



# Allotment in Indian Territory

## Land Openings in Indian Territory



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<b>Grade Level</b>	9th Grade	<b>Time Frame</b>	2 class period(s)
<b>Subject</b>	Social Studies	<b>Duration</b>	100 minutes
<b>Course</b>	Oklahoma History		

### Essential Question

How have the policies and decisions of the U.S. government affected tribal sovereignty? How did the policy of allotment affect tribes in Indian Territory?

### Summary

In this lesson, students will make observations and inferences about policies leading to a history of native peoples being dispossessed of their land. Students will explore the policy of allotment by participating in a simulation activity and completing an article analysis. To extend their learning, students will consider how the history of allotment relates to recent tribal sovereignty cases heard by the U.S. Supreme Court. Students complete an Emoji Reflection to showcase their understanding of the allotment process and its impact on Indian Territory.

### Snapshot

#### Engage

Students watch a video showing the land taken from Native Americans over time.

#### Explore

Students participate in an allotment simulation.

#### Explain

Students read an article about allotment in Indian Territory and complete a Honeycomb Harvest activity to document their understanding.

#### Extend

Students read and discuss an excerpt from the Supreme Court's opinion in the case of *McGirt v. Oklahoma* to identify how this recent case relates to the history of allotment in Indian Territory.

#### Evaluate

Students complete an Emoji Reflection activity to represent their knowledge of allotment policy from the perspective of the U.S. government and from the perspective of tribal nations in Indian Territory.

## Standards

*Oklahoma Academic Standards (Social Studies: Oklahoma History (9th through 12th grade))*

**OKH.3:** The student will evaluate the major political and economic events that transformed the land and its people from the outbreak of the Civil War through allotment and land openings.

**OKH.3.4:** Compare multiple points of view to evaluate the impact of the Dawes Act (General Allotment Act) which resulted in the loss of tribal communal lands through a transfer to individual property and the redistribution of lands, including the Unassigned Lands and the Cherokee Outlet, by various means.

## Attachments

- [Digital Honeycomb Harvest—Allotment in Indian Territory - Spanish.docx](#)
- [Digital Honeycomb Harvest—Allotment in Indian Territory - Spanish.pdf](#)
- [Digital Honeycomb Harvest—Allotment in Indian Territory.docx](#)
- [Digital Honeycomb Harvest—Allotment in Indian Territory.pdf](#)
- [Emoji Reflection—Allotment in Indian Territory - Spanish.docx](#)
- [Emoji Reflection—Allotment in Indian Territory - Spanish.pdf](#)
- [Emoji Reflection—Allotment in Indian Territory.docx](#)
- [Emoji Reflection—Allotment in Indian Territory.pdf](#)
- [Honeycomb Harvest—Allotment in Indian Territory - Spanish.docx](#)
- [Honeycomb Harvest—Allotment in Indian Territory - Spanish.pdf](#)
- [Honeycomb Harvest—Allotment in Indian Territory.docx](#)
- [Honeycomb Harvest—Allotment in Indian Territory.pdf](#)
- [Lesson Slides—Allotment in Indian Territory.pptx](#)
- [McGirt v Oklahoma Supreme Court Opinion—Allotment in Indian Territory - Spanish.docx](#)
- [McGirt v Oklahoma Supreme Court Opinion—Allotment in Indian Territory - Spanish.pdf](#)
- [McGirt v Oklahoma Supreme Court Opinion—Allotment in Indian Territory.docx](#)
- [McGirt v Oklahoma Supreme Court Opinion—Allotment in Indian Territory.pdf](#)
- [Student Reading—Allotment in Indian Territory - Spanish.docx](#)
- [Student Reading—Allotment in Indian Territory - Spanish.pdf](#)
- [Student Reading—Allotment in Indian Territory.docx](#)
- [Student Reading—Allotment in Indian Territory.pdf](#)

## Materials

- Lesson Slides (attached)
- Allotment in Indian Territory article (attached; one per student)
- Honeycomb Harvest cards (attached; one set per group of four) or Digital Honeycomb Harvest (attached)
- McGirt v. Oklahoma Supreme Court Opinion excerpt (attached; one per student)
- Emoji Reflection handout (attached; one per student)
- Notebook paper
- Copy paper
- Envelopes or paper clips
- Large sheets of paper
- Glue
- Pencils or colored pencils
- Student devices with Internet access (optional)

# Engage

## Teacher's Note: Lesson Prep

Before the lesson, print and cut out the attached **Honeycomb Harvest** cards or upload the attached **Digital Honeycomb Harvest** to [Google Classroom](#). If you use the printed cards, you will need one set per group of four students. Use envelopes or paper clips to organize the cards.

## Teacher's Note: Lesson Purpose

This lesson is meant to introduce students to the concept of allotment, including how the allotment policy was meant to work and the general effect that it had on tribes in Indian Territory. Consider following up this lesson with class time spent learning about the significance of tribal rolls, blood quantum, grafting, checkerboarding, and discrimination against freedmen during the allotment process.

Use the attached **Lesson Slides** to guide the lesson, and begin by displaying **slide 2**. Explain to students that they will view the brief video "[The Invasion of America](#)," which shows changes to the amount of land that Native American tribes owned over time. Ask students to consider what types of U.S. policies contributed to the trends in land ownership that they observe in the video.

## Embedded video

<https://www.youtube.com/watch?v=pjxrTzfG2bo>

## Teacher's Note: Video Options

The map used in the video is part of an eHistory project. eHistory is a digital scholarship organization founded by historians at the University of Georgia. Additional research and information about the map in the video can be found on the University of Georgia's website [here](#). The publishers of this eHistory video use the term "invasion" when referring to the loss of native lands. While this language is arguably accurate, if you feel that it might raise concerns in your classroom, consider discussing the power of word choice when learning history. You might consider the implications of using the word "invasion" when discussing the redistribution of land from Native Americans to Europeans and later to Americans, rather than "cession" or "land loss." You could ask students why the creators of this video would choose the word "invasion," and why using that word might make some people uncomfortable. Additionally, we have provided the video "[The Loss of Native American Lands Within the US: Every Year](#)" as an alternative. While it displays similar information, the research to support what the map conveys is not accessible. Please choose the video that best suits the needs of the students in your classroom.

**Teacher's Note: << Rewind**

You might consider showing the video multiple times to allow students the opportunity to observe various details. You can watch as a whole class, or have students watch in small groups with individual devices.

Display **slide 3**. After students have watched the video, ask them the question on this slide: What types of U.S. government policies made the land loss shown in the video a reality? Ask students to turn to an [Elbow Partner](#) to discuss this question. After students have had several minutes to discuss, invite them to share their responses with the whole class.

**Possible Student Responses**

This question invites students to activate their prior knowledge. Based on their previous studies, it is assumed that students will be familiar with the following policies that all resulted in the loss of land for tribal nations: doctrine of discovery, treaties, land cessions, violent engagements and military campaigns, removal, and the reservation system.

Display **slide 4** and review any previously-studied policies that students did not mention. Conclude the discussion by explaining to students that this lesson will focus on a policy called "allotment," which the United States implemented in the late 19th century with the aim of taking even more Native American land.

Display **slide 5** and tell students that they should be thinking about the following essential questions throughout the lesson: *How have the policies and decisions of the U.S. government affected tribal sovereignty? How did the policy of allotment affect tribal nations in Indian Territory?* Display **slide 6** to share the learning objectives for this lesson.

# Explore

## Teacher's Note: Simulation

According to the National Congress of American Indians' [Tribal Nations and the United States: An Introduction](#), more than 90 million acres (almost 2/3 of reservation land) were taken from tribal nations through the allotment process. In the simulation activity that follows, in an effort to closely represent this statistic, students are asked to draw 15 dots to represent tribal members. However, if you are short on time, you could ask students to draw 5–10 dots to demonstrate the same general point: tribal nations lost a lot of land because of the allotment policy carried out by the U.S. government.

