The Origins of Sovereignty from Time Immemorial
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Grades: 9th - 12th Grade
Lesson: 1
Unit: 2: American Indian land tenure history
Subject: English Language Arts
Additional Subject(s): History/Social Studies; Science
Achievement Goal: Explain the origins of modern tribal sovereignty through knowledge of the early history of European settlement in North America.
Time: Multiple class periods

Lesson Description:
Students will examine maps and chronologies of European colonization of North America. In studying these maps and chronologies, students will identify key events in history that reveal the early recognition of tribal sovereignty in North America. They will also identify events signifying and causing the erosion of tribal sovereignty, the changes in treaty-making, and how this affected Indian land tenure.

Teacher Background:
The history of the European colonization of North America is sometimes taught without regard for the enormous complexities of the period. On one level, North America was already inhabited by a large number Indian peoples, who were incredibly diverse in their cultures, languages, social organization, associations and the size of their communities. These Native groups already had complex relationships with other native groups near or in their region, ranging from peaceful and diplomatic to outright warfare. Thus, many Indian tribes, communities, nations, and confederacies were already skilled in self-governance, diplomacy, making strategic alliances and warfare. In short, they were sovereign.

On another level, European nations were attempting to settle the continent while competing with each other to dominate portions of the world for increased geopolitical power and wealth through trade and exploitation of other peoples and their natural resources. They, too, were skilled at warfare and strategic alliances, which they often made with tribes.

Finally, individual Europeans and smaller groups were colonizing lands in North America under the auspices of their national government, but also as self-interested individuals looking for personal profit, to acquire personal landholdings, and create communities in which they could express particular religious beliefs. Often, the activities of these individuals and groups affected tribes and their lands. As a result, sometimes the national government had to step in to regulate relations with tribes as to avoid war and bloodshed. Other times, the national government went to war with Indians to protect these settlers.

All of these complex factors contributed to the recognition of tribal sovereignty very early in the European settlement of North America. However, as this lesson will reveal, they also help to explain how tribal sovereignty was gradually dismissed during the course of Indian removal and broken treaties.

Standards:
This lesson aligns with Common Core standard RH3, RH4, RH7, RH9.

9-10th Grade

RH3 Analyze in detail a series of events described in a text; determine whether earlier events caused later ones or simply preceded them.

RH4 Determine the meaning of words and phrases as they are used in a text, including vocabulary describing political, social, or economic aspects of history/social science.

RH7 Integrate quantitative or technical analysis (e.g., charts, research data) with qualitative analysis in print or digital text.
RH9 Compare and contrast treatments of the same topic in several primary and secondary sources.

11-12th Grade

RH3 Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.

RH4 Determine the meaning of words and phrases as they are used in a text, including analyzing how an author uses and refines the meaning of a key term over the course of a text (e.g., how Madison defines faction in Federalist No. 10).

RH7 Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.

RH9 Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.

Associated California State Academic Content Standards

For general guidelines for aligning discussions with English-Language Arts Standards, see Using Lessons of Our California Land to Help Students Meet California State Content Standards.

History-Social Science

This lesson provides students with foundational knowledge to meet Principals of American Democracy Standard 12.7: Students analyze and compare the powers and procedures of the national, state, tribal, and local governments.

Teacher Preparation Resources:

- In this lesson, the students, in groups of two to four, will examine a packet or folder of at least one chronology and several maps. The following are suggested materials (included in the Lesson Resources section) to include in the packet:
  - Indian Land Tenure Foundation land tenure history timeline
  - American Indian Civics Project
  - Map of “European Exploration and Settlement in the United States, 1513-1776”
  - Map of “The Spread of Colonization, 1600-1700”
  - Maps of “Exploration and Settlement, 1675-1800; 1800-1820; 1820-1835; 1835-1850; and 1850-1890”
  - Map of “The Struggle for Colonial Dominion, 1700-1763”
  - Map of the “World, 1772”
- Review the Smithsonian Institute’s Campfire Stories with George Catlin “Making Treaties and Weaving Wampum: Communication across Cultures” lesson plan listed in the Lesson Resources section.
- The treaty timeline activity will be followed here using the packet of information described above.
- Also in the Wampum lesson is a chart that paraphrases the work of Arlene Hirschfelder and Martha Kreipe de Montano, The Native American Almanac: A Portrait of Native America Today (New York: MacMillan General Reference, 1993), p. 57. That chart will also be used here to guide students and structure the information they gather.
- To introduce the concept of Manifest Destiny to help explain the changes in treaty-making with tribes, review the lesson plan “Manifest Destiny and Cultural Stereotypes” at PBS’s website listed in the Lesson Resources section.
- Review the Manifest Destiny and the Power of Perspective website listed in Lesson Resources.
which mentions the U.S. - Mexican war as a resource to learn more about Manifest Destiny.

