

The Treaty Period – American Indian Perspectives

Fast Facts

Curriculum Area: Social Studies
Grade Level: High School
Suggested Duration:

Stage 1 Desired Results

Established Goals

Social Studies Standard 4, Benchmark 12.7 Analyze and illustrate the major issues concerning history, culture, tribal sovereignty, and current status of the American Indian tribes and bands in Montana and the United States (e.g., gambling, artifacts, repatriation, natural resources, language, jurisdiction).

Understandings

- A basic overview/introduction into the treaty period; analyzing formal interactions with the U.S. Government and American Indian Nations.
- Focus of the lesson will be on the issues of history and tribal sovereignty through the examination of treaties and other historical documents. (EU 4)

Essential Questions

- To what extent do historical documents such as treaties influence the relationships between the U.S. Government and tribal nations?
- Why is it important to understand the historical basis for the legal and political relationship between tribes and the U.S. Government?

Students will be able to...

- understand and explain the basis for treaty making.

Students will know...

- the historical context in which treaties were made and how they are still relevant documents today.

Stage 2 Assessment Evidence

Performance Tasks

1. Research and analyze issues and events associated with the treaty making period.

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2. Students will gather evidence and present their findings in the form of a brief essay and oral presentation.

Other Evidence

Students will construct a chronology with a minimum number of entries with corresponding dates. These entries can be graded accordingly. The follow-up talking circle and discussion on “Impacts” can be graded as subjective material and how well the students connect the events and impacts.

Stage 3 Learning Plan

Learning Activities:

Overview

Through a series of short presentations, students can learn how and why the federal government derived tactics to deal with the “Indian Problem.” The presentations can focus on: judicial/legal responses (e.g., landmark Supreme Court cases that formulated the status of all Indian people in *Cherokee v. Georgia* and *Worcester v. Georgia* as domestic dependent nations as well as “wards of the federal government”); legislative action (e.g., the Northwest Ordinance, the Indian Removal Act, creation of the BIA, and the process of making treaties); and reactions from Indian country. The main concepts to be covered are listed below.

Treaty making was an official way to establish formal relationships between the U.S. Government and Indian tribes. The teacher can highlight the nature of treaties (as the supreme law of the land), the importance of treaties (their purpose of making peace, land cessions, compensation), three canons of treaty construction, the number of treaties (between 1778 and 1871), and the abrogation of treaties.

The removal policy was in effect from 1828 to 1839. The idea was to move tribes (the Five Civilized Tribes) primarily from the southeast to “Indian Territory” (west of the Mississippi River), thereby removing their aboriginal claim to the land and opening settlement to non-Indians.

The Indian reservation system, in conjunction with treaty-making, 1) drastically changed the way of life for many Indian people, 2) created a systematic way of managing the “Indian Problem,” and 3) eroded the land base for Indian tribes.

Activities or Procedures

Lesson One: Students can build a chronology of significant events (e.g., making the first Indian Reservation (1832), the establishment of the Department of Indian Affairs under the War Department (1824) and later under the Department of Interior (1849), the Cherokee Trail of Tears (1830). They can use that chronology as a basis to discuss the impact of railroad construction, westward expansion, Manifest Destiny, the discovery of gold, Indian Wars, and cultural clash and change. Perhaps a talking circle technique can be used to generate student opinion about the events that shaped the policy of

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this era. The assignment should include specific examples of the impacts on individual tribes, people, or communities.

Assessment

The chronology should have a minimum number of entries with corresponding dates. These entries can be graded accordingly. The follow-up talking circle and discussion on “Impacts” can be graded as subjective material and how well the students connect the events and impacts.

