GEOGRAPHY OF NATIVE LANDS
AND INDIAN LAW

POLI 331
Spring 2014
Tuesdays/Thursdays 1:40-2:55 pm
Maybank 207

Instructor: Dr. Annette Watson
953-5864 (office)
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Office: Political Science Department, 114 Wentworth St., Room 207
Office hours: Tuesdays 12:30-1:30, Wednesdays 3-5, or by appointment

COURSE DESCRIPTION:
This course examines the government-to-government relationships between Native American tribes and the United States’ federal and state governments. In studying this topic, we will draw on the fields of law, environmental geography, political science, Native Studies, ecological anthropology, and ethnohistory. We will explore the ways in which law-making produces cultures as much as our cultures produce law. We will hear about these relationships from the perspective of tribal peoples where the record permits, in both written and oral form. As the first peoples of North America, tribes developed distinctive economies and environmental philosophies; politically, they are not minorities, but nations in themselves. Although we will address a wide variety of political and economic issues faced by tribes and state/federal governments, we will primarily discuss natural resources and conflicts over environmental issues. Our focus will therefore be on historical and contemporary case studies of legal, political, and cultural conflicts over land and resource management, which will highlight indigenous knowledges of ecological systems and the distinctive political philosophies that inform both historical and contemporary Native American life and politics.

Of interest to students pursuing careers in: law, politics, policy administration, environmental and natural resource management, geography, planning, GIS/mapping, teaching, journalism

LEARNING OUTCOMES:
Students will increase their skills in...
- Critical thinking, reasoning; oral communication; written communication; legal/policy and geographic analysis; cross-cultural communication; environmental problem solving

Knowledge Gained
- Recognize key cases that comprise the canon of Indian law
- Outline Indigenous methods of governance and tribal law
- Describe Indigenous knowledges of ecosystems
- Assessment: commentaries; participation; in-class exam; final
Comprehension Gained
Identify the cultural and political differences and similarities between US tribal peoples
Give examples of how law is made within a cultural context—and also how it makes culture
Assessment: commentaries; mid-term; final; class projects; participation

Application
Apply knowledge of cases in Indian Law to contemporary issues
Assessment: commentaries; class project

Analysis
Outline the tensions between federal and state policy with regard to tribes
Analyze issues in legal/environmental geography
Assessment: commentaries; mid-term; final; participation; class project

Synthesis
Summarize the contemporary creative political solutions to legal and ecological problems
Assessment: participation; final

Evaluate
Describe and defend solutions to legal and ecological problems
Assessment: commentaries; final

READINGS:
Use only this edition.


Other readings will be available in PDF form on OAKS, available through MyCharleston.

ASSIGNMENTS AND GRADING

In-class essay on your current knowledge of Native peoples [3%]
Commentaries/discussion Qs (10 out of 12 @3% each) [30%]
Exam [in-class essay and short answer] [25%]
Report on a tribe or issue and the legal/political battle(s) [27%]
Annotated bibliography (7%)
Media journal of that tribe/region/issue (5%)
In-class progress reports (3 @ 3% each)
3-page summary analysis (6%)
Final exam (take-home essays) [10%]
Participation [5%]
CLASS POLICIES:

This class will often run like a seminar and be highly interactive, which means that your participation in class will be central to the success of the course (and also to how much you learn). This class is about active learning—you cannot passively sit in the back of the room and do well in this course. I will expect you to ask questions of me, of the readings, and I will expect you to engage with each others’ ideas in discussion. Although I understand that sometimes it can be difficult to speak out in class, everyone is expected to participate. If you really fear public speaking, participation also includes emailing me questions before class about terms or points of clarifications you’d like us to cover during class discussion, or even posting additional thoughts on the class’ OAKS discussion board or on the Geography at CofC facebook page. To succeed in this class you will need to critically evaluate ideas, question them, dispute them, or make them your own. Speak out!

Attendance is mandatory; you may request that your absence be excused only if you are required to participate in college-sponsored activities. If so, you must fill out the appropriate forms at 67 George St., or call Constance Nelson (953-3390). Notices I receive from the Absent Memo Office do not constitute excused absences unless they are for college sponsored activities, and if you want to receive an excused absence for illness, you must provide to me directly your evidence for that illness. You will be penalized for all unexcused absences, and are responsible for the work due that day.

