

Federal Indian Law for Tribal Leaders  
Professor Robert A. Williams, Jr.  
Course Syllabus

***Module 1: The History of Federal Indian Law and Policy: The European Doctrine of Discovery and American Indian Rights***

Federal/Tribal Relationship

- The European Doctrine of Discovery and American Indian Rights
- British Imperial Policy and Indian Lands
- Colonial America

***Module 2: Doctrine of Discovery***

Trust Doctrine

- British Colonial Indian Treaties
- The Founders' First Indian Policy

***Module 3: Early 19<sup>th</sup> Century Indian Law: Johnson v. McIntosh***

Marshall Trilogy

- Johnson v. McIntosh, 21 U.S. 543 (1823)

***Module 4: Early 19<sup>th</sup> Century Indian Law: Cherokee Nation v. Georgia***

Marshall Trilogy

- Cherokee Nation v. Georgia, 30 U.S. 1 (1831)

***Module 5: Early 19<sup>th</sup> Century Indian Law: Worcester v. Georgia***

Marshall Trilogy

- Worcester v. Georgia, 31 U.S. 515 (1832)
- Removal

***Module 6: The Treaty Tradition (Robert A. Williams, Jr.)***

Treaty Relationship

- The Treaty Tradition
- Wampum Belt Tradition
- Sale of Land

***Module 7: Northwest Indian Fisheries Treaties (Vine Deloria, Jr.)***

***Module 8: The Marshall Trilogy and United States v. Winans***

Marshall Trilogy

- Johnson v. McIntosh, 21 U.S. 543 (1823)
- Cherokee Nation v. Georgia, 30 U.S. 1 (1831)
- Worcester v. Georgia, 31 U.S. 515 (1832)

Treaty Relationship

- United States v. Winans, 198 U.S. 371 (1905)

### ***Module 9: Late 19<sup>th</sup> Century Indian Law: End of Treaty Making and Ex Parte Crow Dog***

Congressional Plenary Power

- End of Treaty Making
- Ex Parte Crow Dog, 109 U.S. 556 (1883)

### ***Module 10: Late 19<sup>th</sup> Century Indian Law: The Plenary Power Doctrine and United States v. Kagama***

Congressional Plenary Power

- The Major Crimes Act
- United States v. Kagama, 118 U.S. 375 (1886)

### ***Module 11: Late 19<sup>th</sup> Century Indian Law: Allotment Policy and Lone Wolf v. Hitchcock***

Congressional Plenary Power

- General Allotment Act of 1887
- Lone Wolf v. Hitchcock, 187 U.S. 553 (1903)

### ***Module 12: 20<sup>th</sup> Century Indian Law: Indian Reorganization Act***

Indian Reorganization Act (IRA)

- Meriam Report of 1928
- Indian Reorganization (Wheeler-Howard) Act of 1934
- Cohen's Handbook of Federal Indian Law

### ***Module 13: 20<sup>th</sup> Century Indian Law: Termination Policy and Tee-Hit-Ton Indians v. United States***

Termination

- Post-IRA Debate
- Public Law 280
- Tee-Hit-Ton Indians v. United States, 348 U.S. 272 (1955)

### ***Module 14: 20<sup>th</sup> Century Indian Law: Self-Determination Policy and Morton v. Mancari***

Self-Determination

- Tribal Renaissance
- Johnson's Great Society Program
- Indian Civil Rights Act (ICRA)
- Indian Self-Determination and Education Assistance Act of 1975
- Morton v. Mancari, 417 U.S. 759 (1985)

### ***Module 15: Modern Tribal Jurisdiction***

Modern Tribal Jurisdiction Cases

- Criminal Jurisdiction
  - Oliphant v. Suquamish Indian Tribe, 435 U.S. 191 (1978)
  - United States v. Lara, 541 U.S. 193 (2004)
- Civil/Regulatory Jurisdiction

- Williams v. Lee, 358 U.S. 217 (1959)
- McClanahan v. Arizona Tax Commission, 411 U.S. 164 (1973)
- Montana v. United States, 450 U.S. 544 (1981)
- Nevada v. Hicks, 533 U.S. 353 (2001)