

## UNIT 6: HIGH SCHOOL – UNITED STATES HISTORY

### ENTERING A NEW ERA: NATION-BUILDING, GAMING, AND SELF-DETERMINATION

#### Level 1

#### Instructional Support Materials

[A Policy Primer on American Indian Governments and their Gaming Operations and Introduction](#)

[Indian Gaming in the U.S.: A Broad Introduction](#)

[Distributive Justice in Indian Country: Should Indian Tribes Share Casino Revenues?](#)

[Storyboard 1](#)

[Storyboard 2](#)

[Storyboard 3](#)

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#### Learning Goals

By the end of instruction, students will:

- Recognize landmark court decisions and legislation that affected and continue to affect tribal sovereignty
  - Understand that tribal sovereignty enables tribes to protect their ways of life and the development of their nations
  - Understand that tribal, state, and federal agencies often work together toward common goals
  - Evaluates the role of the U.S. government in regulating a market economy in the past or present
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**Time:** Approximately 2 class periods

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#### Teacher Preparation

- Student will read a primer on Indian Governments and Gaming and recognize that federal legislation such as the Indian Gaming Regulatory Act of 1988 and court cases such as *California v. Cabazon* 1987 paved the way for tribal nation-building efforts.
- Students will recognize federal legislation, such as the Major Crimes Act and Public Law 280, which affects tribal law enforcement and non-tribal jurisdiction over tribal people.

- In addition, students will understand that conflict between states and tribes has often brought up issues of tribal sovereignty and lead to federal legislation regarding both jurisdiction and gaming.
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## **Learning Activities**

### **Day 1**

1. Students may read the article “A Policy Primer on American Indian Governments and their Gaming Operations” and “Introduction” which is pages iv - xii of a larger article published by The Harvard Project on American Indian Economic Development.  
OR  
“Indian Gaming in the U.S.: A Broad Introduction” by Shalin HaiJew, Ed.D.  
(This article is originally available as a word document from the [Evergreen State College Enduring Legacies Native Cases website](#))
2. Lead a classroom discussion about the article including the following questions:
  - What explains the economic condition of Native Americans in the 20<sup>th</sup> century? Has cultural domination by non-Indians and federal legislation played a part in shaping it?
  - How does the financial success of tribal casinos vary by location?
  - What is Class I, Class II, and Class III gaming? Why is it important to distinguish between these classes? Which type of gaming is most controversial? Why?
  - How have state and federal efforts to have a hand in controlling tribal gaming raised issues of tribal sovereignty?
  - How has litigation affected the direction of tribal gaming?
  - How did California v. Cabazon instigate IGRA?
  - Does IGRA contribute to or “chip away from” tribal sovereignty? Explain.

### **Day 2**





1. Tell students the state of Native Nations today and tribal sovereignty has been shaped by landmark court decisions and federal legislation. To demonstrate that, today they will learn about two aspects of tribal sovereignty that have been shaped in much the same way. Both criminal jurisdiction and Indian gaming have been greatly influenced by a landmark court decision and major federal legislation.
- 2) Students will work in groups to create a storyboard which will visually tell the story and timeline of Criminal Jurisdiction and Indian Gaming across Indian Country.

- 3) Lead students to compare and contrast how criminal jurisdiction developed compared to Indian gaming. What explains the similarities? What explains the differences?

## Steps for Using Storyboards in the Classroom

1. **Plan ahead:** Print and cut-out the cards for the story boards from **“Criminal Jurisdiction Storyboard Prompts”** and **“Indian Gaming Storyboard Prompts.”**
2. Students must work in cooperative groups. Recommended roles are: Leader, Drawer, Writer, Time-Keeper, Supply Monitor.
3. Instruct students that they will receive a card with 2-3 sentences. As a group they must decide on a picture to draw that goes with these sentences. There will be a time limit (recommended time limit is 1 minute)
4. Distribute one card from the **“Criminal Jurisdiction Storyboard Prompts”** to each group. It is ok for the cards to be out of order.
5. After the time limit is reached, repeat step #4. Continue until all cards have been given to each of the groups.
6. After all the storyboards have been created, decide as a class what the correct order of the storyboards is. Ask for a group to volunteer who believes they have the first storyboard. Ask them to read the caption and share their drawing. Decide as a class if their group truly has the first storyboard or if another group has the first. storyboard. Continue until all your storyboards have been arranged in the correct order.
7. Now distribute the **“Indian Gaming Storyboard Prompts”** and repeat the exercise.

## An Example Storyboard

<p>1</p> <p><b>Marshall's Trilogy Case Johnson v. M'Intosh</b></p>  <p>A non-Indian named Johnson buys land from the Piankeshaw tribe of Illinois</p> <p>2</p> <p>Another non-Indian named William M'Intosh bought the same land, but from the United States government.</p> 	<p>3</p> <p>Johnson and M'Intosh go to court to decide who owns the land.</p>  <p>4</p> <p>The supreme court rules that Johnson didn't own the land because he bought it from the tribe. Based on the Doctrine of Discovery, the tribe has right to live on the land, but cannot sell it.</p>	
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