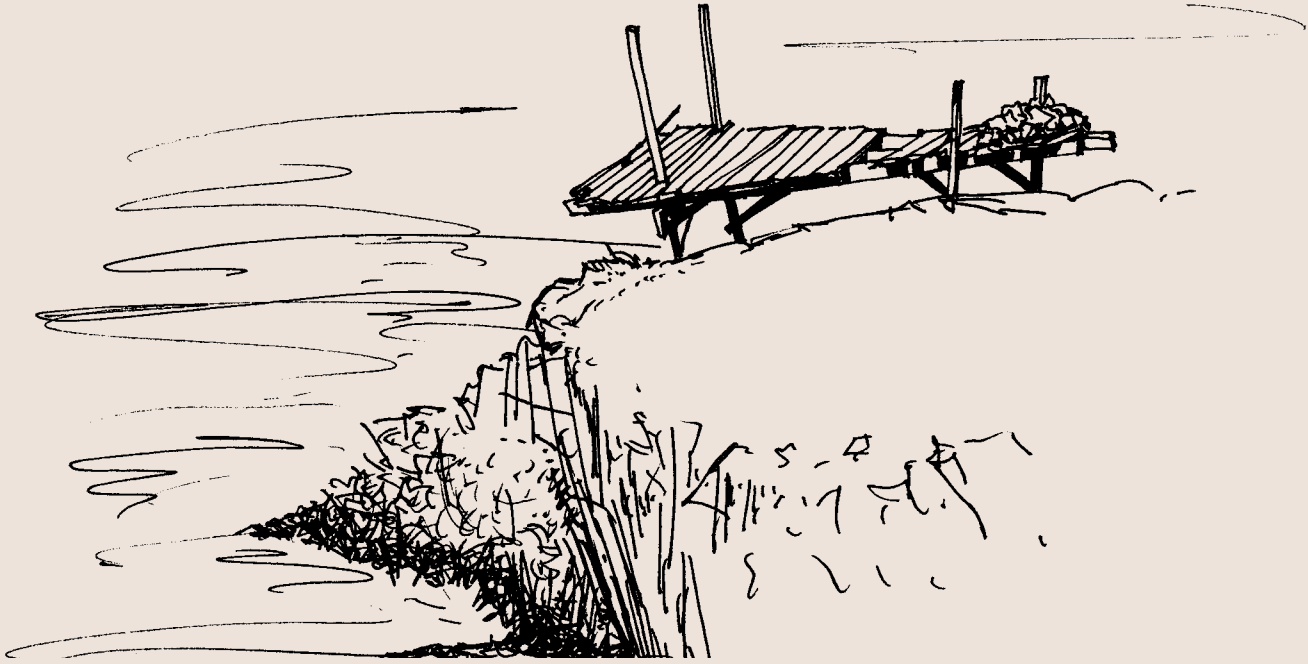




Columbia River Inter-Tribal Fish Commission

Chinook Trilogy Curriculum: *Empty Promises, Empty Nets*



Empty Promises, Empty Nets

Empty Promises, Empty Nets is the second installment of the Chinook Trilogy presenting the tribal perspective on Columbia River salmon and the dramatic losses the salmon have suffered. Featuring discussions by tribal leaders, legal authorities and one of the federal judges most involved, the Honorable Robert C. Belloni, *Empty Promises, Empty Nets* details the landmark legal decisions confirming the treaty-bound fishing rights that may well be the key to salmon survival.

Subject Areas

- History
- Environmental Studies
- Journalism
- Political Science
- Biology
- Ethics
- Law
- Foreign Relations
- Creative Writing

Goals and Objectives

- ❶ By viewing the video, students will learn that Indian treaties are an important aspect of current federal law and will gain an awareness of the litigation that has defined treaty reserved fishing rights.
- ❷ Through a mock treaty negotiation held during class, students will begin to understand some of the purposes and terms of treaties between the United States and Indian nations.

Materials Needed

Empty Promises, Empty Nets video.

Handout #3: **Role-play Protocols and Negotiating Points-Indian Tribes**

Handout #4: **Role-play Protocols and Negotiating Points-United States**

Assignment #3: **Writing Options**

Time Required

2 class periods

Implementation:

Class Period 1

- ❶ Explain to the class that mock treaty negotiations will follow the screening of *Empty Promises, Empty Nets*. Students should pay attention to the discussion of treaties, treaty provisions and their interpretation.
~5 minutes.
- ❷ Show the video.
~30 minutes.
- ❸ Prepare the class for the role play. Divide the class into two groups: half of the class represents Indian tribes, the other half represents the United States.

INDIAN TRIBES: The Indian group is made up of leaders of three tribes. Have students divide themselves into the Hungry Otter, Soaring Eagle, and Fast Bear tribes. Then each tribe chooses a chief spokesperson. Those not chosen as chief spokespersons will act as members of the tribal council for their assigned tribe and advise their spokesperson during treaty negotiations.

UNITED STATES: The United States group consists of two generals, two translators and two scribes. (Note: the United States chooses both the translators and the scribes.) The teacher chooses the generals, and



the generals choose the translators and scribes. The rest of the group is composed of soldiers, settlers, goldminers, and railroad barons.
~10 minutes.

- ④ Pass out Handout #3 to the Indian Tribes; Handout #4 to the United States. Ask students to read their handouts to understand their roles and begin thinking about how to frame their proposals or concerns for the next day's negotiations. Suggest that each side not share their handout assignments and talking points with the other side.
~5 minutes.

Class Period 2

- ⑤ Conduct role play:
- a. Assemble groups.
 - b. Each group decides on points and strategies for negotiation following the protocols indicated on Handouts #3 and #4. Allow less than 10 minutes for the two sides to establish initial negotiating positions. According to the instructions in Handout #4, scribes record (as a reporter might) the above proceedings and the negotiations that follow.
 - c. Translators for the United States tell Indian tribal leaders what the United States proposes.
 - d. Tribal leaders discuss U.S. proposal and instruct translators to make a response.
 - e. Continue negotiations back and forth, as time permits. End role play after 30 minutes to leave time for the evaluation assignment.
~30 minutes.
- ⑥ Ask the scribes to summarize from their notes what happened, including what was proposed and how proposals and counterproposals were received. (The scribes may want to begin by describing what their assignment was.)
~10 minutes.
- ⑦ Pass out Handout #3 and describe the writing assignment options.
~5 minutes.



Role-play Protocols and Negotiating Points.

INDIAN TRIBES

“The earth was created by the assistance of the sun, and it should be left as it was.... The country was made without lines of demarcation, and it is no man’s business to divide it... I see the whites all over the country gaining wealth, and see their desire to give us lands which are worthless... Perhaps you think the Creator sent you here to dispose of us as you see fit. If I thought you were sent by the Creator I might be induced to think you had a right to dispose of me. Do not misunderstand me, but understand me fully with reference to my affection for the land. I never said the land was mine to do with it as I chose. The one who has the right to dispose of it is the one who has created it. I claim a right to live on my land, and accord you the privilege to live on yours.”

—*Inmutooyahlatlat (Chief Joseph) Nez Perce*

BACKGROUND

U.S. Army scouts have told leaders of the Hungry Otter, Soaring Eagle, and Fast Bear tribes that representatives of the U.S. government are coming to the Big River Country to discuss terms of a peace agreement between the tribes and the United States. Tribal leaders have agreed to meet the U.S. representatives.

PROTOCOLS

All members of the Indian group attending the meeting or negotiations are leaders of the three tribes. Each tribe has a chief spokesperson who is able to sum up tribal discussions and present tribal positions to the United States through translators.

Because of language barriers, the tribal positions and responses will be delivered to United States’ representatives by translators.

In preparing for negotiations with the United States and in responding to U.S. proposals, Indian leaders base their positions on the objectives and concerns listed in the Negotiating Points below.

All Indian leaders participate in the discussions to decide negotiating strategies and responses, but only the tribal spokespersons communicate with and instruct the translators.

Negotiating Points

MAIN OBJECTIVE OF TRIBAL NEGOTIATORS:

Because salmon are central to their way of life—their religion, diet, economy and culture—tribal leaders must assure that they and their future generations have salmon.

RELATED CONCERNS OF THE TRIBES:

- Ability to move freely to harvest the different salmon species at the different places and times of the year as is their custom
- Freedom to practice their religion and maintain their way of life
- Right to govern themselves
- Protection from settlers



Role-play Protocols and Negotiating Points.

UNITED STATES

“The Great Father has been for many years caring for his red children across the mountains...many treaties have been made... Andrew Jackson...said I will take the red man across a great river into a fine country where I can take care of them; they have been there twenty years; they have their government, they have their schools...the Great Father and his chiefs; they did much for John Ross and his [Cherokee] people twenty years ago. ... This brings us now to the question. What shall we do at this council? We want you...to agree upon tracts of land where you will live... On each tract we wish to have one or more schools... blacksmiths...carpenters...we want you and your children to learn to make plows, to learn to make wagons...”

—Isaac Stevens, Washington Territory governor

BACKGROUND

The President of the United States and his Secretary of War have sent two U.S. Army Generals to urge the Hungry Otter, Soaring Eagle and Fast Bear tribes of the Big River territory of the Northwestern United States to sign treaties.

PROTOCOLS

The generals choose two translators and two scribes.

After discussing negotiating strategies and, later, responses to tribal positions with the rest of the U.S. side, only the generals communicate with and instruct the translators.

Neither the generals nor the scribes understand the Indian language. The generals must use translators to communicate with tribal leaders. The translators understand that tribal leaders have designated a chief spokespersons for each tribe and that is the person the translator is to speak with.

The scribes also have to use the translators to find out what the tribal spokespersons have said. In addition to following the negotiations, the scribes may get reactions from the soldiers or, with the help of translators, from other tribal leaders.

Negotiating Points**MAIN OBJECTIVE OF U.S. NEGOTIATORS:**

The United States government wants the Big River territory to be safe for non-Indian settlement by farmers, ranchers and merchants.

RELATED CONCERNS OF THE UNITED STATES GOVERNMENT:

- Wants the tribes to sign treaties to transfer title to all the land in the Big River territory
- Keep the Big River open as a transportation corridor
- Prevent tribes from armed resistance to non-Indian encroachments



WRITING ASSIGNMENT

- OPTION 1:** An evaluation of the scribes' reports. Discuss not only the accuracy and interpretation of their accounts, but also the problems associated with reporting and writing about treaties and treaty negotiations between Indian tribes and the United States.
- OPTION 2:** An essay or short story evaluating the negotiating position of the United States or the tribes in the role play. Was the position reasonable? Realistic? Unrealistic? Moral? Immoral? Why or why not?
- OPTION 3:** An essay evaluating the federal court decision, *United States v. Oregon*, described in *Empty Promises, Empty Nets*. In addition to the video, draw on what was learned during the role-play exercise.
- OPTION 4:** An essay explaining how the treaty-reserved fishing rights of the tribes could help save Columbia River salmon. Recall the *Empty Promises, Empty Nets* as well as the role-play exercise.

