Minnesota in exchange for monetary compensation and a stipulation that the “President of the United States direct a certain sum of money to be applied to agricultural education and to other such beneficial purposes calculated to promote the prosperity and happiness of the Red Lake Indian.”

In the Agreement of 1889 and the Agreement of 1904, Red Lake ceded another 2,256,152 acres and the Red Lake Nation was guaranteed that all benefits under existing treaties would not change.

There are additional examples in the treaty deliberations with the other tribal nations.

Need for Historical Accuracy

Tribal sovereignty has not been understood, therefore a prevalent concern among American Indian scholars is to present an accurate history. The Institute for the Development of Indian Law defines sovereignty as the supreme power from which all specific political powers are derived.

All of the sovereign powers were once held by tribes, not the U.S. government. Whatever power the federal government may exercise over Indian nations it received from the tribe, and not the other way around.

Included in the inherent powers are the following:

- The power to determine the form of government
- The power to define conditions for membership in the nation
- The power to administer justice and enforce laws
- The power to tax
- The power to regulate domestic relations of its members
- The power to regulate property tax

The law is clear that an Indian nation possesses all of the inherent powers of any sovereign government, except those powers that have been limited or qualified by treaties, agreements or an act of Congress.

Students will be able to function as responsible citizens if they know how sovereignty affects interactions of tribes with the federal government, the state of Minnesota and local governing units. All of the land in Minnesota was gained by the United States through a series of treaties with Anishinabe and Dakota sovereign nations. In order to understand issues of treaties, sovereignty or rights, one must first understand these very basic premises:

- No great war took these lands from American Indians
- No American Indian leader gave Minnesota to the United States. The nations of Anishinabe and Dakota made concessions as to specific land uses by the United States. These concessions were clearly to benefit the settlers who wanted to establish business and homes on Indian lands. The United States was obligated to carry out the specifications of the treaties.
- Anishinabe and Dakota nations clearly retain any and all rights not specifically mentioned in the contracts.

A common misconception is that the United States gave American Indian nations rights through treaties. In fact, American Indian nations gave land to the United States while retaining inherent rights and powers.

RESOURCE LIST

Upper Elementary:

Hirschfelder, Arlene. "Tribal Governments" "Termination and Self-Determination" in *Happily May I Walk: American Indians and Alaska Natives Today*. New York: Charles Scribner's Sons, 1986.

Secondary:

Cohen, Felix. *Handbook of American Indian Law*.

Deloria, Vine Jr. *Custer Died for Your Sins*. New York: MacMillian Press, 1969.

Of Utmost Good Faith. Bantam Books, 1971.

We Talk: You Listen. Dell Publications, 1972.

Great Lakes Indian Fish & Wildlife Commission, (1999). *Treaty Rights 2000 Education*. GLIFWC's Public Information Office, P.O. Box 9 Odanah, WI 54861. Phone (715) 682-6619.

Great Lakes Indian Fish & Wildlife Commission, (1997). *Seasons of the Chippewa*. GLIFWC's Public Information Office, P.O. Box 9 Odanah, WI 54861. Phone (715) 682-6619. Discusses activities for off reservation tribal hunting, fishing, and gathering seasons.

Hirschfelder, Arlene. "Treaty Rights" "Native American-U.S. Government Relations" "Tribal Governments" "Termination and Self-Determination" and *Happily May I Walk: American Indians and Alaska Natives Today*. New York: Charles Scribner's Sons, 1986.

Institute for the Development of American Indian Law. *Indian Law Series*. "Indian Sovereignty" "Indians and the U.S. Government" "The Federal-Indian Trust Relationship" "Indian Jurisdiction" "Oil and Gas" "Indian Water Rights."

Jaimes, Annette. *The State of Native America: Genocide, Colonization, and Resistance*. South End Press, Boston, MA. 1992.

Pever, Steven. *Indian Rights*. Third Edition

CD-ROM: "Culture and History of the White Earth Ojibwe", 1993. Mahnomen Public Schools. P.O. Box 319. Mahnomen, MN 56557. Phone: (218) 935-2211.

Video: "Indian Treaties with Status—Force—And Dignity." Color. 30 min. Coleraine Public Schools.

Video: "Treaty Rights and Tribal Sovereignty" Native American Educational Series. Color. 30 min. Delta Vision Entertainment. 8158 Half Mile Road. P.O. Box 460. St. Germain, WI 54558.

Video: "Tribal Governments from Traditional to Contemporary." Color. 30 min. Coleraine Public Schools.

Video: "Tribal Governments: With Status, Force, and Dignity." Coleraine Public Schools.

Video: *Winds of Change*. "Sovereignty" Color. Madison, WI: University Film and Video. University Film and Video.

Website: American Indian Policy Center
<http://www.airpi.org> (American Indian Research and Policy Commission)

Website: Great Lakes Indian Fish & Wildlife Commission
<http://www.glifwc.org>

Website: Minnesota Indian Affairs Council
<http://www.indians.state.mn.us>

SOVEREIGNTY - PRIMARY LESSON

1. DEVELOPMENTAL CHECKPOINT

Primary students will be able to understand the concept of *nation*; distinguish nations from continents and identify nations in the Western Hemisphere, including American Indian nations within a nation.

OUTCOME INDICATORS

- Checklist to record responses in class discussions.
- Matching activity in which students in cooperative groups identify nations in the Western Hemisphere and American Indian reservations and communities in Minnesota.

CURRICULUM INTEGRATION

Social Studies, Geography, Map Study

LESSON OUTCOMES

Students will be able to:

- define a nation as a group of people organized under a government and living on a certain location of land.
- name examples of nations; distinguish between nations and continents.
- locate North America, Canada, United States and Mexico on a map.
- locate Minnesota on a map and recognize that it is a division of a nation called a *state*.
- locate seven Anishinabe reservations and four Dakota communities on a map of Minnesota.

INSTRUCTIONAL STRATEGIES

1. Lead class in a brainstorm session listing attributes or characteristics of a *nation*. (people, land, boundaries, government, leaders, laws, language, certain ways of doing things.)
2. Display characteristics of a nation on a transparency or flipchart.
3. Without benefit of the display, students in cooperative groups recall the attributes of nations. Students check accuracy by referring to the display.
4. Display a map of the Western Hemisphere or just North America without political boundaries and that shows the locations of American Indian nations before Europeans came.
5. Point out the vast territories on which American Indians live.
6. Ask students to infer what the organizations of the various groups might have been like. Would there have been governments? Leaders? Laws? Languages?

7. Display a map of the Western Hemisphere or North America showing current locations of American Indian nations, called reservations.
8. Discuss the fact that this map displays how much is left of the American Indian nations as far as land is concerned.
9. Focus with the students on a map of Minnesota which shows the seven Anishinabe reservations and the four Dakota communities. Name each reservation and community as it is located.
10. Distribute map activity to cooperative groups. Small groups locate Anishinabe reservations and Dakota communities on Minnesota map.

VOCABULARY

nation – a people, usually the inhabitants of a specific territory, who share common customs, origins, history and frequently language or related languages.

a federation or a tribe, especially one composed of North American Indians ... the territory occupied by such a federation or tribe.

nation within nation – when one sovereign state exists within the boundaries of another sovereign state such as American Indian tribes.

MATERIALS

- “A Nation: What does it have?” – graphic for transparency or flipchart
- “A Nation: What does it have?” – sheets for small groups
- Large map of Western Hemisphere or North America that shows location of American Indian tribes before arrival of people from other parts of the world.
- Large map of Western Hemisphere or North America showing current location of American Indian tribes.
- Small map activity for matching in cooperative groups or individual.

ASSESSMENT TASKS

- Take part in discussion following presentations by teacher.
- Complete map matching activity

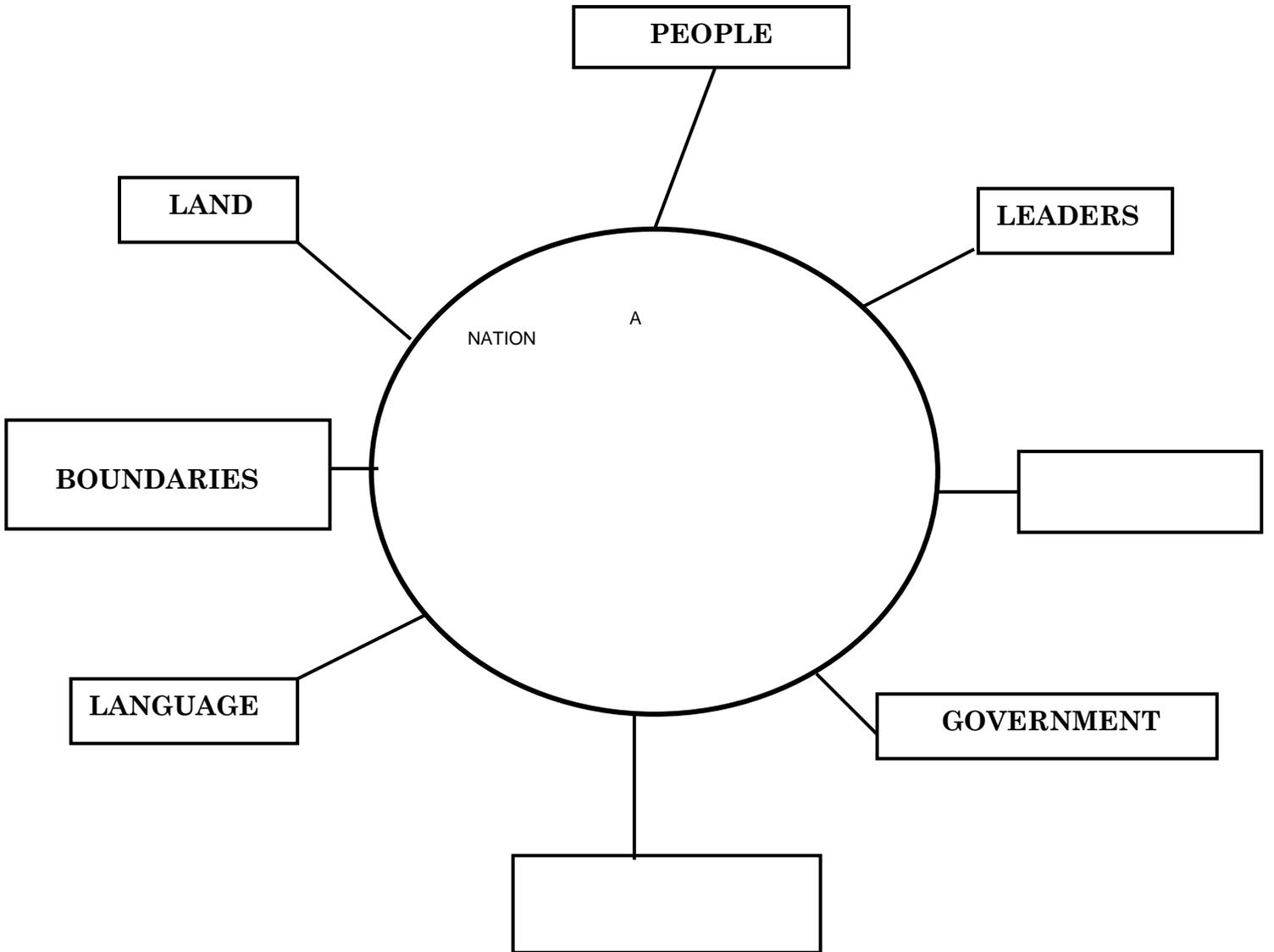
ENRICHMENT ACTIVITY

Expand the matching activities to include nations beyond North America and American Indian tribes in Canada as well as states bordering Minnesota.

