This is a one-semester course designed to acquaint students with contemporary tribal resources management and environmental policies. Tribes are sovereigns with whom the United States has a trust responsibility. As a result, both tribal and non-tribal resource managers must be aware of United States, tribal and state resources practices, legislation, and policies. Like any other sovereign, tribal resources issues focus on sustainable and non-sustainable resources. These include timber, oil, coal, water, wildlife, and lands; environmental practices include maintaining water and air quality standards or a healthy forest. To assist us in understanding tribal resources practices, we will need to understand the United States trust responsibility and federal policies toward tribes, especially tribal self-determination. Besides trying to understand these overall legal concepts associated with tribal resource management, federal statutes and tribal ordinances governing specific tribal resources will also have to be examined. Conflict will be an important part of this class because tribal resource decisions may spark a conflict that pits a tribe against a state over tribal resource practices.

The format of this class will be a combination of long lectures, short lectures, and class discussion. As the class moves forward, we will also be looking back to bring the concepts of past tribal resource practices to the present such as tribal use of fire or historic land use practices. Students will have assigned readings for each class. Some readings all the students will read and other readings only one student will read and each individual student will be responsible for writing a short discussion of their individual assigned essay to present to the class. As a result, good note taking will help the students solve research papers problems and essay puzzles.

Learning Objectives:

1. Students are expected to understand the relationship between tribal resource management and tribal sovereignty.

2. Students are expected to understand the importance of tribal resource development to reservation economic growth.

3. Students are expected to analyze the relationship between reservation resources and federal Indian law.

4. Students are expected to express clearly in their writing assignments those relationships.
5. Students are expected to learn to utilize resource materials and to construct sound written arguments with supporting evidence to defend their thesis.

6. Students are expected to employ technical skills in their writing assignments such as using proper grammar, spelling, punctuation, transitions and voice.

Upper Division Writing
This course is one of three courses needed to satisfy the upper division writing requirement for CFC majors. Each student is required to achieve satisfactory scores on a sophomore-level writing course (FOR 220/WBIO 245 or equivalent). The successful completion of one of these courses plus the writing proficiency exam will be prerequisites for completion of the upper division distributed writing requirement.

Assessment of student writing will be on the basis of the following criteria:
1. A clear statement of purpose (hypothesis or question or goal) within the scientific context of the specific discipline.
2. The development of effective logical arguments using evidence and/or theory from the discipline or supporting disciplines.
3. Writing meets discipline-specific writing conventions including the proper citation of sources of information.
4. Demonstrate appropriate English language usage.

Class Topics

Part 1, January 27 - February 12

We will begin our journey into tribal resource practices and policies by discussing tribal sovereignty. This is an important concept, though changing over time, which often determines the relationship between people, culture, and their landscape. We begin by understanding the idea of inherent sovereignty versus delegated sovereignty, discussing the concept of “domestic dependent nations,” examining treaty rights, and the ongoing evolution of the United States trust relationship. Often this trust relationship is one that is a dialectical relationship, based on reason opposites, or contradictions.

Weekly Required Reading assignments:

January 27th: Course Introduction, no readings

January 29th:
1. X
2. Y

3. Z

**February 3rd:**

1. X

2. Y

3. Z

**February 5th:**

1. X

2. Y

3. Z

**February 10th:**

1. X
Part 2, February 12 – March 3

After sovereignty, we will examine in greater detail tribal wildlife resource management. Our discussion will begin with assigned readings on historical and contemporary tribal wildlife resources management decisions. This section of the class will focus on both on and off reservation hunting and tribal on and off reservation fisheries. Because of history of conflict between tribal resource rights and rights that many western states believe to be their rights, this section of the class will also include past litigation by states against tribes for their fishing and hunting practices.

An important goal of these classes will be establishing a cross-cultural framework to understand both historic and contemporary tribal hunting and fishing resource rights and how they implement those rights. Tribal rights to hunt and fish, and also to manage these resources so they continue to hunt and fish, stem from inherent sovereignty and treaty rights.

Weekly Required Reading assignments:

February 12th:


February 17th:


February 19th:
1. X

2. Y

3. Z

February 24th:


3. 

Part 3, March 5 – March 12

We will continue to examine tribal resource issues by discussing tribal reserved water rights. As water in the West becomes more valuable, tribal water decisions will more and more non-tribal as well as tribal populations. The legal
concepts that provide the foundation for a tribal reserved water rights stems from litigation early in the twentieth century known as *U.S. v. Winters*. This Supreme Court decision provided a judiciary interpretation of tribal water rights. Water control is crucial for managing reservation hunting and fishing resources as well as determining future tribal population and economic decisions and growth.

**Weekly Required Reading assignments:**

**February 26th:**


**March 3rd:**

2. Y

3. Z

**March 5th:**
1. X

2. Y

3. Z


**March 10th:**

1. X

2. Y

3. Z

**March 12th:**

1. X

2. Y

3. Z

**Part 4, March 17 - March 31**

Discussions this week will continue with the themes presented the previous weeks on water, but instead will focus on timber. Tribal communities used their forest resources for commercial purposes, in earnest, after the American Civil War. In 1873, the Supreme Court ruled in *U.S. v. Cook*, that the United States controlled tribal timber resources. These discussions will trace return of reservation forests to greater tribal control and less federal control over tribal timber management. Accordingly, it is important for students to do the readings and to attend class prepared to discuss the readings and lecture materials that have been presented in class. Be patient, as we will continue to work our way through student-selected readings. As you can tell, student discussions are important to this class. Everyone will read Alan G. McQuillan, “American Indian Timber Management Policy: Its Evolution in the Context of U.S. Forest History.”
Weekly Required Reading assignments:

