

STUDENT READING: ALLOTMENT IN INDIAN TERRITORY

Allotment was the U.S. government's policy of dividing up communally owned tribal land into individually owned pieces of private property. There were several reasons why advocates for allotment supported the policy. First, many White Americans considered Native American ways of life, including their collective use of land, to be "backward," believing that individual ownership of private property was an essential element of "civilization" or the assimilation of Native peoples. Second, many thought that Native Americans had too much land and would rather see their lands opened up for White settlement and industries such as railroads, mining, and forestry. Additionally, as Oklahoma and Indian Territories were being prepared for statehood, allotment would dissolve the authority of tribal governments and change land ownership from communal to private. Both of those conditions were necessary to turn Indian and Oklahoma Territories into a state.

Advocates for allotment eventually succeeded in persuading the U.S. government to adopt the policy. In 1887, Congress passed the General Allotment Act, which also became known as the Dawes Act. It was named for Senator Henry Dawes, an ardent supporter of allotment. The Dawes Act allowed tribal land to be surveyed and the area divided into individual parcels that were usually 160 acres or less. Individual Native Americans either were permitted to select pieces of land (personal allotments) for themselves and their children or were assigned tracts by the U.S. government. After designating all necessary allotments, the U.S. government could purchase any land that remained unassigned. As a result, millions of acres were either ceded or sold to the U.S. government as "surplus lands" and could be settled by non-Natives according to the Homestead Act of 1862.

Although the Dawes Act was the first major law designed to allot reservations across the United States, several tribes in Oklahoma, including the Five Tribes (Cherokee, Choctaw, Chickasaw, Creek, and Seminole), were exempted from the breakup of their lands. However, as the years passed, more and more tribal land was handed over to White settlers through federal legislation. Examples of this legislation include:

- An amendment to the Indian Appropriations Bill, which opened the Unassigned Lands in the heart of Indian Territory to a land run in 1889.
- The Oklahoma Organic Act of 1890, which created Oklahoma Territory and left only about half of Indian Territory intact.
- The purchase of the Cherokee Outlet in 1893, which opened it for a land run.

This legislation, coupled with the increased desire for Oklahoma statehood, intensified the pressure for the remaining tribes in Indian Territory to accept allotment.

Most Native peoples were resistant to allotment, as they saw it as another scheme to strip them of their land and threaten their sovereignty. Thus, tribal nations were not easily persuaded to accept allotment, and with it the White American concept of private land ownership. Most tribes had already been dispossessed of much of their land, and the concept of private land ownership was not one that was recognized in traditional Native culture. North American tribes, including the Five Tribes, had long believed that land was held in common to be used rather than owned. It was available for living, farming, hunting, and fishing by anyone. Even as tribes were removed to Indian Territory, most tribal citizens followed the practice of communal land holding.

As the U.S. government continued to pass legislation that diminished the power of the tribal governments, most Native groups had little leverage to refuse allotment, and some even saw it as inevitable. However, the Five Tribes and the Osage, fearing that opening the land to White settlers and businesses would ultimately leave Native peoples with nothing, continued to resist negotiating allotment with U.S. government officials. This steady resistance delayed U.S. government legislation until 1898 when Congress passed an amendment to the Dawes Act called the Curtis Act that forced the remaining tribes in Indian Territory to negotiate the terms of their allotment with the appointed Dawes Commission. This process continued until 1906, and its completion paved the way for Oklahoma statehood in 1907.

The allotment policy, initiated by the Dawes Act and carried out over many years, is responsible for redistributing millions of acres of Native-owned land to White ownership. The loss of land and voice in the process meant a loss of sovereignty for the tribal nations residing within Indian Territory and, later, Oklahoma.

Sources

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