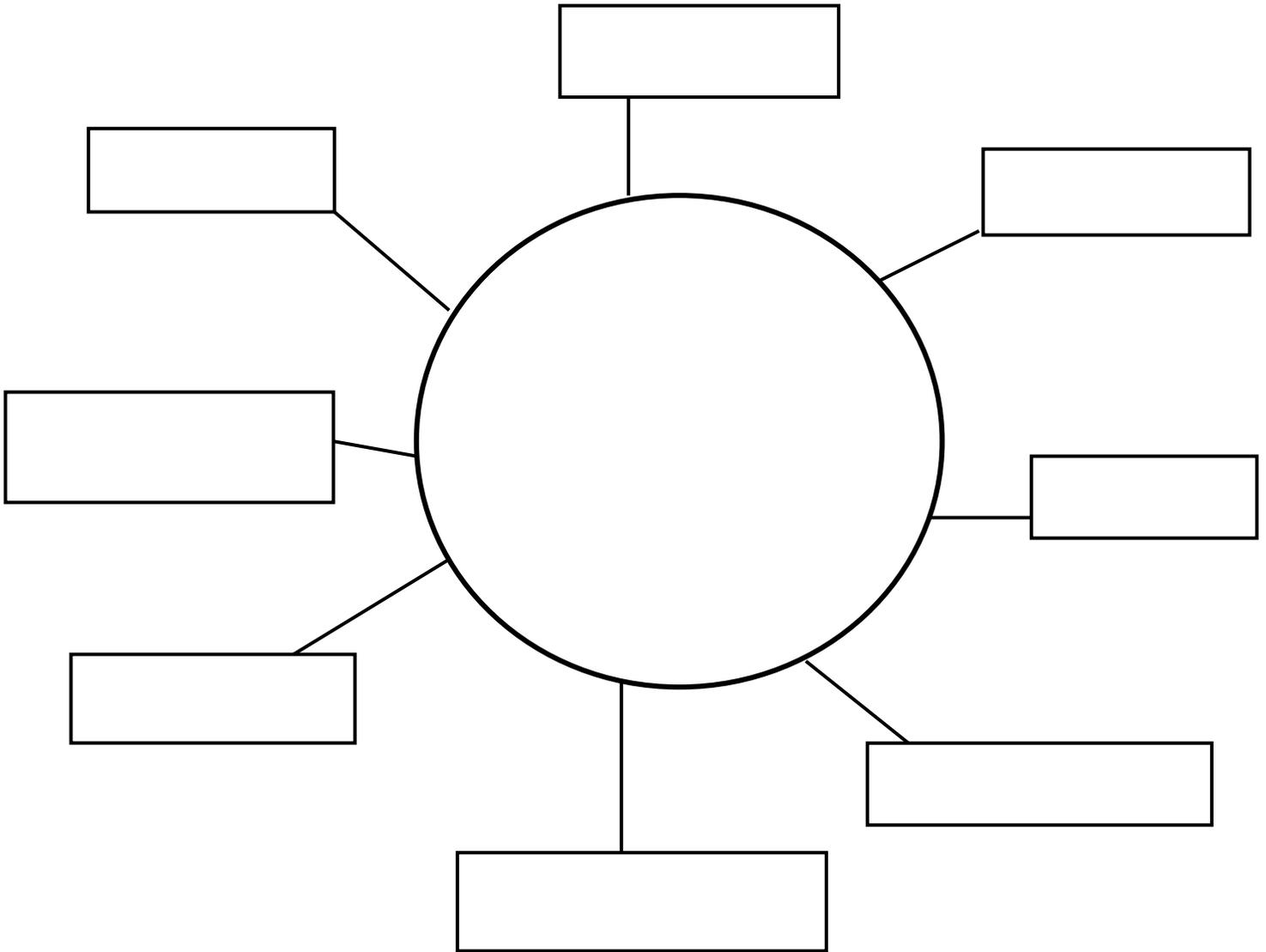
LINKAGES

Language Arts

A NATION: WHAT DOES IT HAVE?



A NATION: WHAT DOES IT HAVE?



MAP ACTIVITY

Duplicate enough labels for individuals, pairs or cooperative groups. Use post-it notes or glue sticks to fasten these tags to maps. For more durability, glue to tag-board, laminate and use pieces of Velcro to fasten. Enlarge on copy machine for bigger displays.

**Red Lake
Reservation**

**White Earth
Reservation**

**Leech Lake
Reservation**

**Mille Lacs
Reservation**

**Fond du Lac
Reservation**

**Grand Portage
Reservation**

**Bois Forte
Reservation**

**Upper Sioux
Community**

**Lower Sioux
Community**

**Shakopee
Mdewakanton
Community**

**Prairie Island
Mdewakanton
Community**

SOVEREIGNTY - INTERMEDIATE LESSON

2. DEVELOPMENTAL CHECKPOINT

Intermediate students recognize physical and political entities such as continents, nations, nations within nation, states.

OUTCOME INDICATORS

- Discussion checklists to note understanding of terms
- Cooperative classification

CURRICULUM INTEGRATION

Social Studies, Government, History, Geography

LEARNER OUTCOMES

Students will be able to classify:

- continents of Western Hemisphere
- nations in North America
- states (Minnesota, Wisconsin, Iowa, Illinois, North Dakota, South Dakota, Nebraska)
- Anishinabe Reservations and Dakota Communities in Minnesota.

INSTRUCTIONAL STRATEGIES

1. Review geographic terms: continents, nations, nations within nation, states.
2. Distribute “Cooperative Classification Card Sort” to small groups of students. Each group is to sort the items in the way they think they go together. Everyone in the group must be able to explain why the items were placed together.
3. Distribute maps or atlases to the groups so they may verify their classifications. Some may use wall maps.
4. After the verification period, provide the correct classification.

VOCABULARY

continent
nation
sovereign
reservation, community
nations within nation
state
Anishinabeg
Dakota

MATERIALS

“Cooperative Classification Cards”
Blank Card Sort on which to organize cards
Map and Atlases

ASSESSMENT TASKS

- Recall definitions of geographic terms.
- Complete the cooperative classification activity.
- Verify sorting activity by using maps.

ENRICHMENT ACTIVITY

Supply extra cards on which students may write additional continents, nations, states, reservations.

LINKAGES

Language Arts

| | | |
|-----------------------|--------------------------------|--------------------|
| North America | Anishinabe Reservations | State |
| United States | Dakota Communities | Minnesota |
| Mexico | Continents | Wisconsin |
| Canada | Sovereign Nations | Iowa |
| South America | Nations within Nations | Illinois |
| Red Lake | Bois Forte | Mille Lacs |
| Grand Portage | Leech Lake | Shakopee |
| White Earth | Fond du Lac | Upper Sioux |
| Prairie Island | Lower Sioux | |

SOVEREIGNTY - MIDDLE SCHOOL LESSON

3. DEVELOPMENTAL CHECKPOINT

Middle school students can describe the attributes of a sovereign nation and explain the concept of nations within nation as it applies to American Indian tribes.

OUTCOME INDICATORS

- Checklist to record responses in class discussions
- Verification and/or change statements following “Limited Prior Knowledge Strategy”

CURRICULUM INTEGRATION

Social Studies, Language Arts, Critical Thinking

LESSON OUTCOMES

Students will be able to:

- make predictive statements based on limited prior knowledge.
- verify and/or correct statements based on a reading assignment.

INSTRUCTIONAL STRATEGIES

1. Distribute “Limited Prior Knowledge Strategy.” Tell students that all items on the sheet are related to American Indian sovereignty. Students are to work in groups of 3 or 4 to speculate how several of the items may be linked together.
2. Each group needs one pen and one sheet of paper. As statements are suggested, one student writes one statement on the paper. The pen and paper are then passed to the next student who records another statement. Each student, writing in turn, records one prediction made by someone else and passes the paper and pen. The end product is a series of predictive statements about the information that will be read.
3. **Traveling reports share with other groups:**
After each group has recorded their predictions, a reporter is designated to go to another group and share speculations. A class list of speculations may be recorded on the board or on a flipchart. This pre-reading discussion and debate promotes setting purposes for reading and the curiosity to find out which of their statements are verified in the reading.
4. Students read “Tribal Sovereignty.”
5. **Students verify and change pre-reading statements:**

Students pass the paper and pencil around the group. The statements are again considered one at a time. Each student, in rotation, reads one statement. If it was validated in the text, that student checks the statement. If the prediction was refuted in the text, the group discusses how the statement could be changed to be true. That student revises the statement making any necessary changes. The paper and pen are passed to the next student. This is continued until all pre-reading statements have been considered.

VOCABULARY

Contained within “Limited Prior Knowledge Strategy”

MATERIALS

Copies of “Limited Prior Knowledge Strategy” for each student
Copies of “Tribal Sovereignty” for each student
One sheet of paper and one pen for each group

ASSESSMENT TASKS

- Participate in discussions following “Limited Prior Knowledge Strategy.”
- Verify or change statements following the reading of “Tribal Sovereignty.”

ENRICHMENT ACTIVITY

- Students seek additional information and other readings on the topic of Tribal Sovereignty.
- Students will pull together a collection of information concerning tribal sovereignty from various websites.

LINKAGES

Tribal Government, Tribal Enterprises, Treaties

LIMITED PRIOR KNOWLEDGE STRATEGY

All of these items are related to American Indian sovereignty. With your group members speculate on how several of these items may be grouped together. Take turns writing statements on a sheet of paper as the group agrees on a prediction. After statements are shared, you will read “Tribal Sovereignty.” With your group you will verify and/or correct your predictions according to the reading.

sovereign

treaties

dual citizenship

majority rule democracy

1924

agreements

independent of all others

U.S. citizenship

self-governing

American Indian tribes

democratic principles

Nations within a nation

tribal government

Consensus democracy

nations

TRIBAL SOVEREIGNTY

STUDENT READING

The term “sovereign” means “independent of all others.” When applied to government, sovereignty refers to independent self-governing nations. The sovereignty of American Indians tribes is a very important issue for American Indians today.

