

AMERICAN INDIAN HISTORY, CULTURE AND LANGUAGE

Curriculum Framework

U. S. POLICIES

LESSON PLAN MODELS

Primary

Intermediate

Middle School

Senior High

Office of Indian Education
Minnesota Department of Education
1500 Highway 36 West
Roseville, MN 55113-4266
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LEARNER OUTCOME

Students will be able to:

- Assess the impact of ever-changing **U.S. Policies** on American Indians.

ATTRIBUTES

This outcome includes:

- Understanding that U.S. policies are numerous and affect all aspects of life.
- Understanding that lives are disrupted as a result of these policies.

RATIONALE

All students must have knowledge of the impact of U.S. policies on American Indians in order to understand American history and contemporary American Indian tribal issues. Students will be able to function as responsible citizens if they understand that some tribal issues affect all citizens.

CULTURAL CONTENT/AMERICAN INDIAN WORLD VIEW

American Indians have been the subject of more federal legislation than any other group in the United States. Some of the acts, treaties and agreements were good faith attempts by Congress to negotiate with American Indians honorably. Other attempts were disguised measures designed to take Indian lands and destroy their government.

American Indians are deeply affected by federal Indian policies of the past and present. These policies have been inconsistent and have changed direction many times depending on the political climate.

Issues, which are current in American Indian communities today, are all directly or indirectly related to federal Indian policies. These issues include tribal sovereignty, treaty rights, native language rights, repatriation of human remains and sacred religious objects, religious freedom, education rights of American Indian children, and the right of American Indians to determine their own future. Current trends in federal Indian policy reflect these important concerns.

TEACHER BACKGROUND INFORMATION

When the United States became established as a new nation in the late 1700's, it was small and weak compared to the American Indian nations throughout the rest of the land. This new nation was cautious in interacting with American Indian tribes. As the population grew, the agenda of the

United States soon became one of taking Indian land and resources as quickly and cheaply as possible.

Manifest Destiny

The doctrine of Manifest Destiny set policy for federal legislation for the next 200 years. This policy, based on the European system of monarchy, promoted the belief that it was the divine right of the United States to colonize this country.

Following the precedent set by European policy, United States Indian policy initially consisted of making formal treaty agreements with American Indian tribes. These treaties recognized Indian tribes as sovereign nations. They were treated as foreign nations within and outside the borders of the United States. The earliest treaties were agreements about trade, friendship or establishing boundaries between lands. Later, treaty agreements became a way for the federal government to acquire vast amounts of Indian land. During the 19th century, the United States made hundreds of treaties with American Indian tribes. In this way, the country expanded its borders.

Anishinabe and Dakota Lands

In Minnesota, the land that was acquired by the United States was transferred through treaties with American Indian nations. These nations included the Dakota (Sioux) and Anishinabe (Chippewa, Ojibwe). At an earlier time, France claimed this territory as their own. During the French and Indian War, these tribes either remained neutral or fought on the side of the French against the British. After the war, the victorious British claimed this territory as part of Great Britain. It fell into American jurisdiction after the War of 1812.

The treaties signed by the Dakota and Anishinabeg with agents of the U.S. government were not all land cession treaties. However, it was through treaty agreements that the federal government acquired most of the land base in Minnesota. The Indian nations retained small portions of these original homelands. These lands are known today as Indian reservations and communities. To understand why Indian nations agreed to give up large portions of their land, it is important to consider the circumstances under which the leaders signed the treaties. The belief system of American Indians does not include the concept of land ownership. Further the American Indians who signed treaties usually did not read, write or speak English. They had to depend on interpreters who may have been in collusion with federal agents. In some circumstances, government agents, in collusion with fur traders, claimed that American Indians owed a great debt to the traders which could only be paid off by selling a part of their lands. In other cases, American Indian leaders were actually jailed, or intimidated in other ways, to get them to sign the treaties. In still other cases, American Indian leaders believed if they did not sign the treaties, their land would be taken from them by force. Signing was done with thumbprint or an X.