Follow these steps to complete the allotment simulation activity:

1. Distribute a sheet of copy paper to each student.
2. Tell students that this paper represents tribal lands. Have them label the top of their paper "Tribal Lands," as shown on **slide 8**.
3. Explain that tribal lands were traditionally the shared, or communal, property of the tribe. So, figuratively speaking, tribal members collectively owned this entire piece of paper. Instruct students to draw 15 dots on their paper to represent the tribal members who owned this land, as shown on **slide 9**.
4. Explain that, in 1887, the U.S. government passed the Dawes Act, initiating the policy of allotting tribal lands. Allotment required that the land owned in common by the tribe be divided into small sections that would be owned by individual tribal members. To represent the division of land, instruct students to draw four evenly-spaced vertical lines down their papers and eight evenly-spaced horizontal lines across their paper, as shown on **slide 10**. Each student's paper should now be divided into 45 squares. Ask students: Before the land was divided up, how many squares were owned by the tribal nation?
5. To represent the allotment of land, ask students to look at where the dots on their paper are located in relationship to the grid that they have drawn. Students should shade in each square that contains a dot. When they are finished, students should have approximately 15 of the 45 squares on their paper shaded in, as shown on **slide 11**.
6. Ask students: After allotment had taken place, how many squares were owned by the tribal nation? Students should respond by noting that after allotment, the tribal nation owned only 15 of the 45 squares (representing the loss of approximately 2/3 of reservation land mentioned in the previous Teacher's Note), a much smaller amount of land than they had originally owned. Explain to students that after allotment, only the shaded areas on their paper remained tribal land, while the unshaded areas became known as "surplus lands" (as in extra) which the U.S. government then sold to white settlers.
7. Display **slide 12**. Ask students to turn their papers over and, with their groups, write down an observation about what happened as a result of the policy of allotment, completing the sentence, "As a result of allotment..."

After groups have finished writing, ask for volunteers to share with the whole class.

## Possible Student Responses

Ideally, students should bring up the following points: Native peoples lost control of a significant amount of their land as a result of allotment. Loss of land also meant a loss of sovereignty. Additionally, allotment forced Native peoples to give up traditional communal land-owning practices and adopt the practice of owning land privately, which also threatened the cultural practices and sovereignty of the tribes.

Explain to students that, while allotment was carried out across the United States, the rest of this lesson will focus on how allotment impacted Indian Territory.

# Explain

Distribute copies of the attached Allotment in Indian Territory **Student Reading**. Ask students to read the article out loud with their groups. As students read, they should keep in mind the questions on **slide 13**.

Display **slide 14** and give each group a set of Honeycomb Harvest cards. Students will complete a [Honeycomb Harvest](#) activity by placing the hexagon-shaped cards in a pattern to represent their understanding of the important ideas from the article. Cards that touch each other should be related in some way. For example, allotment and the U.S. government are related, because allotment was a policy carried out by the U.S. government. Emphasize to students that there is no right or wrong way to arrange the cards, as long as they can justify why they choose a given pattern. Allow about 15 minutes for groups to discuss and organize their honeycombs.

Using a modification of the [Three Stray, One Stays](#) strategy, ask a pair of students from each group to rotate to another group. But before they rotate, have them take a picture of their present group's honeycomb pattern using a phone or other device.

Once the new groups have formed, each pair should take turns explaining the connections between their honeycomb cards and justifying how they arranged their patterns. As students are discussing, walk around the room to clarify any misconceptions.

At the conclusion of the discussion, ask students to return to their original groups, and then give them an opportunity to make adjustments to their honeycomb patterns based on the conversations that they had with other groups.

Once they are happy with their arrangements, groups should annotate their Honeycomb Harvest to explain the connections between the different concepts. Provide each group with a large sheet of paper and glue, and ask them to glue the honeycomb to the paper and add their annotations directly on the paper.

## Optional Tech Integration: Digital Honeycomb Harvest

The Honeycomb Harvest activity can be completed digitally using the Digital Honeycomb Harvest document. Upload this document to Google Classroom using the "Force a Copy" option. Students can work individually or as a group to arrange the hexagons into a honeycomb shape within Google Docs, and then either add annotations using the comment feature or explain the connections between concepts verbally. If working in the Chrome browser, you can also have students use the [Web Paint Chrome extension](#) to annotate their digital Honeycomb Harvests, take a screenshot, and upload the completed honeycombs for your review.

## Extend

Display **slide 15**. Explain to students that the history of allotment has recently come up as a central issue in two United States Supreme Court cases: *Sharp v. Murphy* (originally *Carpenter v. Murphy*) and *McGirt v. Oklahoma*. Both cases address the same general question: Does the Muscogee (Creek) Nation reservation in Oklahoma still exist, or was it disestablished by Congress? When the Supreme Court presented its decision in this case, it was in essence answering this question. When the Supreme Court makes a ruling in a case, it issues a "majority opinion," which documents the court's decision and explains the reasoning behind that decision.

Distribute copies of the attached **McGirt v. Oklahoma Supreme Court Majority Opinion** excerpt, and tell students that they will be exploring the decision in this case. Ask them to read the excerpt with their groups and consider the question on slide 15: *How does the history of allotment relate to the ruling in the case of McGirt v. Oklahoma?*

### Teacher's Note: Scaffolding McGirt v. Oklahoma Majority Opinion

Before having students read the excerpt, go through the text and note any words with which students might struggle. For example, students might not already be familiar with the term "cession." Additionally, explain that the parts of the opinion that appear in bold, italic font are the sources that are being quoted in the opinion. If you think your students would benefit from more support and guidance, the excerpt can also be read in smaller chunks and/or as a whole class.

Ask students to discuss the question on **slide 16** and find a piece of evidence in the text that supports their reasoning. When students have prepared their responses, bring the class back together and call on each group to share their thoughts.

### Teacher's Note: Formality

You can make this activity as formal or as informal as you like. It is your choice whether you want students to record their answers and evidence in written format or simply discuss and come to a consensus within their groups.

Guide the discussion to acknowledge that the history of allotment is relevant to the court's ruling in *McGirt v. Oklahoma* because the case debated whether the allotment of tribal land was enough to technically dissolve a reservation. The ruling in this case hinged, in major part, on how the Supreme Court answered that question. Review both sides of the argument with students:

- The state of Oklahoma argued that the congressional act calling for the allotment of tribal land was an intentional act that disestablished reservations.
- The defendants in this case, along with tribal nations, argued that because Congress did not expressly state that the Creek reservation and others were officially dissolved (because allotment is not the same thing as cession), allotment does not automatically end reservation status.

Ultimately, the Supreme Court (in a 5-4 vote) ruled in favor of *McGirt* and the Creek Nation, upholding the Creek reservation boundaries established in the 1866 treaty for the purposes of federal criminal law. This Supreme Court decision was an important recognition of tribal sovereignty and treaty rights.



**Teacher's Note: McGirt v. Oklahoma Background**

To gain a better understanding of the case in preparing to teach this lesson, read the entire [opinion in McGirt v. Oklahoma](#). Additionally, [this post](#) on the SCOTUSblog provides a summary of the case and the ruling.

# Evaluate

Display **slide 17**. Distribute a copy of the attached **Emoji Reflection** handout to each student. To complete the [Emoji Reflection](#) activity, students must choose three emojis to explain the U.S. government's perspective toward allotment in Indian Territory and three emojis to explain the Native Americans' perspective toward allotment in Indian Territory. Ask students to circle the three emojis that represent the different perspectives, and then write a short response to explain why they chose each emoji. Encourage them to use specific details and reasoning as evidence to support their choices.

Once students have finished their Emoji Reflections, invite them to share their responses with their small groups or with the whole class.

## Resources

- eHistory. (n.d.). Invasion of America: How the United States took over an eighth of the world [Digital map]. <http://usg.maps.arcgis.com/apps/webappviewer/index.html?id=eb6ca76e008543a89349ff2517db47e6>
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