In 1492, when Christopher Columbus arrived in the Caribbean Islands, the Indian tribes of the Americas **were all sovereign nations**. Each nation maintained their own government. Most of these governments operated in accordance with democratic principles. The government of the Iroquois Confederacy of upstate New York is one example. The Iroquois represented a confederacy of five tribes or nations. These were the Mohawk, Oneida, Cayuga, Onodaga and Seneca. Later the Tuscarora arrived from North Carolina and joined the confederacy. Each tribe selected a certain number of individuals to represent them at confederacy meetings. These individuals, who are sometimes referred to as sachems, deliberated issues that came before the confederacy until all members agreed to a common course of action. To deliberate issues until all participants agree is called **consensus democracy**. The type of democracy practiced in the United States today is called **majority rule democracy**.

In agreements, called treaties, which took place between Indian nations and the United States government, the Indian nations have the inherent right to have their own governments or to periodically form new governments. The tribes may be thought of as nations within the larger American nation. Since the 1830’s the federal courts have recognized American Indian tribes. This trust responsibility should include federal protection of tribal interests. Based upon a long heritage as a free people, and based upon federal court decisions, American Indian tribes today have the right to run their own internal affairs.

American Indians who are enrolled members of tribes have dual citizenship. They are citizens of their tribe and citizens of the United States. Before 1924, some American Indian people, particularly those of mixed blood heritage, were given U.S. citizenship. In 1924, Congress passed a law, which declared **all** American Indians to be U.S. citizens. When this act was passed, tribal members were never consulted and were never allowed to vote on whether or not they wanted to become U.S. citizens.

SOVEREIGNTY - SENIOR HIGH LESSON

4. DEVELOPMENTAL CHECKPOINT

Senior High students demonstrated an understanding and appreciation of sovereignty by participating in a simulation in which this concept is applied.

OUTCOME INDICATORS

- Evaluate documents and discussions resulting from “The Classroom: A Sovereign Nation” simulation
- Checklists for essays evaluating the simulation experience

CURRICULUM OUTCOMES

Social Studies, History, Government

LESSON OUTCOMES

Students will be able to:

- research and examine representative democracy, consensus model of democracy, authoritarian systems.
- organize a model of government by creating and implementing such components as a declaration of independence, a system of laws, leaders, representatives, flag, emblem, tax system.
- list rights and responsibilities for this classroom government.

INSTRUCTIONAL STRATEGIES

1. Set the stage for “The Classroom: A Sovereign Nation” simulation by proposing that the class declare independence and create a sovereign nation.
2. Assign research topics on government as needed for background information.
3. Assign a committee to write a declaration of independence which might be presented to the principal.
4. Lead class discussion on what form of government their sovereign classroom nation might choose. Ask for summaries on the various possibilities.
5. Brainstorm rights and responsibilities their classroom government should have after students have chosen a type of government.
6. Students design a flag or emblem to identify their sovereignty.
7. Students examine U.S. Constitution and Constitutions and By-laws on American Indian tribes as examples for drawing up their own laws.

8. Students decide how these laws are to be enforced. They may wish to form a court system or decide to appoint a mediator to settle disputes and enforce the laws in this way.
9. Brainstorm how basic needs will be provided for citizens of their sovereign nation. Decide how these needs will be met. Will there be programs, taxes, economic enterprises?
10. Operate the class under the chosen system for a designated time period.
11. Students evaluate the simulation activity in a written essay.

VOCABULARY

sovereignty
representative democracy
consensus democracy
authoritarian government

ASSESSMENT TASK

- participate in discussions.
- participate in brainstorming activities.
- create documents in simulation activity.
- write summary statements in essays.

ENRICHMENT ACTIVITY

Write reasons for not selecting any of the other forms of government for the simulation.

LINKAGES

Language Arts

—Adapted from an idea by Pricilla Buffalohead

STUDENT READING

The phrase “tribal sovereignty” refers to the right of American Indian tribes to determine their own future. American Indian tribes through elected tribal governments have the right to operate as self-governing nations.

FUNDAMENTAL POWERS OF INDIAN TRIBES STUDENT READING

Tribal governments possess inherent powers of self-government and exercise those powers. The following discussion will identify fundamental categories of tribal government power that have been affirmed under federal law.

POWER TO ESTABLISH A FORM OF GOVERNMENT

The power to establish a form of government is a basic element of sovereignty. American Indian tribes are not required to adopt forms of government patterned after the forms of the United States government. Since Indian tribes are not limited by the United States Constitution, they are not subject to such principles as the separation of powers or the religious establishment clause.

The constitution adopted by the majority of tribes, following passage of the Indian Reorganization Act (IRA), were based on sample governing documents developed by the Bureau of Indian Affairs. It has been held consistently that the exercise of these powers pursuant to IRA constitutions is founded not on delegated authority, but on a tribe’s inherent power of sovereignty. Other tribes have organized their formal governments pursuant to their inherent sovereignty, outside the IRA framework, and the courts have upheld the validity of such governments, whether or not a written constitution has been developed.

Power to Determine Membership

Also fundamental is the right of tribes to determine tribal membership. Membership determines, among other things, the right to vote in tribal elections, to hold tribal office, to receive tribal resource rights such as grazing and residence privileges on tribal lands, and to participate in distribution of per capita payments when they occur.

POLICE POWER

The authority of Indian tribes to legislate or otherwise adopt substantive civil and criminal laws follows from their status as sovereign political entities. This authority includes, but is not limited to, the power to regulate the conduct of individuals within the tribal government's jurisdiction, the power to determine domestic rights and relations, the power to dispose of non-trust property and to establish rules for inheritance, the power to regulate commercial and business relations, the power to raise revenues for the operation of the government through taxation, and the power to administer justice through law enforcement and judicial branches.

Tribal authority has been limited from time to time by actions of the Congress and by actions of the states exercising federally delegated powers. Tribal authority also can be limited by tribal action. Many tribal constitutions expressly limit tribal legislatures or courts.

Although federal statutes control most aspects of trust or restricted Indian property inheritances, tribal laws prescribing the manner of descent and distribution of such property have been recognized. As an attribute of property control, tribal authority to regulate land use through zoning also has been upheld. Tribal authority to levy taxes has been recognized in a variety of circumstances, including: license and use fees, property taxes, sales taxes, and most recently, mineral extraction or severance taxes.

POWER TO ADMINISTER JUSTICE

The maintenance of law and order on the reservation is another element of tribal government that has been upheld firmly by the courts. Tribal criminal jurisdiction has been limited statutorily in terms of sentencing power (Indian Civil Rights Act limits fines to \$5,000 and imprisonment to one year) and has been denied as applied to non-Indians since the Supreme Court's 1978 decision in *Oliphant v. Suquamish Indian Tribe*. Tribes nevertheless possess broad authority to administer civil and criminal justice in Indian Country.