Background Information

Essential Understanding 4

Reservations are lands that have been reserved by the tribes for their own use through treaties, statutes, and executive orders and were not “given” to them. The principle that land should be acquired from the Indians only through their consent with treaties involved three assumptions:

- I. Both parties to treaties were sovereign powers.*
- II. Indian tribes had some form of transferable title to the land.*
- III. Acquisition of Indian lands was solely a government matter not to be left to individual colonists.*

Indian Nations located in Montana Territory prior to the passage of the Montana Constitution in 1889 held large land bases as negotiated through their treaties with the United States. The treaties assigned tribes to certain areas and obligated them to respect the land of their neighbors. However, in the 1860s, as miners and others rushed into the prime gold fields that often lay along or within the designated tribal lands, tribal life was disrupted. The new inhabitants demanded federal protection. These demands resulted in the garrisoning of Montana and the eventual relocation of the tribes to smaller and smaller reserves.

The federal government and many Montana citizens did not understand the lifestyles of Montana’s Indian tribes. Consequently, the tribes were often dealt with from non-Indian expectations and points of view. However, the federal government did understand that these tribal groups were sovereign nations and that they needed to enter into treaty negotiations with the tribes.

Extension

The [National Archives](#) has an excellent activity for examining the 1868 Ft. Laramie Treaty. See the suggested activities for further teaching ideas regarding treaties.

[Trailtribes.org](#) has some excellent information regarding treaties made in Montana territory.

Materials/Resources Needed

The following four reference books were sent to all Montana school libraries – they provide an excellent starting point for research and general background information.

Champagne, Duane (**Ojibwe**) (ed). ***Native North American Almanac: A Reference Work of Native North Americans in the United States and Canada.*** Detroit: Gale Publishing, 2001. This huge comprehensive volume provides historical and contemporary information about the Native peoples of North America.

- ◇ This huge comprehensive volume provides historical and contemporary information about the Native peoples of North America. A broad range of topics including history and historical landmarks, health, law and legislation, activism, environment, urbanization, education, economy, languages, arts, literatures, media and gender relations makes this highly readable book essential for librarians and teachers.

Davis, Mary B. (ed). ***Native America in the Twentieth Century, An Encyclopedia.*** 1996.

- ◇ All classroom teachers who are teaching anything about "Native Americans" should have this single-volume encyclopedia available and use it frequently. The emphasis is on Indian peoples today, and the involvement of a great many knowledgeable Indian people, close to much of what they describe, contributes greatly to accuracy and coverage of usually ignored matters.

Keoke, Emory Dean (**Lakota**) and Kay Marie Porterfield (eds). ***Encyclopedia of American Indian Contributions to the World: 15,000 Years of Inventions and Innovations.*** 2003.

- ◇ With entries ranging from anti-asthmatic medications to zoned biodiversity, this meticulously researched volume is a comprehensive resource to the numerous inventions and innovations made by the indigenous peoples of North, Meso-, and South America. Containing over 450 entries, alphabetically arranged and fully cross-referenced, this indispensable reference book is a must for every classroom and library.

Keoke, Emory Dean (**Lakota**) and Kay Marie Porterfield (eds). ***American Indian Contributions to the World*** 2005.

- ◇ This excellent five-volume set of Keoke's and Porterfield's earlier work is accessible to students from fourth grade through high school. The subjects covered are "Buildings, Clothing, and Art," "Food, Farming and Hunting," "Medicine and Health," "Science and Technology," and "Trade, Transportation and Warfare."

Fox, Sandra J. Ed.D. [***Connecting Cultures and Classrooms: Indian Education K-12 Curriculum Guide: Language Arts, Science, Social Studies.***](#) Helena, MT: Montana Office of Public Instruction, 2006. (139-155)

Juneau, Stan, revised and updated by Walter Fleming and Lance Foster [***History and Foundation of American Indian Education Policy.***](#) Helena, MT: Montana Office of Public Instruction, 2013.

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[OPI Indian Education Web site](#)

◇ Guide students to the Indian Education General Information section.

Utter, Jack. *American Indians: Answers to Today's Questions*. Lake Ann, MI: National Woodlands Pub, 1993.

