Grades: 9th - 12th Grade  
Lesson: 3  
Unit: 2: American Indian land tenure history  
Subject: English Language Arts  
Additional Subject(s): History/Social Studies; Science  
Achievement Goal: Describe the assumptions behind the implementation of the Dawes Act.  
Time: Multiple class periods  

Lesson Description:  
This lesson will attempt to highlight various aspects of the Dawes Act. Students should not come away from this lesson with a facile knowledge of historical facts about the Dawes Act, but with an understanding of the underlying assumptions behind its implementation and the scope and magnitude of its impacts that continue to effect Indian Country today.  

Teacher Background:  
Allotment of Indian lands was institutionalized in 1887 by the Dawes Act. Indian communities continue to face the effects of this legislation.  

Nineteenth-century proponents of allotment, who were mainly progressive non-Natives living in the Eastern United States, believed individual ownership of land would make Indians a sedentary, “civilized” people, who disregarded their leaders and the cohesiveness of the tribe. The allotment advocates envisioned Indians adopting the habits, practices and interests of the new settler population.  

The U.S. President applied the Dawes Act to reservations whenever, in his opinion, it was advantageous for particular Indian tribes. Members of the selected tribe or reservation received permission to select pieces of land—usually around 40 to 160 acres in size—for themselves and their children. If the amount of reservation land exceeded the amount needed for allotment, then the federal government could negotiate to purchase the land from the tribes and then sell it to non-tribal settlers. Sixty million acres were either ceded outright or sold to non-Indian homesteaders and corporations as “surplus lands.”  

The faulty assumptions behind these visions and the eagerness of non-Natives to acquire Native land rendered the allotment of Indians lands a complete disaster in most areas of the United States. In addition to the loss of 90 millions acres from the Indian land base, allotment had a significant social impact on Indian communities.  

In California, the results of allotment were different. Recall that the Treaties of 1851-52 remained unratified, and the relatively large reservations specified by the treaties were never created. As Florence Connolly Shipek wrote of the allotment of the smaller reservations that Congress and the U.S. President had later created in Southern California:  

> One must realize that Southern California Indian history differs from the experience of Indian tribes elsewhere in the United States...Generally, granting Indians in the United States individual legal tenure rights to land resulted in the alienation of more than two-thirds of that land and the destruction of numerous tribal governments. This did not occur in Southern California. Here less than 25 percent of the allotted acreage has been taken out of trust. Moreover, some of this out-of-trust land, or fee-patented land, is still in the hands of Indian owners. (Shipek, 1987, p.2)  

Shipek also pointed out that many Southern California Indian people wanted allotments on their reservations but resisted what they saw as a mismatch between the “idealized, equalized, rectangular, bureaucratic system” and the “varying types of land use and amounts of improvements that already existed.” Shipek continued:
It must be remembered that most reservations were within traditional territories and that long-term family and individual rights to land had accrued. The Indians wanted title to the improved lands they already held and used individually, so they objected to the way in which the allotting and surveying were being done. (Shipek, 1987, p. 47)

Executive orders created a few reservations in Central and Northern California, also. In addition, later amendments to the 1887 Dawes Act instituted a policy of issuing homesteads and allotting land from the public domain (such as national forest lands) to members of Native American tribes that had no reservations. After several years of issuing these public domain allotments, the U.S. government began to create “Indian rancherias” for “landless Indians” who had not received allotments.

**Standards:**
This lesson aligns with Common Core standards RH2, RH3, RH4, RH7, RH9.

**9-10th Grade**

**RH2** Determine the central ideas or information of a primary or secondary source; provide an accurate summary of how key events or ideas develop over the course of the text.

**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**

**RH2** Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.

**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](http://www.lessonsofourland.org).
Teacher Preparation Resources:

- Review the websites and documents in the Lesson Resources section.
- Copy or prepare to display for students the California Indian Tribal Homelands and Trust Land Map listed in the Lesson Resources section.
- To teach students about the various forms of landownership on reservations, you may want to create a glossary to hand out defining the following: Tribal trust land or land in-trust, individual trust land, fee simple land, restricted land, allotments, rancherias, and public domain allotments. Definitions of some of these terms can also be found at the Indian Land Tenure Foundations Allotment pages in the Glossary section listed in the Lesson Resources section.
- Review and print the Dawes Act (General Allotment Act of 1887). Make copies for your students to read.
- This lesson relies heavily on document analysis and textual interpretation. So the students may examine the underlying assumptions about the “civilizing” influence of individual land ownership, reprint the following paragraph which was written by the Commissioner of Indian Affairs, J. Q. Smith, in his 1876 Report to the Secretary of Interior.

Allotments in Severalty It is doubtful whether any high degree of civilization is possible without individual ownership of land. The records of the past and the experience of the present testify that the soil should be made secure to the individual by all the guarantees which law can devise, and that nothing less will induce men to put forth their best exertions. No general law exists which provides that Indians shall select allotments in severalty, and it seems to me a matter of great moment that provision should be made not only permitting, but requiring, the head of each Indian family to accept the allotment of a reasonable amount of land, to be the property of himself and his lawful heirs, in lieu of any interest in any common tribal possession. Such allotments should be inalienable for at least twenty, perhaps fifty years, and if situated in a permanent Indian reservation, should be transferable only among Indians.

I am not unaware that this proposition will meet with strenuous opposition from the Indians themselves. Like the whites, they have ambitious men, who will resist to the utmost of their power any change tending to reduce the authority which they have acquired by personal effort or by inheritance; but it is essential that these men and their claims should be pushed aside and that each individual should feel that his home is his own; that he owes no allegiance to any great man or to any faction; that he has a direct personal interest in the soil on which he lives, and that that interest will be faithfully protected for him and for his children by the Government.

- The report in its entirety can be found at Native American Documents Project at California State University, San Marcos, listed in the Lesson Resources section.
- Read and review another formal U.S. Government statement on the allotment of Indian lands listed in the Lesson Resources section. This text is then-President Chester Arthur’s statement on Indian policy reform. Make this statement available for students on the internet or through a handout.
- Read, print out or make accessible, the first four selections from “With the Nez Perce” by Jane R. Gay. Review and make available the biography of the Indian agent who allotted the Nez Perce, Alice Fletcher, listed in the Lesson Resources section.
- Obtain a copy of Native American Testimony: A Chronicle of Indian-White Relations from Prophecy to the Present, 1492-2000, Peter Nabokov. From Chapter 13, select at least one of the following and make accessible to students: “Hearts on the Ground,” “Life on the Checkerboard,” “Big Men’s Rules and Laws,” “The Outrage of Allotment,” and/or “Farming and Futility.”
- If time permits, have the students investigate further laws that made it easier for Indian allotments to become alienated to non-Natives. These Acts include the Burke Act (1906), which
was an amendment to the Dawes Act that effectively eliminated the twenty-five year trust period for allotments. This act can be found online. Another act includes the 1910 omnibus act, which deals with a number of issues arising from allotment.

- Read, review, and make available “What were the results of allotment?” by Professor E.A. Schwartz, [http://www.csusm.edu/general/404.html](http://www.csusm.edu/general/404.html) and Ron Goode’s Chronology of Land Tenure. [http://jareddahlaldern.net/lessons/GoodeLandTenureHistory.pdf](http://jareddahlaldern.net/lessons/GoodeLandTenureHistory.pdf)

**Student Activity:**

1. Begin the lesson by presenting the California Indian Tribal Homelands and Trust Land Map listed in the Lesson Resources section showing the patchwork status of California Indian lands. Review and briefly discuss the various types of ownership of Indian lands. Briefly discuss the problems that arise from such a scramble of ownership, such as jurisdictional issues, access to cultural and natural resources and challenges to land use planning. Explain that this patchwork pattern of ownership was a direct result of the history of California Indian land tenure, including the unratified Treaties of 1851-52, the Dawes Act, and the creation of executive-order Indian reservations and of Indian rancherias.

2. Summarize the key points of the allotment act or have the students read the Act itself or its summary.

3. Ask the students to investigate the assumptions about the importance of individual ownership underlying the Dawes Act by reading and thinking critically about the excerpt from the Report of the Commissioner of Indian Affairs (above) and President Chester Arthur’s statement on “Indian Policy Reform.” After reading this, lead a discussion of how the assimilation of Indians into white society was a justification for the Dawes Act, and how valid and viable this solution to the “Indian Problem” seems. To organize this discussion, follow Question 4 of Activity 3 of “The Nez Perce and the Dawes Act” listed in the Lesson Resources section.

4. To understand the Indian opposition to the Dawes Act in many areas of the United States and the difficulty in its implementation, have the students read, compare and contrast the viewpoints of E. Jane Gay in selections from “With the Nez Perce” and the American Indians in Chapter 13 of Native American Testimony. The biography of Fletcher, who is the Indian agent at Lapwai (whom Gay often refers to as “Her Majesty”), gives some additional background on the reformers who sought the implementation of the Dawes Act and the resistance of Native people. This comparison should be done either through class discussion or short essay.

5. If time permits, have students review further legislation which made it easier for allotments to pass out of Indian ownership, such as the Burke Act and the 1910 Omnibus Act.

6. Conclude the lesson by having students examine and discuss Professor E.A. Schwartz’s “What were the results of allotment?” and, for California Indian perspectives, the excerpts from Florence Shipek’s book (above) and Ron Goode’s Chronology of Land Tenure. Ask the students why historian Francis Prucha called the Dawes Act “the beginning of a new order of things.” Do they agree with this assessment? If so, have them refer back to the original Act and circle the provisions that resulted in this new order in Indian Country.

**Evaluation:**

1. As in the previous lesson, student engagement in class discussions based on their observations of maps and the analysis of documents and readings is crucial in this lesson.

2. Evaluate students based on the California Standards and the Achievement Goal for this lesson.

**Lesson Resources:**

- Indian Land Tenure Foundation
  - History of Allotment
  - Glossary
- Kappler’s Indian Affairs and Treaties
- California State University, San Marcos, Native American Documents Project
The Impact of The Dawes Act of 1887
Published on Lessons of Our Land (http://www.lessonsofourland.org)

- PBS, New Perspectives on the West
- Ron Goode’s Chronology of Land Tenure
- The California Indian Tribal Homelands and Trust Land Map
- The Nez Perce and the Dawes Act
- President Chester’s statement on Indian Policy reform.
- With the Nez Perce, by Jane R. Gay
- Biography of the Indian agent who allotted the Nez Perce, Alice Fletcher
- The Burke Act
- The Dawes Act
- What were the results of allotment? by Professor E.A. Schwartz

Source URL: http://www.lessonsofourland.org/lessons/impact-dawes-act-1887

Links:
[1] https://www.iltf.org/resources/land-tenure-history/allotment

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