Most tribal court systems have borrowed quite extensively from Anglo-American court systems. Many have developed quite extensive rules of procedure and evidence. On the other hand, Indian tribal courts also rely on tribal traditions and often look to informal methods of dispute resolution. Some tribal courts have asserted jurisdiction to review actions of tribal governing bodies.* A number of reservation courts still operate as "Courts of Indian Offenses," which are administrative courts established by the Secretary of the Interior rather than by the tribe.

Many tribes have created law enforcement departments. Tribal governments employ policy officers with contracted federal funds under the Indian Self-Determination Act of 1975 and with funds appropriate by the tribe.

*Readers should note that tenets of individual tribal constitutions are the legal basis for resolving internal organizational disputes.

POWER TO EXCLUDE PERSONS FROM THE RESERVATION

The power of Indian tribes to exclude persons from their territory, which is provided for specifically in a number of Indian treaties, has been recognized as an inherent attribute of sovereignty. This exclusionary power has been treated as a distinct right of sovereignty and given prominent recognition as a fundamental means by which Indian tribes can protect their territory against trespassers. The power to exclude persons is not unlimited, however, and non-members who hold valid federal patents to fee lands within the reservation cannot be denied access to their property. Roads constructed on the reservation with federal funds are required by federal regulation to be kept open to the public. Also, tribes may be required to give access to federal officials providing services to the tribes or its members.

POWER TO CHARTER BUSINESS ORGANIZATIONS

The power to charter business organizations is yet another aspect of sovereign power. Indian tribes possess the authority to establish, through charter or otherwise, business organizations for the purpose of managing tribal assets. Tribally chartered enterprises hold the same status as the tribe itself for purposes of federal income tax exemptions and sovereign immunity from suit...

Tribes, like states, also can charter private corporations under tribal law and regulate their activities.

—Adapted from *Indian Tribes as Sovereign Governments* AIRI Press
(Permission applied for to American Indian Lawyer Training Program, Inc.)

LEARNER OUTCOME

Student will be able to:

- Identify past and present American Indian leaders and characteristics of American Indian **leadership**.

ATTRIBUTES

This outcome includes:

- studying the role of elders.
- formulating a definition of American Indian leadership.
- understanding leadership roles in all areas.
- knowing past and present leaders.
- understanding the function of consensus in decision making.
- understanding leadership roles in the community.

RATIONALE

All students should be aware of American Indian leaders past and present. American Indians are in leadership position in many areas. The characteristics of American Indian leadership are based on a cultural value system.

CULTURAL CONTENT/AMERICAN INDIAN WORLD VIEW

American Indian leadership, both in the past and at present, is demonstrated in a wide variety of contexts. To understand past leadership, it is necessary to know that American Indian custom places a high value on the personal autonomy of individuals. The dignity and equality of all human beings is respected. Non-interference is a value, which guides leadership style.

Among most tribes, decisions were made not by leaders alone but by the consensus of the community.

Leadership description:

- Some leadership positions were and are based on heredity.
- Others are based on age because elders have always been considered the wisest and most knowledgeable.
- Still others are based on accomplishments.
- Nevertheless, it was the group who made all final decisions through an open and public process and many contemporary leaders make every effort to operate in this way.
- Some leadership positions were considered temporary.
- When the need for a specific leader ended, that person resumed his/her role as an equal member of the group.

- For example, persons who excelled in hunting became leaders when it was time to hunt.

One does not seek leadership but rather the community recognizes and selects those persons considered most able. Traditionally, those selected as leaders often excelled in the art of oratory but they were also patient and good listeners. Their obligation was to voice the collective will of their people. If they failed to do this, they could be recalled from their positions of leadership.

Through American Indian spirituality, American Indian women and men became leaders and have worked side by side in sharing the responsibilities of daily life. All tasks were given dignity, and mutual respect guided relationships. It was not uncommon for women and men to participate in all activities. Women assumed leadership in plant harvests and family life. Amongst the Anishinabeg and most other tribes, men generally led activities such as hunting, war and defense. Traditionally these responsibilities were considered of equal importance in these egalitarian societies. Women and men both held leadership roles in the political and ceremonial life of the community.

TEACHER BACKGROUND INFORMATION

There are cultural values that govern appropriate leadership behaviors and styles. These behaviors have changed over time due to European-American contact. Throughout the history of contact, Euro-Americans have consistently misunderstood American Indian traditions of leadership. Europeans and Euro-Americans thought of leaders within the context of their own hierarchical traditions. Leaders in European traditions had the right to rule over others on the basis of divine right or class privilege. Even in the budding democracy of the United States, it was believed and Americans continue to believe that, given equality of opportunity, leaders emerge because of their superior qualities. Respect for the authority of leaders to make decisions on their people's behalf is accepted.

American Indian leaders of the past who were most often written about were warrior, statesmen, prophets and scholars. There are numerous books and articles about leaders. Some Minnesota historic leaders include Wabasha, Little Crow, Charles Alexander Eastman (Dakota), and Flatmouth, Hole in the Day, Peter Graves, Chief Joseph Caribou, Jimmy Jackson, and Peter Default (Anishinabe).

As in the past, leadership in American Indian communities is not dependent on one person, but is based on decisions made by all tribal members. Effective American Indian leaders today possess the same qualities found in American Indian leaders of the past. Contemporary leaders are found in many arenas such as business, education, politics, science, and art. Newspapers and periodicals frequently feature background information about Ameri-

White Earth Reservation. Tribal Council includes the Chair, Secretary / Treasurer and three council members. Members are elected to serve four-year terms.

White Earth Tribal Office

phone: 218-983-3285

P.O. Box 418

White Earth, MN 56591

DAKOTA:

The four Dakota communities of Minnesota each have their own tribal government.

Prairie Island Sioux Community. The governing body is the Community Council consisting of five members elected to office for two-year terms.

Prairie Island Sioux Community

phone: 651-385-2554

5636 Sturgeon Lake Road

Welch, MN 55089

Shakopee-Mdewakanton Sioux Community. The governing body is the General Council, which includes all eligible enrolled tribal members. The Business Council, which runs the day to day affairs of the community, are elected to office by the General Council to serve three-year terms. The Business Council includes the Chair, Vice-Chair and Secretary.

Shakopee-Mdewakanton Community

phone: 952-445-8900

2330 Sioux Trail NW

Prior Lake, MN 55372

The Lower Sioux Community. Is a five member Community Council. Each council member serves a two-year term of office.

Lower Sioux Community

phone: 507-697-6185

P.O. Box 308

Morton, MN 56370

The Upper Sioux Community. Is governed by a five member Board of Trustees that includes the Chair, Vice-Chair, Secretary/Treasurer, and one member elected at large to serve four year terms.

Upper Sioux Community

phone: 320-564-3853

P.O. Box 147

Granite Falls, MN 56241

RESOURCE LIST

Elementary:

American Indian Women in Careers. Elementary Reader. Anoka-Hennepin Indian Education Program, 1988. Phone: (763) 506-1145

DesJarlait, Patrick. *Patrick DesJarlait*. Minneapolis: Lerner Publications, 1975.

