

ESSENTIAL UNDERSTANDINGS FOR INDIAN EDUCATION CURRICULUM

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Essential Understanding 1: Tribal Diversity

There is great diversity among tribes in their languages, cultures, histories and governments. Each tribe has a distinct and unique cultural heritage that contributes to the United States. At present, there are 565 federally recognized tribes in the United States. Over 200 languages are still spoken. Tribal members identify themselves by their tribe. 'American Indian' or 'Native American' is appropriate when referring to an individual or group.

BACKGROUND

A reservation is a territory reserved by the federal government for tribes as a permanent tribal homeland. Some reservations were created through treaties while others were created by statutes or executive orders.

ESSENTIAL UNDERSTANDING 2: AMERICAN INDIAN LEADERS

There are many great American Indian leaders. It is important for our children to know about them and their struggle to protect and preserve American Indian life, land base, culture, language and tradition.

ESSENTIAL UNDERSTANDING 3: INDIVIDUAL DIVERSITY

There is great diversity among individual American Indians as identity is developed, defined and redefined by entities, organizations and people. A continuum of Indian identity, unique to each individual, ranges from assimilated to traditional. There is no generic American Indian. There are 2.3 million American Indians/Alaskan Natives, according to U.S. Census estimates for 1997. They represent only roughly one percent of the U.S. population.

BACKGROUND

Identity is an issue with which human beings struggle throughout their lifetime. Questions of "Who am I?" and "How do I fit in?" are universal questions of the human condition. Historically, schools have been places for students to explore their identities. However, when the culture of students' homes and communities is not evident in school, finding a way to belong within that system is more difficult and can lead to frustration. Educators need to ensure that each student has an opportunity to feel included in the classroom either through materials or pedagogical practices.

Even larger issues of "Who is an Indian/Tribal Member?" exist among Indian people themselves. The federal, state and tribal governments may all have their own definitions for who is a member. As a general principle, an Indian is a person who is of some degree Indian blood and is recognized as an Indian by a tribe/village and/or the United States. There exists no universally accepted rule for establishing a person's identity as an Indian because the criteria for tribal membership differ from one tribe to the next. To determine a particular tribe's criteria, one must contact that tribe

directly. For its own purposes, the Bureau of the Census counts anyone an Indian who declares to be such.

Amidst all of these issues, educators must remember that Indian students come to school with a variety of backgrounds. There are those who show characteristics of tribal ways of being and belief and those who show themselves to be tribally affiliated, yet do not have what some people might regard as American Indian behavior and appearance. They have differences of skin color, dress, and behavior; and there may be deeper and subtler differences of values and of ways of being and learning.

What is important is that all humans be allowed feelings of integrity and pride connected with who they are and with whom they identify in order to help them develop the self-esteem and self-confidence that will enhance their learning.

“There is no single American Indian learning style, nor is there a group of several styles of learning that fits all American Indians, either as individuals or tribal groups ... Teachers should recognize various learning styles and adapt their teaching methods to individual learners. At the same time teachers should build on and expand the individual student’s approaches to learning.” (Cleary and Peacock 154) However, recognizing that teachers must use a variety of teaching methods to meet individual learning styles does not mean that culture doesn’t influence learning styles. The differences in the cultures of home and school certainly impact the teaching/learning process. Classrooms need to integrate culture into the curriculum to blur the boundaries between home and school. Schools need to become a part of, rather than separate from, the communities in which they serve.

ESSENTIAL UNDERSTANDING 4: CULTURAL CONTINUITY

The ideologies of Native traditional beliefs and spirituality persist into modern day life as tribal cultures, traditions, and languages are still practiced by many American Indian people and are incorporated into how tribes govern and manage their affairs. Additionally, each tribe has its own oral histories, which are as valid as written histories. These histories pre-date the “discovery” of North America.

BACKGROUND

American Indian languages, cultures, and traditions are alive and well throughout Indian country. Indigenous languages are still spoken, sacred songs are still sung, and rituals are still performed. It is not important for educators to understand all of the complexities of modern day contemporary American Indian cultures, however, educators should be aware of their existence. They should also understand the ways cultures might influence much of the thinking and practice of American Indians today.

These histories and traditions may be private, to be used and understood only by members of that particular tribe. Educators should be aware of this issue when asking students about their histories, ceremonies and stories. Certain tribes do not discuss deceased relatives.

Educators should also be consistent with policies surrounding “religious/spiritual activities” and ensure that Native traditions and spirituality are treated with the same respect as other religious traditions and spirituality.

Each tribe has a history as valid as any other belief that can be traced to the beginning of time. Many tribal histories place their people in their current traditional lands. For example, educators should respect these beliefs when teaching about “the history of mankind,” particularly regarding the Bering Strait Theory.

Many tribal histories will be told only orally as they have been told and passed down through generations. Some tribes may only tell certain stories during certain times of the year, and this knowledge should be respected in classrooms.

