

Allotment in Indian Territory

Land Openings in Indian Territory

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Grade Level	9th Grade	**Time Frame**	2 class period(s)
Subject	Social Studies	**Duration**	100 minutes
Course	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 a recent tribal sovereignty case 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 show 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 perspectives of the U.S. government and tribal nations in Indian Territory.

Standards

ACT College and Career Readiness Standards - Reading (6-12)

CLR401: Locate important details in somewhat challenging passages
CLR402: Draw logical conclusions in somewhat challenging passages
IDT402: Identify a clear central idea or theme in somewhat challenging passages or their paragraphs
IDT403: Summarize key supporting ideas and details in somewhat challenging passages
REL403: Identify clear cause-effect relationships in somewhat challenging passages
ARG402: Identify a clear central claim in somewhat challenging passages

Oklahoma Academic Standards SOCIAL STUDIES (Oklahoma History and Government)

OKH.C.3.4: Explain how American Indians experienced decreasing control over Tribal lands through congressional action.
OKH.C.3.4.A: Compare multiple points of view to evaluate the impact of the Dawes Act of 1877 (General Allotment Act) which resulted in the loss of Tribal communal lands through a transfer to individual property.
OKH.C.3.4.B: Describe the intent and effects of the Indian Appropriations Act and methods (e.g., land runs, lotteries) used for the redistribution of lands, such as the Unassigned Lands and the Cherokee Outlet.

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 Cards—Allotment in Indian Territory - Spanish.docx
- Honeycomb Harvest Cards—Allotment in Indian Territory - Spanish.pdf
- Honeycomb Harvest Cards—Allotment in Indian Territory.docx
- Honeycomb Harvest Cards—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)
- Student Reading (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; only needed if using the Digital Honeycomb Harvest)

Preparation

Before the lesson, print and cut out the attached **Honeycomb Harvest Cards** or upload the attached **Digital Honeycomb Harvest** as a Google document. Provide a "Force a Copy" link to the Google document in a learning management system. If the printed cards are used, one set per group of four students is needed. 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 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, checker-boarding, and hardships faced by freedmen during the allotment process.

10 minutes

Engage

Use the attached **Lesson Slides** to guide the lesson. Begin by displaying **slide 3** and explain to students that they will view the brief video *The Loss of Native American Lands Within the US: Every Year*, which shows changes to the amount of land that tribal nations held 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://youtube.com/watch?v=Zadq5dl2G8Q

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 4**. 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 5** 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 6** 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 tribes in Indian Territory?

Display **slide 7** to share the learning objectives for this lesson.

25 minutes

Explore

Teacher's Note: Simulation

According to the Indian Land Tenure Foundation, more than 90 million acres (almost two-thirds 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 held as shared or communal property by the tribe. In this simulation, the entire sheet of paper represents land collectively held by tribal members. Have students draw 15 dots on their papers to represent the tribal members who lived on and used 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 held 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 held by the tribal nation?" Students should respond by noting that after allotment, the tribal nation held only 15 of the 45 squares (representing the loss of approximately two-thirds of reservation land), a much smaller amount of land than they had originally held. 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" (available land) which the U.S. government then sold to White settlers.
7. Display **slide 12** and ask students to turn their papers over. Instruct groups to write an observation about what happened as a result of the policy of allotment by completing the sentence, "As a result of allotment..."

After groups have finished writing, invite 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.
- 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.

30 minutes

Explain

Distribute copies of the attached Allotment in Indian Territory **Student Reading**. Ask students to read the article aloud 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 hexagonal 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 chose 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 two students from each group to rotate to another group. 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 discuss, 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 they had with other groups.

Once groups are satisfied 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 Technology Integration: Digital Honeycomb Harvest

The Honeycomb Harvest activity can be completed digitally using the attached **Digital Honeycomb Harvest** document. Upload this document as a Google Doc using the "Force a Copy" option and provide the link in a learning management system. Students can work individually or as a group to arrange the hexagons into a honeycomb shape within the Google document, and then either add annotations using the “Comment” feature or explain the connections between concepts verbally.

25 minutes

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 issued 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 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 students might struggle with. 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

Adjust the formality of this activity based on students' needs. 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 depended largely 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 Muscogee (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 preparation to teach this lesson, this post on the SCOTUS blog provides a summary of the case and the ruling.

10 minutes

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 tribal nations' 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 set of emojis. 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

- EmperorTigerstar. (2016, November 25). The loss of Native American lands within the US: Every year [Video]. YouTube. https://www.youtube.com/watch?v=Zadq5dl2G8Q
- Indian Land Tenure Foundation. (2021, December 8). Issues. https://iltf.org/land-issues/issues/
- K20 Center. (n.d.). Elbow partners. Strategies. https://learn.k20center.ou.edu/strategy/116
- K20 Center. (n.d.). Honeycomb harvest. Strategies. https://learn.k20center.ou.edu/strategy/61
- K20 Center. (n.d.). Three stray, one stays. Strategies. https://learn.k20center.ou.edu/strategy/85
- K20 Center. (n.d.). Emoji reflection. Strategies. https://learn.k20center.ou.edu/strategy/927
- K20 Center. (n.d.). Google Classroom. Tech Tools. https://learn.k20center.ou.edu/tech-tool/628
- Mann, R. (2020, July 9). Opinion analysis: Justices toe hard line in affirming reservation status for eastern Oklahoma. SCOTUSblog. https://www.scotusblog.com/2020/07/opinion-analysis-justices-toe-hard-line-in-affirming-reservation-status-for-eastern-oklahoma/