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Mandel, Jack C. *Significant American Indians*. Chicago: Children's Press, 1975.

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American Indian Women in Careers. Elementary Reader. Anoka-Hennepin Indian Education Program, 1988. Phone: (763) 506-1145

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Minneapolis Public Schools. *Native Americans in the 20th Century*. Biographical sketches of Rose Barstow, Tom Beaver, Charles Albert Bender, Patrick DesJarlait Jr., Charles Alexander Eastman, Carl Gawboy, Charles Huntington, Howard J. McKee Jr., Mitchell Red Cloud Jr., Virginia Driving Hawk Sneve. Minneapolis Public School Publication, 1978.

Minneapolis Public Schools. *Ojibwe People Speak Out*. Minneapolis Public Schools Publication. n.d.

Minnesota Chippewa Tribe. *Contemporary American Indian Women. Career and Contributions*. Cass Lake, MN , 1983.

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Sneve, Virginia Driving Hawk. *They Led A Nation: The Sioux Chiefs*. Sioux Falls, SD: Brevet Press, 1987.

Standing Bear, Luther. *My People the Sioux*. Lincoln: University of Nebraska Press, 1975.

Standing Bear, Luther. *Land of the Spotted Eagle*. Lincoln: University of Nebraska Press, 1990

Warren, William. *History of the Ojibwe People*. Minnesota Historical Society Press, 1984.

Whaley, Rick and Walter Bressette. *Walleye Warriors: An Effective Alliance Against Racism and For the Earth*. Philadelphia: New Society Publishers, 1994.

Wilson, Raymond. *Ohiyesa: Charles Eastman, Santee Sioux*. Urbana: University of Illinois Press, 1983.

Website: Great Lakes Indian Fish and Wildlife Commission
www.glifwc.org

Website: Minnesota Indian Affairs Council
www.indians.state.mn.us

Website: National Indian Education Association
www.niea.org

LEADERSHIP-PRIMARY LESSON

1. DEVELOPMENTAL CHECKPOINT

Primary students have knowledge of leadership characteristics and can identify individuals who exhibit leadership in a variety of situations.

OUTCOME INDICATOR

Checklist to record responses in class discussions

CURRICULUM INTEGRATION

Social Studies, History

LESSON OUTCOMES

Students will be able to:

- generate a list of leadership characteristics.
- demonstrate the recognition of leadership traits among peers.
- conclude that there may be leadership roles in many areas.

INSTRUCTIONAL STRATEGIES

1. Ask students to consider these scenarios:
 - You are in a group assigned to decorate a display case or bulletin board. Who would you want in your group? Why?
 - You are in a softball tournament. Who would you want on your team? Why?
 - You are camping in the woods. Who would you want with you?
 - You are to write and perform in a play. Who would you want working with you? Why?
 - You are planning a birthday party. Who do you want to work with you? Why?
 - You are to provide some music for a class program. Who would you want in your group? Why?
2. Encourage students to think beyond the skills needed for the tasks and to include such traits as friendliness, fairness, consideration, intelligence, thinking ability, creativity, cheerfulness, humor, calmness and others.
3. List leadership characteristics on flipchart for future reference.
4. Read or tell story to class from *Ojibwe Heritage* by Basil Johnston:

The qualities of a good leader are well expressed in a story told by the Anishinabe (Chippewa, Ojibwe). According to the story, Crane has always been

the leader of the birds. One day Loon challenged his leadership and Crane, not wanting to fight, relinquished his position. Loon assumed his new position as leader of the birds with great pomp and vanity.

It was not long before there was great discontent among the birds. By late August some of the birds were ready to leave for the south. They called on Loon to lead them. But Loon was not ready to leave. By the time Loon and the other birds were ready, the sparrows, finches, and robins had suffered considerable hardship, many having died from remaining in the cold. When Loon arranged the assembly of birds for their southward migration, more complaints could be heard. Some complained of the speed of the flight, others muttered about the height of the passage, and still others felt they had traveled too far that day.

On their arrival south, other birds needed to go further south but Loon refused to go on. This time Loon had gone too far. The birds decided to call a meeting to ask Loon to resign his leadership role. The birds told him, "You have little concern for our differences or our needs. You are indifferent to our hardships." Loon said, "The well-being of all come first, I have to consider the general good." The bluebird cried, "The general good has killed almost all of us." Still the Loon insisted, "I must think about all, not just one or a few." The tanagers, blackbirds, and warblers groaned, "You think too big, you forget the small."

Alone, the Loon contemplated his decisions. The Crane was once more the leader not by choice but by consensus.

5. Invite students to debrief the story. Why was Loon not a successful leader? What leadership qualities did Crane show?
6. From the list of leadership characteristics on the flipchart have students individually, in pairs or small groups select characteristics to illustrate on poster-sized paper for bulletin board display.
7. The students may select a person in modern life or in history who demonstrated those characteristics.

VOCABULARY

leadership
characteristics

MATERIALS

flipchart
poster paper

RESOURCES

Mandel, Jack C. *Significant American Indians*. Chicago: Children's Press, 1975.

American Indian Women in Careers. Elementary Reader. Anoka-Hennepin Education Program, 1988. Phone: (763) 506-1145.

ASSESSMENT TASKS

- Individually or in small group's students identify a variety of leaders in the school, neighborhood, state and nation. State the leadership qualities each one demonstrates.
- As leaders are needed for classroom groups and tasks, students help to identify the leadership qualities for each situation. Refer to flipchart list. Add characteristics as students identify new criteria.

ENRICHMENT ACTIVITY

- Conduct a grade level or a school-wide survey to determine what other students believe is the top four characteristics of a leader.
- Discuss positive leadership qualities each child in the classroom portrays and display it on poster board.
- Introduce the concept of democracy by consensus to the students. Role-play how this can be done in the classroom setting. (Example: By consensus students will need to agree on a positive consequence for appropriate classroom behavior).

LINKAGES

Language Arts

LEADERSHIP INTERMEDIATE, MIDDLE SCHOOL AND SENIOR HIGH LESSON

2,3,4 DEVELOPMENTAL CHECKPOINTS

Intermediate, Middle School and Senior High School students recognize American Indian leaders of the past and present. The students understand the role of elders and leadership roles in the community.

OUTCOME INDICATOR

Group Infocenter

CURRICULUM INTEGRATION

Social Studies

LESSON OUTCOMES

Students will be able to:

- recall leadership characteristics.
- know local leaders of the present.
- know American Indian leaders of Minnesota's past.
- understand the function of consensus in decision making.

INSTRUCTIONAL STRATEGIES

1. With the help of American Indian elders and local tribal people, compile a list of American Indian leaders past and present for students to research. Teachers might want to develop a scope and sequence listing for the three levels.
2. Review attributes of leadership. Ask students to fill in graphic organizers. Distribute readings as needed.
3. Students conduct interviews with present day leaders. This may be done in person, on the telephone or by letters. Prepare questions in advance and review them with classroom. Review interview etiquette.
4. Small groups select American Indian leaders of the past for study. Gather information.
5. Organize information on a 3 panel Infocenter. Students use this device to teach the information to others.