Elders and children are accorded special respect in many tribes. Elders are recognized as the keepers of cherished cultural knowledge, and are honored for the sacrifices they made for the welfare of future generations. Children and youth are understood to be the future leaders who will ensure the continuation of the tribe and its traditions. Extended family, kinship and clan ties are also extremely important in many tribal communities.

Understand that certain objects, such as feathers, beadwork, artwork, medicine bags, etc., may be sacred, and should not be touched. Clothing should be referred to as regalia, not costumes.

Do not take photographs without permission.

In meeting with tribes, listen and observe more than you speak. Learn to be comfortable with silences, or long pauses in conversation. In tribal communities, any interruption is considered highly disrespectful, and may undermine your credibility. Lengthy monologues are not uncommon. Do not check your watch when tribal members are speaking.

ESSENTIAL UNDERSTANDING 5: LAND AND TREATIES

Reservations are lands that have been reserved by the federal government for tribes for their own use through treaties, statutes and executive orders and were not “given” to them. The principle that land should be acquired from the Indians only through their consent with treaties involved three assumptions:

- I. Both parties to treaties were sovereign powers.*
- II. Indian tribes had some form of transferable title to the land.*

III. Acquisition of Indian lands was solely a government matter not to be left to individual colonists.

Indian tribes hold over 50 million acres of land, approximately 2% of the United States. The largest reservation is the Navajo Nation, which is as large as West Virginia. Some reservations are as small as a few acres, and some tribes hold no land at all.

BACKGROUND

The U.S. Supreme Court held in 1823 that Indian nations may only cede, sell or relinquish the lands they use and occupy to the U.S. federal government. They may not cede, sell or relinquish the lands they use and occupy to individuals, to states or to foreign governments. *Johnson v. M'Intosh*, 2 U.S. (8 Wheat.) 543 (1823). This was done by treaty through 1871 after which time it was done through Congressional action.

ESSENTIAL UNDERSTANDING 6: RIGHTS DERIVED FROM GOVERNMENT-TO-GOVERNMENT RELATIONSHIP BETWEEN TRIBES AND THE FEDERAL GOVERNMENT

Many non-Indians think that American Indians have “special rights” that no other groups of people get, and they believe that’s not fair to everyone else. What these people don’t understand is that Indians don’t have any special rights because of their race or ethnicity. The so-called special rights stem from the government-to-government relationship between Tribes and the federal government. Those rights are not given to individuals; they’re given to a government. In certain cases, Tribes reserved subsistence rights under treaties to hunt, fish and gather on lands outside of their reservation boundaries, without limitation in time, excepting as Congress might determine. The federal government also promised to provide certain goods and services such as education and health care and to provide for the general welfare of the Tribes. These rights were not “given” to Tribes. They were part of the bargained exchange between a Tribe and the federal government for the Tribe’s cession of lands or the end of warfare.

ESSENTIAL UNDERSTANDING 7: FEDERAL POLICIES

There were many federal policies, put into place throughout American history that have affected Indian people and still shape who they are today. Many of these policies conflicted with one another. Much of Indian history can be related through several major federal policy periods:

Examples:

Colonization Period 1492 -

Treaty Period 1789 - 1871

Boarding School Period 1879 - - -

Allotment Period 1887 - 1933

Tribal Reorganization Period 1934 - 1952

Termination Period 1953 - 1967
Self-determination 1968 – current

Colonization Period 1492 -

Treaty Period 1789 - 1871

- Indian nations were still, for the most part, possessed and in full control of their territories and resources.
- The French, English, Spanish and Dutch entered into treaties of commerce and military alliances with Indian nations as independent sovereign nations.
- During the American Revolution, the colonies and Great Britain entered various military alliances with Indian nations. Indian nations fought on both sides of the conflict.
- In 1871, the federal government ended the practice of making treaties with Indian nations, although it still engaged in negotiations with Indian governments regarding land cessions.

Allotment Period 1887 - 1933

- During this era the first wave of settlers moved across the West and the federal government desiring to free up treaty-protected Indian lands for successive waves of settlers pursued a policy of dispossession and assimilation.
- U.S. policy during this period was to transfer treaty protected Indian lands to non-Indian settlers (allotment); officially making Indian peoples citizens of the United States; forbidding Indian ceremonies on reservations; and instructing Indians in farming techniques.

Boarding School Period 1879 - - -

- U.S. policy during this period was to relocate Indian children to government-run or religious boarding schools, where they were forbidden to speak their language or practice their religions or cultures.

Tribal Reorganization Period 1934 – 1952

- A 1928 government-sponsored report, written by Lewis Merriam, blasted the federal policies of dispossession and assimilation as failures. Not only had Indian peoples refused to be assimilated, federal policies had resulted in a massive loss of Indian resources, greatly deepened Indian poverty and done massive damage to Indian cultural life.
- In 1934, Congress passed the Indian Reorganization Act (IRA), 25 U.S.C. §461, in response to the failure of assimilationist policies. Under the Act:

Allotment of Indian reservations ended;
Indian allotments were put into permanent trust status - not alienable or taxable;
Indian nations were allowed to establish governments or business committees,
with constitutions, charters and by-laws, and to take over reservation governance,
subject to the ultimate authority of the federal government. Under the IRA, 161
constitutions and 131 charters were adopted by Indian nations.

Termination Period 1953 – 1967

- During this period, Congress passed dozens of acts terminating the existence of specific tribal governments and reservations. In total, 109 Indian governments were terminated, affecting 1,362,155 acres of land and 11,466 Indian people. Under these acts, Indian lands were sold, state legislative and taxation authority imposed, federal programs discontinued and tribal sovereign authority ended. These acts targeted specific tribes and did not repeal or modify other existing tribal governments.
- State jurisdiction was extended over certain reservations.

Self-determination 1968 – current

- During this period, Congress passed dozens of acts terminating the existence of specific tribal governments and reservations. In total, 109 Indian governments were terminated, affecting 1,362,155 acres of land and 11,466 Indian people. Under these acts, Indian lands were sold, state legislative and taxation authority imposed, federal programs discontinued and tribal sovereign authority ended. These acts targeted specific tribes and did not repeal or modify other existing tribal governments.
- State jurisdiction was extended over certain reservations.

Self-determination 1968 – current

- Congress embarked on a policy of encouraging tribal self-government, shifting the management of federal programs from the BIA to tribal governments, and creating tribally-run education systems.
- Successive Presidential administrations have affirmed a policy of protecting the integrity of tribal governments through the maintenance of federal-tribal government-to-government relationships. President Johnson first proposed self-determination as a goal in 1968.
 - Lyndon B. Johnson, “*Special Message to Congress on the Problems of the American Indian: The Forgotten American*,” March 6, 1968:

“I propose a new goal for our Indian programs: A goal that ends the old debate about ‘termination’ of Indian programs and stresses self-determination... The greatest hope for Indian progress lies in the emergence of Indian leadership and initiative in solving Indian problems. Indians must have a voice in making the plans and decisions in programs which are important to their daily life. ...”

ESSENTIAL UNDERSTANDING 8: SUBJECTIVE HISTORY

History is a story most often related through the subjective experience of the teller. With the inclusion of more and varied voices, histories are being rediscovered and revised. History told from an Indian perspective frequently conflicts with the stories mainstream historians tell.

BACKGROUND

Much of America's history has been told from the Euro-American perspective. Only recently have American Indians begun to write about and retell history from an indigenous perspective.

A multicultural history curriculum, by focusing on the experiences of men and women of diverse racial, ethnic and religious groups in United States history, will provide students with a historical context in which to situate and understand the experiences and perspectives of these groups in American society today (Mehan, et. al.).

ESSENTIAL UNDERSTANDING 9: TRIBAL SOVEREIGNTY

Under the American legal system, Indian tribes have sovereign powers, separate and independent from the federal and state governments. However, the extent and breadth of tribal sovereignty is not the same for each tribe.

BACKGROUND

Mark A. Chavaree, Esq., "Tribal Sovereignty," Wabanaki Legal News, Volume 2, Issue 1, Winter, 1998:

Before colonization, Indian tribes possessed complete sovereignty. However, given the governmental structure of the United States and the complex history of tribal-federal relations, tribes are now classified as domestic dependent nations. This means tribes have the power to define their own membership; structure and operate their tribal governments; regulate domestic relations; settle disputes; manage their property and resources; raise tax revenues; regulate businesses; and conduct relations with other governments. It also means that the federal government is obligated to protect tribal lands and resources; protect the tribe's right to self-government; and provide social, medical, educational, and economic development services necessary for the survival and advancement of tribes.

A very important but often unappreciated point is that tribal sovereignty does not arise out of the United States government, congressional acts, executive orders, treaties, or any other source outside the tribe. As Felix Cohen puts it, "perhaps the most basic principle of all Indian law... is that those powers which are lawfully vested in an Indian tribe are not, in general, delegated powers granted by

expressed acts of Congress, but rather inherent powers of a limited sovereignty, which has never been extinguished.” (Cohen 122)

Sovereignty can be defined as “The supreme power from which all political powers are derived.” It is inherent --- it cannot be given to one group by another. In government-to-government negotiations, states and Indian nations exercise or use their sovereign powers.

“Sovereignty ensures self-government, cultural preservation, and a people's control of their future. Sovereignty affirms the political identity of Indian Nations --- they are not simply a racial or ethnic minority.” (Chavaree)

In general, Tribes have typical governmental authority like making laws, taxing, determining who is a member of their tribe, holding elections, setting up police forces, establishing tribal court systems, zoning, building codes, business licensing, environmental controls, hunting and fishing, traffic rules, health requirements, etc.

ESSENTIAL UNDERSTANDING 10: INDIAN RESOURCES, ORGANIZATIONS, BUSINESSES

There are many Indian resources, organizations and businesses. This site has an American Indian Resource Directory.