

Montana Tribal Governments



Tribal Flags Monument – Montana State Capital

Fast Facts

Curriculum Area: Social Studies
Grade Level: High School
Suggested Duration: four 50-minute class periods

Stage 1 Desired Results

Established Goals

THE SOCIAL STUDIES CONTENT STANDARDS FOR NINTH THROUGH TWELFTH GRADE

(1) The civics and government content standards for ninth through twelfth grade are that each student will:

- (a) analyze and evaluate the ideas and principles contained in the foundational documents of the United States, and explain how they establish a system of government that has powers, responsibilities, and limits;
- (e) evaluate how citizens and institutions address social and political problems at the local, state, tribal, national, and/or international levels;
- (g) explain the foundations and complexity of sovereignty for federally recognized tribes in Montana.



Understandings

- There are seven Indian reservations and twelve Indian tribes in Montana. They are Blackfeet on the Blackfeet Reservation, Crow on the Crow Reservation, Salish, Kootenai, and Pend d'Oreille on the Flathead Reservation, Gros Ventre and Assiniboine on the Fort Belknap Reservation, Dakota and Assiniboine on the Fort Peck Reservation, Little Shell Chippewa (no reservation), Northern Cheyenne on the Northern Cheyenne Reservation, and Chippewa Cree on the Rocky Boy's Reservation.
- These twelve tribes make up the eight sovereign tribal nations in Montana, each with their own distinct and unique form of government.

Essential Questions

- What elements do Montana tribal governments have in common?
- What are the basic elements of contemporary tribal governments near your school?
- How are tribal governments different from state and federal governments?
- How does sovereignty make Indians distinct from all other minorities in the United States?

Students will be able to...

- apply criteria to compare and contrast Montana tribal governments.
- apply criteria to compare and contrast Montana tribal government with Montana state government and the U. S. government (rights, responsibilities, limitations).
- demonstrate a working knowledge of the differences and similarities between tribal, state, and federal constitutions.

Students will know...

- the basic structures of tribal governments in Montana.
- the differences and similarities between tribal, state, and federal governments.
- the ways in which tribal governments impact tribes.

Stage 2 Assessment Evidence

Performance Tasks

1. Students will apply the criteria to complete a chart of contrasts and comparisons.
2. Each student will demonstrate required knowledge about tribal governments through research, presentation, and discussion.

Stage 3 Learning Plan

Learning Activities:

Lesson One, Part One

To introduce the lesson, utilize this [brief video](#) about tribal sovereignty developed by the Confederated Salish and Kootenai Tribes and use a 3 – 2 – 1 prompt to review the film. There are currently 574 federally recognized Native American tribes in the United States and every one of them has the right to govern themselves and their lands.

- Write down three things you saw in the video that caught your attention, two questions you have about information presented in the video, and one thing you really enjoyed. Utilize the questions you put forth as way to guide you in your research and writing.

Next, project the following quote from Essential Understanding 7 and ask students to write down four or five words that stick out in their mind and write a short statement about why they chose those specific words.

American Indian tribal nations are inherent sovereign nations and they possess sovereign powers, separate and independent from the federal and state governments. However, under the American legal system, the extent and breadth of self-governing powers are not the same for each tribe.

Ask for some initial reactions to the quote. If students want to read their responses, that is acceptable; or they can summarize. At the very least, ask a student to paraphrase the quote so it is understandable to all. Facilitate a class discussion regarding the Key Concepts for Essential Understanding 7.

KEY CONCEPTS

- Tribal sovereignty stems directly from the fact that tribal nations constitute distinct political communities that have the right to determine their own laws and form of government.
- Tribal self-governing powers predate the existence of the United States and are not delegated powers granted by Congress or any other entity; they are inherent powers of sovereign nations that have never been extinguished.
- Some limitations have been placed on tribal sovereignty throughout the past two centuries by Supreme Court rulings and Congressional statutes, which is why tribes are sometimes referred to as “limited” sovereigns today.
- In general, tribes are free to exercise any of their sovereign powers unless Congress has specifically limited or modified them in some way.
- The extent and breadth of self-governing powers is not the same for every tribe.
- Despite the complex evolution of tribal sovereignty in America, it remains one of the most important attributes of tribal independence.

To summarize key points covered regarding sovereignty issues have students [watch this video](#) of Professor Ray Cross explaining the basics of tribal sovereignty.

For enhancing student background information, you might consider incorporating concepts from these FAQs into your discussion about American Indians and sovereignty.

[American Indians 101 Frequently Asked Questions](#)
[FAQ from the Bureau of Indian Affairs](#)

Next, assign each student or student group a tribal, Montana, or U.S. constitution. Students will analyze their assigned constitution by answering the questions below.

The Preamble

- ◇ A preamble reflects the hopes and aspirations of the group. Summarize the tribal preamble in two or three sentences.

Articles

- ◇ The framework and powers of tribal governments are outlined in several articles or sections. There are separate articles for each branch, or governing body. Articles spell out the structure of each branch and the qualifications, method of selection, length of term, and duties of officials in each branch.

The Executive Article

- ◇ How is the executive power structured?
- ◇ What are the qualifications for the office of the executive (i.e., the president or chairperson)?
- ◇ What is the method of selection?
- ◇ What is the length of the term of office?
- ◇ What are the duties of the official(s)?

The Legislative Article

- ◇ How is the legislative power structured?
- ◇ What are the qualifications for office in the legislature (i.e., the tribal council)?
- ◇ What is the method of selection?
- ◇ What is the length of the term of office? What are the duties of the officials?

The Judicial Article

- ◇ How is the judicial power structured?
- ◇ What are the qualifications for office in the judiciary (i.e., tribal judge)?
- ◇ What is the method of selection?
- ◇ What is the length of term in office? What are the duties of the official(s)?

Bill of Rights

- ◇ A bill of rights lists the fundamental rights and liberties of a citizen of the tribe. Is there a bill of rights in the tribal constitution you are researching? If so, list those rights afforded to the tribe as stated in the constitution.

Membership

- ◇ Tribes can determine the qualifications for membership in the tribe. Does the constitution include a section on the qualifications of a tribal member? If so, complete the following questions:
 - What are the qualifications for membership in the tribe?
 - Who can vote in tribal elections?

Additional Issues

- ◇ Many tribes address other issues in their constitution and bylaws, such as elections, education, or economic development. Does the constitution you are researching have additional articles? Briefly summarize them.
- ◇ When was the constitution adopted?
- ◇ Do you think the tribal nation you are studying has an equal balance of powers? Why?

Lesson One, Part Two

Students/student groups should present the features of their constitution briefly. Suggestion: start with the U.S. Federal Constitution and move to the Montana State Constitution, then follow with the tribal constitutions. Students should make notes of what is similar to and different from the constitution they studied (a blank matrix on a page could assist with this task). Facilitate a Socratic discussion based on these similarities and differences.

Consider closing out the lesson by sharing this [video about a recent historic moment in Montana history](#).

Background Information & Materials Needed

Essential Understanding Regarding Montana Indians 7

American Indian tribal nations are inherent sovereign nations and they possess sovereign powers, separate and independent from the federal and state governments. However, under the American legal system, the extent and breadth of self-governing powers are not the same for each tribe.

To access tribal constitutions, visit [Montana Indian Law - Tribal Constitutions](#)

Tribal Government Websites

[Blackfoot Nation](#)

[Chippewa Cree Tribe of the Rocky Boy's Reservation](#)

[Confederated Salish & Kootenai Tribes](#)

[Crow Tribe](#)

[Fort Belknap Indian Community](#) Assiniboine, Gros Ventre

[Fort Peck Tribes](#) Assiniboine, Sioux

[Little Shell Tribe](#)

[Northern Cheyenne Tribe](#)

[History and Foundation of American Indian Policy](#) (see pages 34-28)

[Essential Understandings Regarding Montana Indians](#) (refer to Essential Understandings # 4 and # 7).

[Essential Understandings Key Concepts](#)

For information about American Indians check out these FAQs.

[American Indians 101 Frequently Asked Questions](#)

[FAQ from the Bureau of Indian Affairs](#)

To learn about contemporary sovereignty issues regarding tribes on the Flathead Reservation utilize this [educational resource](#) developed by the Confederated Salish and Kootenai Tribes

Teacher Notes

This lesson will take approximately four class periods: two days for research, one day for writing, and one day for reporting out. If possible, divide the class into nine groups. Assign each group a constitution (Montana tribal, Montana, United States).

You may want to offer various types of assessments to gauge understanding of this complex topic, e.g., virtual poster presentation, participation in an on-line discussion forum, multimedia presentation formats such as a video or podcast. This lesson provides one example of a possible assignment.