ASSESSMENT TASKS

- Each group will assemble a teaching unit called an Infocenter. This 3-panel project requires a 3-sided approach to what has been studied. It will include a quotation flap, and information panel, and a pocket-grabber section.

The Infocenter

1. Left Flap: Bumper Sticker slogan
 Profound (wise) saying
 Quotation
 Slogan
2. Right Flap: Holds a decorated pocket for loose sheets.
 Appropriate title and designs
 Biography sheets (inside pocket)
 Two or three “Grabbers” (startling or interesting facts)
3. Center Flap: This is the information panel.
 Students’ choice of the most effective, visual way to present powerful information.

Possible forms:

| | | |
|-----------------------------|--------------------|---------------------|
| Bulletin | Brochure | Character Sketches |
| Chart/Graph | Book review jacket | Quizzes |
| Editorial/Persuasive Letter | Songs/Speeches | Protect letter/sign |
| News/Analysis | Interview(s) | |

Judging Criteria: How much did it teach or prompt learning?

Checklist:

| | |
|--------------|---|
| Completeness | Success with teaching information |
| Creativity | Success in generating interest in the topic |
| Neatness | |

Adapted from an idea by Lois M. Blanks, Taipei American School

ENRICHMENT ACTIVITY

- Plan a grand display of the infocenters created by the class. A mural backdrop including a time line might be used on a large bulletin board or display case. A tabletop display might call for an appropriate table covering and large labels for each infocenter. Arrange a schedule of tours with guides from the class to explain the project. Consider background music, programs to hand out, and live or recorded informational talks.
- Invite an American Indian leader into the classroom to discuss the values and characteristics they believe a strong leader should follow. Discuss the values and characteristics they try to live by as a leader.

- Investigate American Indian organizations and how their leadership roles influence tribal and public policy. Examples: National Indian Gaming Association, Minnesota Indian Affairs Council, Minnesota Indian Education Committee, National Indian Education Committee, Great Lakes Indian Fish and Wildlife Commission.
- Invite a member of your school district's American Indian Education Committee (may also be known as the American Indian Parent Advisory Committee) to your classroom to discuss their leadership role in advising the school to meet the educational needs of American Indian students.
- Identify several American Indian women and their role as leaders. Invite a speaker to the classroom to discuss traditional American Indian beliefs concerning women's roles in leadership.

LINKAGES

Language Arts, Art

Note to teacher: Select the readings and graphic organizers appropriate for your grade level and lesson.

STUDENT READINGS

American Indian leadership, both in the past and at present, is demonstrated in a wide variety of contexts. To understand past leadership, it is necessary to know that American Indian custom places a high value on the personal autonomy of individuals. The dignity and equality of all human beings is respected. Non-interference is a value, which guides leadership style.

Among most tribes, decisions were made not by leaders alone but by the consensus of the community.

American Indian leadership description:

- Some leadership positions were and are based on heredity.
- Others are based on age because elders have always been considered the wisest and most knowledgeable.
- Still others are based on accomplishments.
- Nevertheless, it was the group who made all final decisions through an open and public process and many contemporary leaders make every effort to operate in this way.
- Leadership positions were considered temporary.
- When the need for a specific leader ended, that person resumed his/her role as an equal member of the group.
- For example, persons who excelled in hunting became leaders when it was time to hunt.

One does not seek leadership but rather the community recognizes and selects those persons considered most able. Traditionally, those selected as leaders of-

ten excelled in the art of oratory but they were also patient and good listeners. Their obligation was to voice the collective will of their people. If they failed to do this, they could be recalled from their positions of leadership.

Read the following paragraphs carefully. In each box on the graphic organizer, write why that particular characteristic of a good leader is important.

WHAT MAKES A GOOD LEADER?

Some leaders are recognized by being elected or appointed by other people. Some leaders are the people we seek out to get a job done, whether or not they have been elected or recognized as being responsible. The qualities of a good leader are the same, whatever the nature of the job.

A leader must have a great deal of motivation. A leader needs an inner urge that prompts him or her to action with a sense of purpose. This sense of purpose becomes evident to others and is a stimulus and inspiration for community members.

A leader must have good character because the leader sets the standard that others will follow. Good character includes honesty, openness, consistency, and dedication. A leader puts the goal and the welfare of those involved before personal gain or some favorite group.

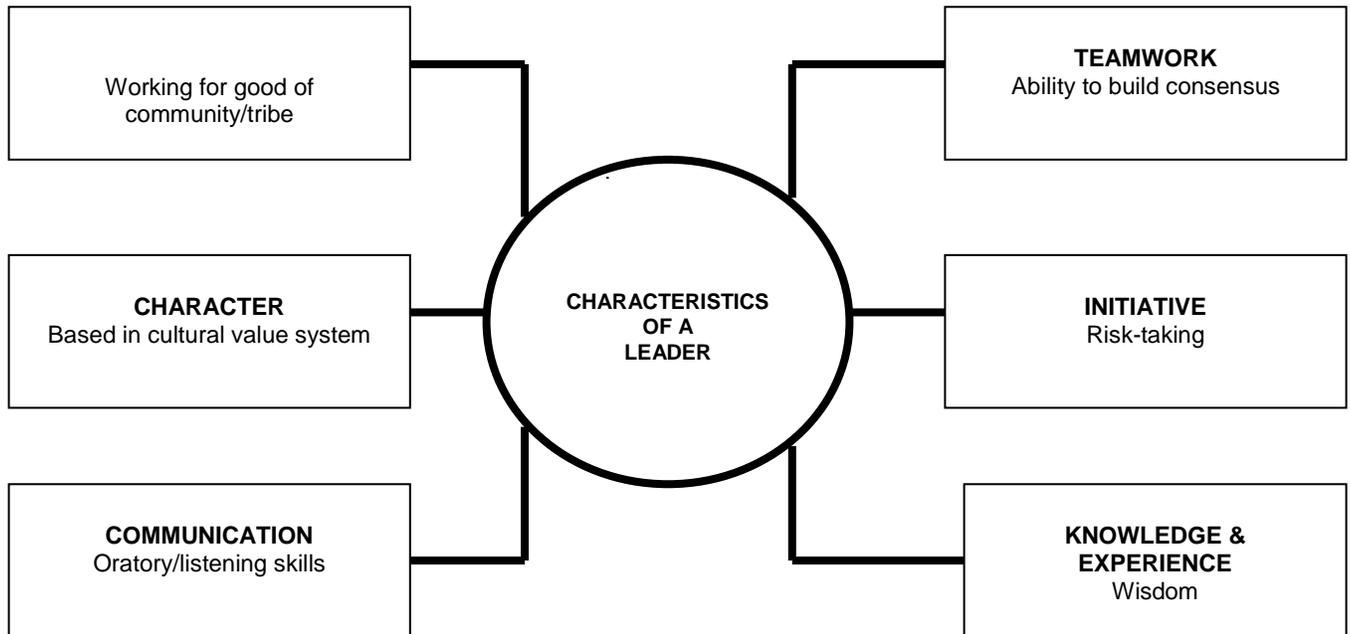
A leader must be able to communicate ideas to others. The leader must be able to express ideas or solutions in ways that other people understand. A sympathetic personality and good listening skills let other people know that the leader understands their needs and is prepared to take action to improve things.

A leader must be able to work well with the people who do the job. We have leaders because it takes more than one person to do a project in the community or in the school. A leader doesn't act alone. The leader must respect the skills and contributions of all who participate in a project, remembering that it is the team that makes the goal possible.

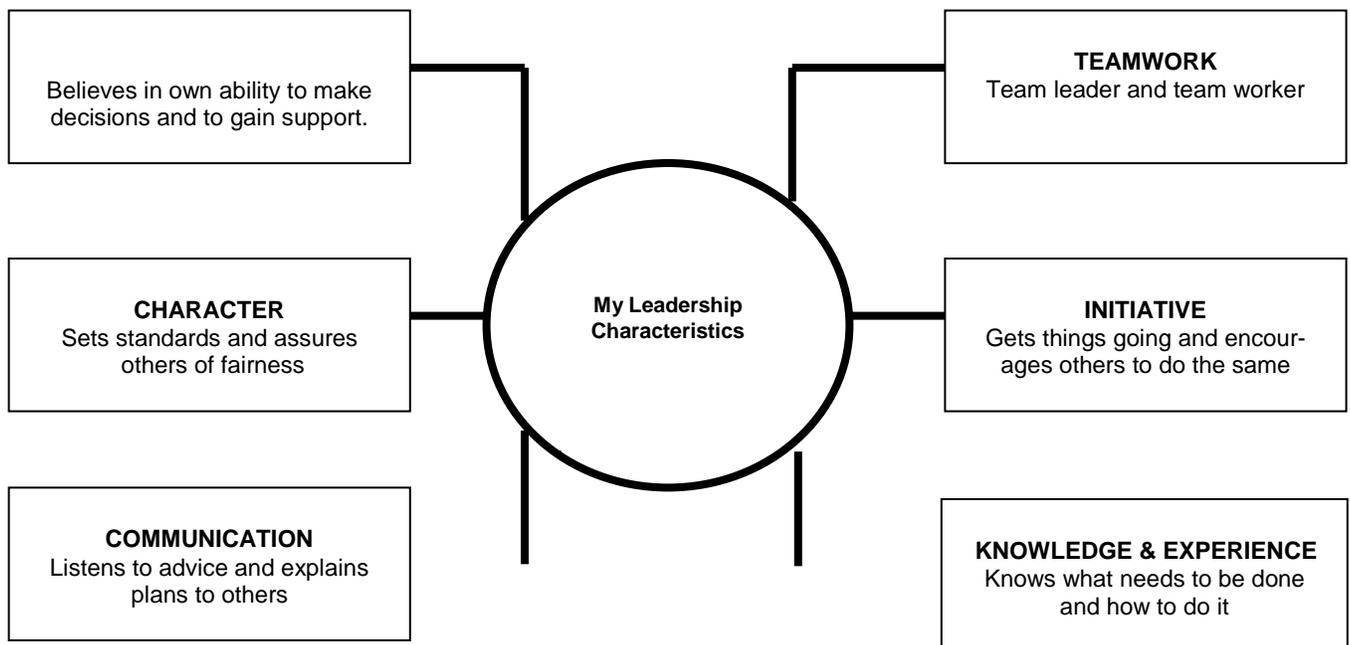
A leader takes the initiative to get the job done. That individual does not wait for somebody else to do what's needed or blame others for its not being done. Leaders are self-starters whose example encourages others to be self-starters, too.

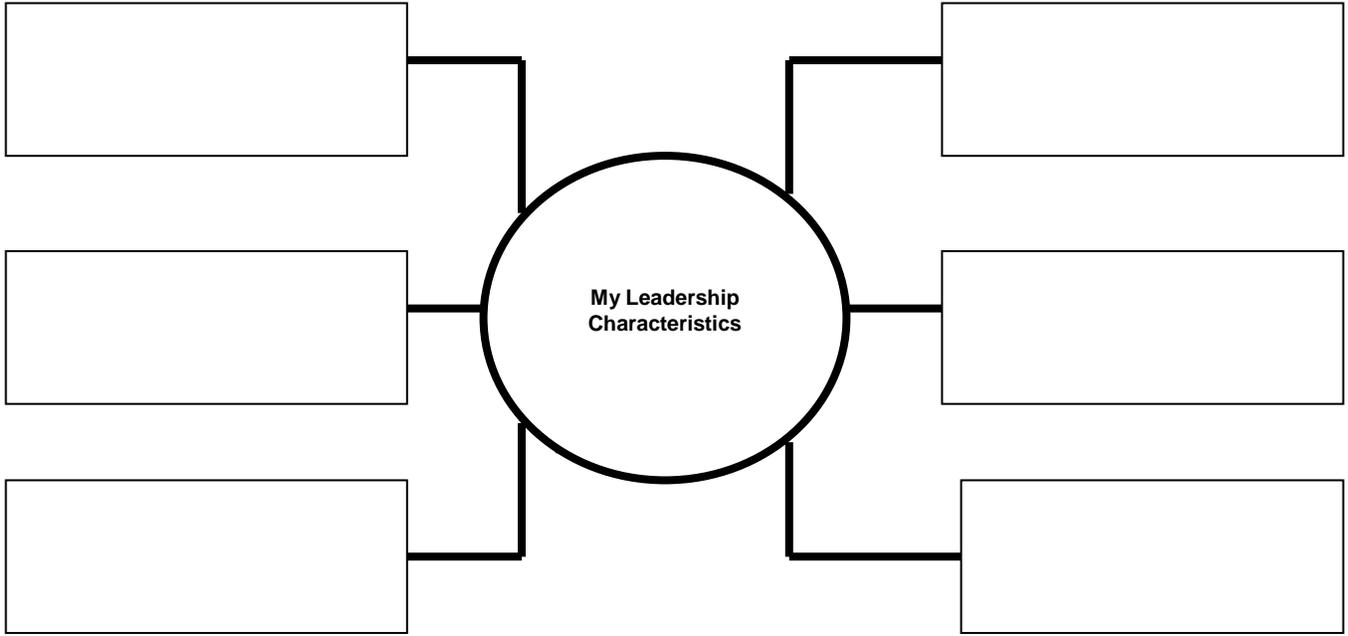
A leader should know enough about the project or position to do it well. Experience is an important teacher. The leader should know what has and has

not worked in the past, who can contribute the skills needed to do the job, and how people have been treated fairly in this kind of activity in the past.



Select leadership characteristics from graphic above or below. Write examples of situations in which you have shown those characteristics. Use the blank boxes on the next page.





Use space below to elaborate:

Write the names of three leaders from the past or present across the top of the matrix. In each box identify a situation in which that person demonstrated that characteristic.

| | NAME | NAME | NAME |
|---------------------------|------|------|------|
| CONFIDENCE | | | |
| CHARACTER | | | |
| COMMUNICATION | | | |
| TEAMWORK | | | |
| INITIATIVE | | | |
| KNOWLEDGE & EXPERIENCE | | | |

--Adapted from Critical Thinking Press & Software, Midwest Publications

Select an American Indian leader from the past or the present. Gather information and use this graphic to record your notes on important facts. Write your report from this diagram.