This class is reading-oriented; you are expected to read approximately 75-90 pages per week—this amount is far less than the usual law course. Your grade distribution indicates that these readings and your responses (commentaries/questions) to them are important to achieving success in this course; commentaries need to be posted on the OAKS discussion board the evenings before class (mostly Mondays), and I mean by 11:59 p.m., so that others will have a chance to look at your comments/questions before class the next day. There is a separate instruction sheet posted on OAKS giving you pointers on how to write good commentaries and discussion questions.

General guidelines for grades:
A – achievement is outstanding relative to the level necessary to meet course requirement
B – achievement is significantly above the level necessary to meet course requirements.
C – achievement meets the course requirements in every respect.
D – achievement is worthy of credit even though it fails to meet fully the course requirements.
S/P – achievement is satisfactory which is equivalent to a C- or better.
F – achievement is inadequate and no credit will be given for the course.
I (Incomplete) – assigned due to extraordinary circumstances, e.g., hospitalization, which prevent the completion of work on time. Requires an agreement between student and instructor.
This course will use +/- grades, allocated as follows:

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<th>Grade</th>
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<tr>
<td>A</td>
<td>=92% or above</td>
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<td>A-</td>
<td>=91-90%</td>
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<td>B+</td>
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<td>B</td>
<td>=87-82%</td>
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<td>B-</td>
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<td>C</td>
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<td>D-</td>
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It is assumed that all students will act with academic integrity and will not engage in behavior such as plagiarism, academic dishonesty, misrepresentation, or cheating. Please refer to the college’s policy on academic honesty. Plagiarism and other forms of academic dishonesty will result in an XF in the class. The entire purpose of this class is to acquire useful skills; to cheat is to lose the opportunity to improve these skills. Please refer to the campus honor code for questions about academic dishonesty. **Plagiarism** refers to the presentation of someone else's ideas, work, or words as your own, without attribution. If you use someone else's exact words, then you must use quotation marks in addition to a citation; simply naming the source is not enough. If you completely paraphrase someone else's ideas in your own words, then you still have to cite the source, but you do not have to use quotations. When in doubt, cite the source. If you have questions about whether you have provided adequate citation, consult the citation guide on the political science home page.

**SUPPORT SERVICES:**

Please take advantage of the College’s Center for Student Learning; they have walk-in labs for writing and speaking—two skills you will need to improve (and be graded on!) during this semester. The Center for Student Learning is located in the Addlestone Library (953-5635).

The College will make reasonable accommodations for persons with documented disabilities. Students should apply at the Center for Disability Services/SNAP located on the first floor of the Lightsey Center, Suite 104. Students approved for accommodations are responsible for notifying me as soon as possible and for contacting me one week before accommodation is needed.
CLASS SCHEDULE AND DUE DATES:
This is a general outline of themes and deadlines for the assignments; there is a separate document that outlines what weekly readings are due. Readings must be completed by the class time they are listed to be discussed. Additionally, you must complete a commentary on the week’s readings and post them to the OAKS discussion board **the evening before** (by 11:59 p.m.) they are to be discussed. You must do this 10 times, out of a possible 11 times (you can get a possible 3% for every commentary, worth up to 30% of your grade).

Look through others’ commentaries before coming to class.

**PART 1**, Jan: Colonial and Environmental Histories in North America
Native Colonial Pasts and Colonial Presents
**Due:** Selection/discussion of topic/tribe for your main project (**Jan 23**

**PART 2**, Feb: The Canon of Indian Law and “Plenary Power”
**Due:** Preliminary bibliography (in list form)
Discussion of your media sources and topics (**Feb 6**

**PART 3**, Mar-Ap: Governance and Indigenous Knowledges of Ecosystems in Conflict
March 4 and 6: **NO Class, Spring Break**
**Due:** Final Media Journal, and be prepared for project update to class (**Mar 13**
In-class exam (short essay) (**Mar 18**
Annotated bibliography and discussion of project (**Ap 3**
Final project report (**Ap 17**

Take home final exam **DUE** May 4

Have a great summer!!!