March 17\textsuperscript{th}:
2. Y

3. Z

March 19\textsuperscript{th}:
1. X

2. Y

3. Z

March 24\textsuperscript{th}:
1. X

2. Y

3. Z

March 26\textsuperscript{th}:
1. X
March 31st:
1. X

2. Y

3. Z

Part 5, April 7 – April 16

Reservation land ownership, land status, and quality all affect tribal resource managers. Allotted reservations are a checkerboard affair where trust land is adjacent to fee land; where Indian owned land lies next to non-Indian lands. Also, the allotted lands are fractionalized or portioned among many heirs creating legal barriers to tribal resource management. Not only does this land pattern create management problems, but also discourages the tribes from moving in certain economic directions. This land pattern, though historic in origin, creates problems for tribal resource planners. Understanding how and why this land tenure pattern evolved must be understood.

Weekly Required Reading assignments:

April 2nd:
2. Y

3. Z

April 7th:
1. X
2. Y

3. Z

April 9th:
1. X

2. Y
3. Z

April 14th:
1. X

2. Y

3. Z

April 16th:
1. X

2. Y

3. Z
Part 6, April 21– April 30

All cultures alter their landscapes, and in the process, many have created environmental damage. In the “age of ecology,” that two decade era that witnessed the passage of the Endangered Species Act, the Clean Air Act, the Clean Water Act, and the Alaskan Native Claims Settlement Act, tribal resource managers, like resource managers everywhere, also have to be concerned with following not only federal environmental standards, but also tribal environmental standards. The United States Environmental Protection Agency gave tribes a strong endorsement for local tribal environmental monitoring by inserting language in water quality standards that tribes will be “treated like states.” This translates on the reservation that tribal governments have the same status as states for determining and monitoring water quality. This wording has lead to legal conflicts between states and tribes resulting in court rulings.

April 21st:

2. Y

3. Z

April 23rd:
1. X

2. Y

3. Z

April 28th:
1. X
April 30th:
  1. X
  
  2. Y
  
  3. Z

Part 7, May 5 – May 7

Innovative Directions for Tribal Manager

Attendance

Attendance and class discussion will be important to understand the concepts that we are going to discuss. Despite the importance of attendance, I will not be making attendance mandatory, but you will be responsible for all materials covered in class.

Grading

Critical thinking and synthesis of tribal resource management policies and practices are the final goals of this class. As a result, the student assignments will be research papers or essays based on the assigned readings and from material taken from lectures and discussions. Some of the questions that will be on your essays will force you to integrate materials from both the readings and the lecture information including discussions. There will be three take-home exams, which will be typed, doubled spaced, and cover your topic question completely. You will need to use lecture material, discussion themes, outside research and readings to construct responses to problems that several questions will ask. Some will have more than one question per essay. These three assignments will be three-fourths of your grade. Proper citations will be required for these papers. I will sometimes give you the essays in parts.

The final one fourth of your grade will be earned by writing a research paper focusing on any topic related to tribal resource management practices and/or tribal resource rights. Remember that the focus of this class is tribal
resource practices and federal policies toward tribal governments’ resource management practices. It is crucial to understand tribal relationship between their management or administration of a tribal resource and how they want to utilize that resource or right into successful acts of production. I will be looking for concepts in your papers and the cause and effect relations between resource use and production in your research paper. Proper citations will be required.

Each paper must begin with a statement of the subject and purpose of the paper. Then state its thesis or theses, conclusion or conclusions, immediately. These theses will convey your judgment on what the other readings and discussions add to the selected questions and you are to present your informed and evidenced conclusions on the relationship between tribal people, their culture, and their landscape. Each paper should have at least three sentences giving the exact organization and logic employed in crafting your assignments.

Grading of Writing Assignments

Each written assignment, or take home essays, will constitute 1/4 of each student’s grade. The first paper will be returned to the student with editorial comments and the student must revise this paper before receiving a final grade for the first assignment.

Nature of Assignments

The written assignments are designed to encourage students to develop organizational and analytical skills. In addition, all assignments are graded on the ability of the students to convey logical linkage of judgments and course content. Writing assignments are given in a question format to promote critical thinking and are required to be at least six to ten typed, double-spaced pages and the final draft must have proper citations.

There are three writing assignments, all of which are completed outside of class. Students will be provided editorial comments/feedback on all three assignments. One assignment will require a revision.

Written assignments are graded with comments provided on both content and composition.

The first paper will be returned to the student for revision and resubmission. The students will be provided editorial comments and required to revise the first paper. The hope is that by rewriting the first paper, students will improve their writing skills and can apply their skills in the writing of their next written assignments.

Academic Honesty
The University of Montana expects its students to be academically honest, particularly in regards to plagiarism. Plagiarism is taking someone else’s ideas and thoughts and presenting them as one’s own. Copyright laws are rigid as it concerns plagiarism, as is the University. Please refer to pages 22 of the current University catalog for more specific information regarding penalties for such action. Academic dishonesty in Native American Studies classes will result in a failing grade in the course and disciplinary action consistent with University policies.

Drop/Add

For three weeks after the beginning of school, you can drop and add classes via Cyber Bear. After that students must drop and add manually by obtaining signatures from the appropriate individuals.

Additional Reading

These readings will be assigned throughout the semester and are required. These readings are found at JSTOR.


