Treaties and Sovereignty

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Grades: 6th - 8th Grade
Lesson: 2
Unit: 2: American Indian land tenure history
Subject: History/Social Studies
Achievement Goal: Study how treaties between the U.S. government and tribal nations were considered nation-to-nation dealings that recognized the sovereignty of Indian tribes.
Time: Multiple class periods
Lesson Resources:
- Campfire Stories with George Catlin: An Encounter of Two Cultures (http://americanart.si.edu/exhibitions/online/catlinclassroom/cl.html), Smithsonian American Art Museum, including Making Treaties and Weaving Wampum: Communication Across Cultures (http://catlinclassroom.si.edu/lessonplans/al-b.html).

Lesson Description:
Students read about and discuss the relationship between treaties and sovereignty, creating a “treaty timeline.”

Teacher Background:
A widely held misconception about Native American history is that tribes were easily conquered and simply swept out of the way to make room for non-Native settlement. Another related assumption is that treaties were documents without any meaning or were made without respect for the powers and rights of Indian people.

However, the reality that there are approximately 2.1 million Indians in the U.S. today, belonging to over 500 culturally distinct federally recognized tribes, each tribe having its own governmental structure possessing a variety of self-governing powers, is testament to the falsity behind these common misconceptions. Although many treaties were indeed broken, the fact that they are used today to defend tribal rights to various natural resources and the right to tribal self-governance indicates that they were certainly not made without respect for the sovereignty of Indian people.

A facile and unbalanced examination of history usually supports and perpetuates the misconceptions above, which in turn fuel racial prejudice. This lesson seeks to examine more closely the chapter of Indian history that is usually skipped over in more traditional educational settings. This lesson also seeks to convey to students the complexities of the history between Native Americans and the early U.S. government. This lesson will have students examine the period between 1763 and 1868, focusing on the origins of modern tribal sovereignty and how treaty-making changed over time.

Standards:
This lesson aligns with Common Core standards RH1, RH2, Rh3, RH4, RH8.

6th Grade
RH1 Cite specific textual evidence to support analysis of primary and secondary sources.
Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.

Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.

Distinguish among fact, opinion, and reasoned judgment in a text.

Teacher Preparation Resources:

- Review “A Brief Historical Overview of the Relationship between the Federal Government and American Indians: From Colonial Times to the Present” found in the Lesson Resources section. For this lesson, focus on the sections “Indian Policy: The English Legacy” and “Nineteenth Century Indian Relations with the United States of America” through the section on Indian removal. You may want to consider printing out enough copies of this essay for your students to serve as a “mini-textbook” on American Indian political history.
- Review the 1778 Delaware treaty (http://avalon.law.yale.edu/18th_century/del1778.asp). Set up access to this treaty in a way that enables the class to review this treaty together.
- Review the lesson plan Making Treaties and Weaving Wampum: Communication Across Cultures (http://americanart.si.edu/exhibitions/online/catlinclassroom/lessonplans/al-b.html) found in the Lesson Resources section—Part I, “Creating a Treaty Timeline,” is particularly helpful for this lesson.

Student Activity:

1. Begin the lesson by asking the students to define or describe what they believe “sovereignty” to mean. After a few minutes, read the portion of “A Brief Historical Overview of the Relationship between the federal government and American Indians” in class, beginning with “During most of the British colonial era…” and ending with “Such negotiations took the form of government-to-government treaties agreed upon by representatives of the British Crown and by Indian tribes.”
2. Review with the students the fact that there were several European powers attempting to colonize the North American continent at this time. Remind the students that through early relationships and trade, Indian tribes in the east were also usually well-armed. Given this, the relationships between different tribes and different European powers were extremely complex, with strategic alliances made: between tribes and against Europeans; between a tribe and European power against another tribe; and between tribes and Europeans against another European power. This instability and decentralization of authority (European governments had a difficult time controlling the actions of their settlers, for example) often sparked violence. Thus, the English saw treaties as absolutely necessary in stabilizing relations with Indian tribes. In making a treaty, the sovereignty of a tribe was recognized.
3. Introduce the class to the creation and significance of Wampum belts as a type of record for the political relations between tribes and the U.S. government using the “Making Treaties and Weaving Wampum” lesson plan listed in the Lesson Resources section—Parts II and III are recommended exercises.
4. As an example of treaty-making, review with the class the treaty between the Delaware and the U.S. Government.
5. Ask the class to read the first page and a half of “A Brief Historical Overview of the Relationship between the Federal Government and American Indians.” The students should stop reading at the “Treaties and Supreme Court Decisions” section heading.
6. Ask the students to think about and discuss how political relationships with American Indian tribes began to change after the colonists won their independence from England and other European countries began to leave North America. Review with the students the treaty timeline provided in Part I of the “Making Treaties and Weaving Wampum” lesson plan.
7. Instruct the class to read “A Brief Historical Overview of the Relationship Between the Federal Government and American Indians.” Have them read the “Treaties and Supreme Court Decisions” section and the paragraphs on the removal of Indian tribes to Oklahoma.
8. End this lesson with a class discussion on how the nature of treaty-making changed in the years from 1763 to 1868. Emphasize that while treaties were often broken by the U.S. federal government, they are genuine affirmations of the sovereignty of Indian tribes, and this affirmation guarantees powers of self-governance and self-determination to tribes today.

Evaluation:

1. This lesson requires the students to relate a complex historical context to the origin of modern, federally-recognized tribal sovereignty. Assess the students’ understanding of this relationship through their participation in the class discussions about sovereignty, significance of the wampum belts, in-class readings and the changing nature of treaty-making.
2. The students should come away with the knowledge that sovereignty is an ancient power of self-governance that is affirmed (not created) by treaties. They should also understand that while the nature of treaty-making changed throughout history, all treaties are evidence of the recognition of tribal sovereignty.

Lesson Resources:

- Campfire Stories with George Catlin: An Encounter of Two Cultures (http://americanart.si.edu/exhibitions/online/catlinclassroom/cl.html), Smithsonian American Art Museum, including Making Treaties and Weaving Wampum: Communication Across Cultures (http://catlinclassroom.si.edu/lessonplans/al-b.html).
- Treaty with the Kansa, 1825 (http://digital.library.okstate.edu/kappler/Vol2/treaties/kan0222.htm), via Kappler’s Indian Affairs: Laws and
- Article: A Brief Historical Overview of the Relationship between the Federal Government and American Indians (/sites/default/files/Historical%20Overview_Humboldt%20University.pdf): From Colonial Times to the Present. The American Indian Civics Project, Center for Indian Community Development at Humboldt State University.

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