**Student Activity:**

1. Begin the lesson by either showing or reading the following statement to the students: “Indian rights do not depend on sympathy for the plight or historical mistreatment of Native Americans. Self-determination of tribes is rooted in ancient laws and treaties, and is protected against incursions except those that Congress deliberately allows.” (David H. Getches, Conquering the Cultural Frontier: The New Subjectivism of the Supreme Court in Indian Law, *California Law Review* 84. 1996.) Tell them that they will have to interpret this statement and assess its validity after this lesson.

2. Present a historical overview of the early settlement of North America using the maps listed above to describe the European “scramble” for foreign lands. After reviewing the maps, ask the students about the weaknesses of the maps. Although they are helpful in depicting the presence of European powers outside of Europe, ask the students if they see anything lacking in the maps. What do they suggest about the tribes native to North America?

3. Have the students form groups of two to four. Each group should share a packet of maps and the chronologies. On the board, create a chart similar to the treaty timeline chart found in the “Making Treaties and Weaving Wumpum” lesson plan. Include the period headings (ex. “Treaties of Alliance and Peace”), but not the dates nor details (ex. “Indians still strong militarily, numerically and economically”) listed in the lesson plan. Students should be informed that they should look at events from the 1600s to 1868.

4. Ask the students to review the packet of information in their groups. In this activity, the students will sift through the maps and chronologies and select one of the following topics:
   - Events that indicate a colonial recognition or negation of tribal sovereignty;
   - Events or occurrences that made tribes less resistant to settler encroachment (such as exposure to disease, or the departure of European powers from U.S. territory);
   - Supreme Court decisions that limited sovereignty of tribes; or
   - Changes in U.S. Federal policy that affected tribes.

5. Ask the students to categorize and place the events they selected from the packet information in the format of the timeline on the board. In other words, if a student selected the 1790 Trade and Intercourse Act as an important event, they would probably place it in either the “Treaties of Alliance and Peace” or “Beginning of Land Cessions” periods. It is up to his or her interpretation since these periods overlap. In addition to selecting the event, they should write a brief explanation as to why they feel that event or occurrence is important. The point of the exercise is for students to relate events and changing circumstances during this period of time to the gradual disregard of the inherent sovereignty of Indian tribes that resulted in dispossession, removal and reservations. Each student group should have no less than 8, and no more than 15, events in their timeline.

6. After this activity, on the board, write down the dates Hirschfelder and Montano used to describe the treaty timeline periods.

7. Each group will present to the class which events they felt were most important and write these events on the board timeline. In their presentations, they should also give a short explanation as to why they chose those dates. After all of the groups have presented, assign the task of copying down the timeline to a student or group of students. Tell them this timeline will be reproduced for the students for their own reference.

8. Introduce the concept of “Manifest Destiny” to the class and explain how this fueled the westward expansion sanctioned by the U.S. government despite treaties and how it affected Indian land tenure. Read, reprint or visually present the quote from John Mohawk to show students a Native perspective of Manifest Destiny.

9. Conclude the activity with an in-class discussion of how treaty making and Euro-American views of tribal sovereignty changed over time. Review the events that caused this change and how it affected the Indian land base. Reread the statement by David Getches to the class again and ask them to interpret what it means and assess its validity.
Evaluation:

1. Student participation in the group study activity, as well as the class presentations will provide an assessment of students’ knowledge and perceptions of the subject matter.
2. Evaluate students based on the California Standards and the Achievement Goal in this lesson.

Lesson Resources:

- Resources for the lesson packet:
  - Indian Land Tenure Foundation, Land Tenure History Timeline
  - American Indian Civics Project
  - Map of European Exploration and Settlement in the United States, 1513-1776
  - Map of The Spread of Colonization, 1600-1700
  - Maps of Exploration and Settlement:
    - before 1675
    - 1675-1800
    - 1800-1820
    - 1820-1835
    - 1835-1850
    - 1850-1890
  - Map of The Struggle for Colonial Dominion, 1700-1763
  - Map of The World, 1772
- Smithsonian Institute’s Campfire Stories with George Catlin, Making Treaties and Weaving Wampum: Communication across Cultures lesson plan.
- PBS.org
  - Manifest Destiny and Cultural Stereotypes
  - Warrior in Two Worlds
- Manifest Destiny and the Power of Perspective: The U.S. - Mexican War
- A Brief Historical Overview of the Relationship between the Federal Government and American Indian: From Colonial Times to the Present
- Ron W. Goode, The North Fork Mono Tribe’s Chronology of Land Tenure

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Links: