



Curriculum Units by Fellows of the National Initiative
2016 Volume I: Contemporary American Indian History

The Constitutional Crisis of Indian Removal

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The following curriculum unit focuses on the hypocrisy laden in the federal government's dealings with Indian Nations and tribal removal. Using the five fundamental political principles that inform the US Constitution, the lesson investigates how a theory of a concept (the five fundamental political principles) relates to its real-life application (Indian Removal) is an essential one to understanding the true functions of government. Living in a society increasingly at political odds with itself, it is essential that students understand the limitations of our democratic republic, and how the interpretation of the Constitution is at the whim of whomever is reading it. Ultimately, students will investigate and analyze the manner in which American Indians are governed to determine whether this minority group's rights were and are currently violated under the Constitution. Students will analyze in-depth whether or not the system checks and balances set up by the US Constitution, given President Jackson's abuse of power, is effective and sustainable. Students will be charged with speaking out and engaging in civil action in instances where the application of the Constitution is not living up to its fundamental political principles. Students will question whether the actual document of the Constitution is the source of injustice or whether it is the people who are carrying it out that are the problem. Finally, students will be able to answer the following questions: 1) What are the constitutional origins of Federal Indian law and policy? 2) How did Andrew Jackson's Indian Removal Act and Marshall's Indian Law Trilogy landmark cases shape Indian Land law? 3) If recognized as distinct according to the Constitution and by Marshall, how does the United States' presently deal with Indian Nations? The students will write a culminating essay answering the questions of "Are the fundamental political principles, on which our Constitution was founded, afforded to American Indians in the United States? Why or why not? What does it for further American Indian/US relations? Create possible legislative solutions that could help solve our broken relationship?"

(Developed for Civics and Economics, grade 8; recommended for Civics and Economics, grade 8)

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