FEDERAL POLICIES AS ACTS OF ASSIMILATION

Indian Removal Act of 1830

When land could not be easily acquired through treaties, the federal government initiated a policy of removing American Indians from their homelands by force. This policy, called the Indian Removal Act of 1830, continued until the close of the 19th century. All Indian Nations had their version of the Trail of Tears and were affected by this policy. Although genocide of American Indians was not a written part of federal Indian policy, it was carried out repeatedly throughout the 19th century.

Bureau of Indian Affairs

After the Federal Government acquired most of the land, and confined Indian nations to small portions of their original homelands or removed them to remote lands, federal policy took a new direction. The intention was that American Indian tribes would no longer be free to function as nations and run their own affairs. American Indians were to be assimilated and vanish into the mainstream of American life. The War Department of the federal bureaucracy had originally been in charge of Indian affairs. Their duties were shifted to the Interior Department and Indian nations came under the direct control of the Bureau of Indian Affairs. The Bureau was to carry out the provisions of the treaties and through these treaty obligations a “trust responsibility” was developed.

Instead of protecting Indian rights, the Bureau often helped make possible the further confiscation of Indian lands and resources. Indian government agents assigned to reservations during this time were notorious for corrupt practices. Some intercepted food supplies destined for American Indian families and sold these goods on the open market to profit themselves.

Trust Relationship

Under U.S. law, Indian nations and tribes are said to be permanent “wards” or beneficiaries of a guardianship or trusteeship established and administered by the U.S. Government. *Worcester v. Georgia* 31 U.S. [6 Pet.] 515, 548-549 (1832). Today this trust relationship is more commonly known as the “Indian trust relationship” or the “Indian trust responsibility.”

The rules governing the Indian trust relationship are unilaterally imposed on Indians by the U.S. Government. Congress makes all the laws governing its trust powers and trust duties, and Congress is legally accountable only to itself for its actions as trustee. However, in some instances, tribes can sue the United States for breach of the trust responsibility. This concept, known as plenary power, is further confirmed and deemed acceptable by the Supreme Court.

To meet the demand of settlers for Indian land, the United States increasingly relied on the guardianship or trusteeship rationale as justification for the seizure of Indian lands. One graphic example is the 1887 General Allotment Act which was designed by the U.S. Congress to divest Indian Nations of

their land titles and to divide up all Indian lands into individually owned homesteads.

--Adapted from the Indian Law Resource Center

Dawes Act

The Dawes Act or General Allotment Act of 1887 became a key part of the federal assimilation policy. This act divided up reservation lands which had been held in common by the tribes into sections of 40, 80, and 160 acres. These allotments were then assigned to individuals or family groups. American Indians were supposed to farm these lands in the style of their non-Indian neighbors. The “excess” land would then be sold to non-Indian settlers and lumber interests. The Dawes Act resulted in the loss of millions of acres of Indian land.

The Dawes Act affected all of Minnesota’s reservations, with the exception of the Red Lake Reservation. Prior to 1863, the seven clans who comprised the Red Lake Chippewas owned and controlled more than 13 million acres of land in Northwestern Minnesota. Land holding extended into North Dakota on the west and Canada on the north. Leaders at Red Lake fought allotment of their lands and they succeeded in retaining tribal lands in common ownership. Red Lake is called a closed reservation because the United States never held title to the land and the land was never allotted. Elsewhere in Minnesota, the Dawes Act and a state law called the Nelson Act of 1889, paved the way for private interests to grab the valuable timber lands located on the remaining six Anishinabe reservations.

The General Allotment Act was one of many federal laws and agreements, which allotted (divided) Indian lands among tribal members. The allotment acts were intended to dissolve the Indian nations and assimilate Indians into American society by breaking up the tribal land base. Under these acts, tribally held lands were usually divided into 80 to 160 acre allotments for each member of the tribe living at that time. These allotted lands were to be held in trust for the Indian allottees by the U.S. government for a period of twenty-five years. During the trust period, the Indian allottee could not sell, lease, mortgage or give the land without the approval of agency officials. At the end of the trust period or when the Secretary of Interior determined that Indian allottees were “competent” to manage their own affairs, the restrictions on the land were to be removed and the land would be owned by the Indians. The trust period could be (and has been) extended by federal administrators and Congress.

COERCED ASSIMILATION

As the federal policies were carried out, American Indians were no longer free to openly practice a traditional way of life. Indian agents in collusion with missionaries broke up ceremonies and confiscated and destroyed sacred religion objects. Churches were established on Indian reservations and some American Indians were coerced into converting to Christianity. Others converted voluntarily. Federal assimilation policy also directed American Indians to change farming methods. This meant raising domesticated animals and planting foreign crops such as wheat, oats, and barley. Therefore, many

American Indians had little choice but to accept a new economy. With a greatly reduced land base, it became increasingly difficult to support families by traditional hunting, fishing and plant-gathering practices. These attempts to effect assimilation resulted in major changes to lifestyle, roles and culture of American Indians.

Boarding Schools

During the boarding school era in Minnesota, some American Indian children were taken from their parents and grandparents, either by force or persuasion, and placed in government or mission-run boarding schools. The children were taught the Christian religion and Euro-American style education. The schools operated in strict military fashion and the children were severely disciplined for infractions of the rules. They were not allowed to speak their own language or practice traditional customs. Children were parented by an institution rather than the extended family. Individual youngsters had varying kinds of experiences at the boarding school. Families sometimes sacrificed so that their children could attend. The negative/positive impact on families and parenting extends to the present time.

The Major Crimes Act

The Major Crimes Act was passed by Congress in 1885 as a “rider” to an Indian appropriations bill. Before that time, Indian nations retained exclusive power to make criminal laws and punish Indians who committed crimes against other Indians within Indian country. The Supreme Court had recognized this power of Indian governments in *Ex Parte Crow Dog*.

Congress, however, passed the Major Crimes Act in order to limit the power of Indian nations to punish Indians who violated tribal law. Despite this clear violation of Indian sovereign rights, the Supreme Court upheld the legality of the Act.

This Act gave the U.S. Courts jurisdiction over seven crimes, which included murder, rape and robbery, when those crimes were committed by an American Indian against another American Indian within Indian country. The Act has been changed so that today it covers fourteen crimes. The effect of the Act has been to punish crimes committed by American Indians in accordance with American ideas of law and justice rather than in accordance with Indian law and custom. Although some courts have interpreted this act as taking away Indian jurisdiction over the listed crimes, it is possible that both an Indian nation and the U.S. government have jurisdiction.

American Indian Citizenship

The federal assimilation policy was still in effect in 1924 when Congress declared that all American Indians within the borders of the United States would be United States citizens. The need to acknowledge the contributions of American Indians in World War I may have prompted this action. Citizenship, however, did not guarantee American Indians the rights other citizens

enjoyed under provision of the Constitution. Special acts of Congress had to be legislated and are still being legislated to ensure American Indian citizens equal rights.

Consequences of Assimilation

By the early years of the 20th century, the consequences of federal assimilation policies were disastrous to American Indians. The Indian nations had lost most of their land base. The American Indian population was decimated and diseases such as smallpox ravaged American Indian communities. American Indian families were living in conditions of severe poverty. Federal policy was slow to respond. It was not until the entire country became paralyzed by the Great Depression of the 1930's that Indian policy began to change. A 1928 government report, known as the Meriam Report, documented the deplorable conditions that existed on Indian reservations. When Franklin Roosevelt became President in 1934, he appointed a long time activist on behalf of American Indians, John Collier, to be Commissioner of the Bureau of Indian Affairs. With need for change documented in the Meriam Report, Collier helped to push the Indian Reorganization Act through Congress. This act provided for a reorganization of tribal governments. The tribal governments began to act as corporate entities and engage in economic enterprises for the benefit of the tribe as a whole. The act also provided for the conservation and development of Indian lands and a means for tribes to strengthen their economies. Most of the Minnesota reservations were reorganized under provisions of this act.

By the early 1950's, federal Indian policy shifted again. In 1953, Congress authorized the Bureau of Indian Affairs to administer what became known as the Relocation Program Public Law 280. The goal of this program was to relocate American Indian families from reservation communities to urban areas where they were more likely to find employment. American Indian families who were willing to move were entitled to certain benefits. These benefits included travel and moving costs as well as weekly allowance until the first paycheck arrived. The program, however, made little effort to protect American Indian families from exploitation by landlords. In addition, the government assumed no responsibility for the discrimination American Indians experienced in the cities. Prejudice and discrimination on the part of employers and others made city life unbearable at times.

Public Law 83-280

Passed in 1953, P.L. 83-280 ushered in the "termination" phase of federal Indian affairs. It gave Wisconsin, Oregon, California, Minnesota and Nebraska criminal and civil jurisdiction in Indian Country and provided a mechanism by which the states could assume permanent jurisdiction over Indian nations. The law applied to most of the Indian land within the boundaries of those five states except for the Red Lake Reservation in Minnesota and the Warm Springs Reservation in Oregon.

The criterion for applying P.L. 83-280 was whether or not the United States judged that certain Indian nations were capable of handling their own affairs. The U.S. excluded those tribes which had law and order organizations that functioned in a reasonably satisfactory manner. Termination of the federal relationship with the Menominees, Klamaths and other Indian nations soon followed.

By giving jurisdiction to the states without the consent of affected Indian nations, the United States was blatantly ignoring American Indian sovereignty and in many cases, ignoring treaties. Unfortunately, the legality of P.L. 83-280 has never fully been questioned by U.S. courts.

Concurrent Resolution 108

Some tribes even lost federal protection and services during this era. Concurrent Resolution 108 was passed in August, 1953 and became known as termination. The Klamath Indians of Oregon and the Menominee of Wisconsin lost reservation status through termination legislation. These lands became counties even though an adequate tax base did not exist for them to function as counties. These tribes eventually had their reservation status restored but great damage had already been done. While in effect, the federal policy of termination served to further cut the ties of American Indians to their lands. Congress repudiated this policy by restoring reservation status to the Klamath and Menominee tribes.

American Indian Chicago Conference

In 1961, American Indians from over 90 tribes came together for the American Indian Chicago Conference. "A Declaration of Indian Purpose" was the result of this conference. This declaration called for a new direction in federal Indian policy. The conference attendees wanted to see more decisions made by tribal governments. They wanted tribal governments to run their own programs for their people. This was an open forum about policy issues of American Indians from across the country.

Indian Civil Rights Act

In the 1960's Congress began to address the issues raised by the civil rights movement. In 1968, during the Johnson administration, Congress enacted the American Indian Civil Rights Act that affected Indian tribes directly. The Community Action Program as it became known, allowed tribes to run their own economic development projects. Tribal officials initiated many economic enterprises.

P.L. 93-638

By 1970, the Nixon administration announced that self-determination for Indians would be the official government policy. In 1975, Congress enacted the Indian Self-Determination and Education Assistance Act P.L. 93-638.

Education Amendments Act

A Congressional Report “A National Tragedy – A National Challenge,” submitted by the staff of Senator Robert Kennedy in 1968, called Indian education a “national disgrace.” American Indians had the highest dropout rates from school and the lowest education level of any ethnic group in America. This report triggered Congressional action. Federal funds became available in the following decade for preschool, public school and alternative school programs for American Indian children. In 1972 Congress passed P.L. 92-318 Education Amendments Act known as Title IV, now Title VII.

Effects of Termination Period

Although the termination period was relatively short-lived (lasting approximately 10 years), its effect has been long lasting. A termination policy such as that underlying P.L. 280 is clearly harmful to the exercise of the sovereign powers of Indian nations.

Indian Restoration Act

The Secretary of the Interior has the power under the Indian Restoration Act to return lands to any tribe that is organized under the provisions of that law. Most Indian tribes accepted the law and have constitutions approved in accordance with its provisions. In the first few years after the passage of the I.R.A., lands were not only restored to tribes but surplus lands were made into Indian reservations, particularly in California, and people were encouraged to settle on them.

In Minnesota:

TRIBE	ACRES	PAST USE and PRESENT NEED
Grand Portage, Nett Lake, and White Earth Bands of Chippewa, rural Minnesota	90	Small tracts of former fire stations, roads, sheds, could be used by tribes to consolidate with existing tribal lands. The pieces are very small.
Lac du Flambeau Lac du Flambeau, Wisconsin	40	Former school lands needed for tribal development

Religious Freedom Act

In 1978, Congress passed the American Indian Religious Freedom Act. While other citizens took religious freedom for granted, a special act of Congress became necessary to guarantee these rights to American Indians. Before passage of this act, American Indians were arrested and jailed for gathering eagle feathers and plant materials that formed an important part of traditional religious ceremonies. They were denied access to sacred sites on federal lands. American Indian prisoners were allowed to see priests, ministers, or rabbis but they were not allowed access to Indian healers and were not allowed to have pipe ceremonies or conduct sweat lodge ceremonies. The Amer-

ican Indian Religious Freedom Act addressed these issues and served to “protect and preserve the inherent right of American Indians to believe, express and exercise their traditional religions. This right includes access to sacred sites, the use and possession of sacred objects and the freedom to worship through ceremonies and traditional rites without being interfered with.”

The Religious Freedom Act was amended in 1994 to allow American Indians the right to use peyote for sacramental purposes.

Indian Child Welfare Act

In 1978, Congress passed the Indian Child Welfare Act that addressed the problem of American Indian children being placed in non-Indian foster and adoptive homes at an alarming rate. Instead of working with families to solve family problems, too often, American Indian children were simply taken away from parents. Interested students and teachers should research the involvement of the Mormon Church on this issue. The Indian Child Welfare Act helped to stimulate better solutions to family problems in ways that allowed the children to remain Indian. It gave tribes the chance to have a say in what was happening to their children. Minnesota’s State Legislature strengthened this federal act by passing the Ethnic Heritage Protection Act in 1983. While the intent of these acts are laudable, there are still children being removed illegally from families.

Graves Protection and Repatriation Law

Two Congressional acts have addressed a very old and painful issue to American Indians. Federal laws have protected the cemeteries of other citizens by making it a crime to vandalize the graves of the dead. No such protection was ever provided to American Indian burial grounds. Grave robbers motivated by profit and archaeologists in the name of science have dug into American Indian graves and confiscated the remains to be displayed in museums. In 1989, Congress authorized the Smithsonian Institution in Washington D.C. to return the 18,500 American Indian remains, which had been collected over many years and placed on shelves, to be returned to appropriate tribes for reburial upon request of the tribes. In 1990, Congress passed the Native American Graves Protection and Repatriation Act. This act protects Indian graves on federal and Indian lands. It prohibits the sale of Indian remains. It also calls for the repatriation of American Indian remains held in federal institutions or museums which receive federal funds. This law does not protect Indian graves found on private lands or American Indian remains held in private institutions, private collections or museums which operate without federal funds. In Minnesota, state law makes it a felony for anyone to disturb an American Indian grave.

The repatriation of sacred objects to American Indian tribes is just the beginning. In 1989, Congress made provisions to start a new National Museum of the American Indian in Washington D.C. This museum would be managed by American Indians. The 1990 Graves Protection and Repatriation Law

states only that sacred objects held in federal government institutions be returned to appropriate Indian tribes. Sacred objects held by private collectors or private museums are not covered by this law.

Under the Act the Secretary of Interior can make grants to Indian tribes for the purpose of assisting such tribes in the repatriation of Native American cultural items. The Secretary is also authorized to make grants available to museums for the purpose of assisting the museums in conducting the inventories and identification required under the Act. The deadline for museums to submit these summaries to the tribes was November 16, 1993.

After the affected objects and remains are reviewed by the museums in order for "Summaries" to be created. Tribal governments and traditional religious leaders are to be "consulted" by the museums and universities. This "consultation" is not optional, as Congress indicated that the tribes and the museums must cooperate in ensuring NAGPRA works. "Consultation" may include travel to review the museum or university holdings, as well as discussion with officials at those institutions. "Consultations," therefore, will require tribes to use their own resources to meet with the museum officials and tribal obligations under the Act. Upon written request by a tribe or tribal member, supporting documentation for a given summary is to be made available by the museum.

By November 16, 1995, collectors now holding affected items are required to create detailed "inventories" to be submitted to the affected tribes. During this stage of the repatriation process tribes are again to be "consulted". If the cultural affiliation of ancestral remains can be determined, the museum or university must notify the affiliated tribe in writing within six months. Upon written request by a tribe or tribal individual, the documentation supporting a given inventory must be made available by the museum.

Conclusion

Major changes in American Indian policy appear to come in 50-year cycles according to George S. Grossman, author of *The Sovereignty of American Indian Tribes: A Matter of Legal History*. The policy respectful of Indian sovereignty following the independence of the United States was changed drastically by the removal policy of the 1830's and the subsequent reservation system. In the 1880's came allotments and the desire to turn American Indians into individual farmers. The folly of this was recognized and ended by the New Deal policies of the 1930's. The termination policy of the 1950's can be viewed as a temporary interruption, with the major New Deal reforms continuing intact to guide Indian policy today.

In the 1990's American Indians are taking an active role and are commanding respect for their views. The concept of sovereignty is sure to remain a vital principle of policy with strong support from American Indian communities and individuals.

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Website: American Indian Policy Center
www.airpi.org

Website: Minnesota Indian Affairs Council
www.indians.state.mn.us

U.S. POLICIES-PRIMARY LESSON

1. DEVELOPMENTAL CHECKPOINT

Primary students will understand the meaning of the term *policy*. The students will recognize that policies have impact on the lives of people.

OUTCOME INDICATOR

- Checklist for group discussions
- Checklist for Futures Wheel graphic and comprehension of impact

CURRICULUM INTEGRATION

Social Studies, Language Arts

LESSON OUTCOMES

Students will be able to:

- give examples of specific policies affecting their lives
- orally or on graphic organizers show the impact of specific policies

INSTRUCTIONAL STRATEGIES

1. Introduce topic of policies by discussing family/household policies such as:
 - Everyone will get enough sleep, therefore: Bedtime is set at a certain time; no telephoning before 8:00 a.m. or after 9:00 p.m.
 - Everyone shares in keeping house neat and clean, therefore: finish chores before watching TV or playing; help clear table after eating.
 - There will be a safe and healthy environment, therefore: no guests will smoke in the house; no riders will smoke in the family vehicles.

Encourage students to continue this list. Distinguish between the policy and the rules which carry out that policy.

2. Continue brainstorming school policies and rules:

Policy: There will be a safe and healthy environment.

Rule: Walk, do not run in the building.

Rule: The building will be smoke-free and weapon-free.

Policy: The school day will run on a schedule.

Rule: Be on time for classes, lunch, and the bus.

Rule: Bring written excuses if absent or tardy.

3. With students, create a Futures Wheel on chalkboard or flipchart showing positive and negative impact of designated policies. Example: What would happen if there were school rules for students to wear uniforms to school? Think of a consequence such as “parents save money.” Now think of possible impacts both positive (money available for other things) and a negative (some clothing stores lose business). Infer the policy to which this rule relates.

VOCABULARY

policy
policy makers
impact
rules

MATERIALS

Chalkboard or flipchart
Futures Wheel
Graphic organizer to show impact of policy

ASSESSMENT TASKS

- In small groups students prepare policy and impact graphic on flipchart or large paper. School policies directed by government might be: Free breakfast and lunch for everyone, or **no** more school breakfasts or lunches will be served at schools.

ENRICHMENT ACTIVITIES

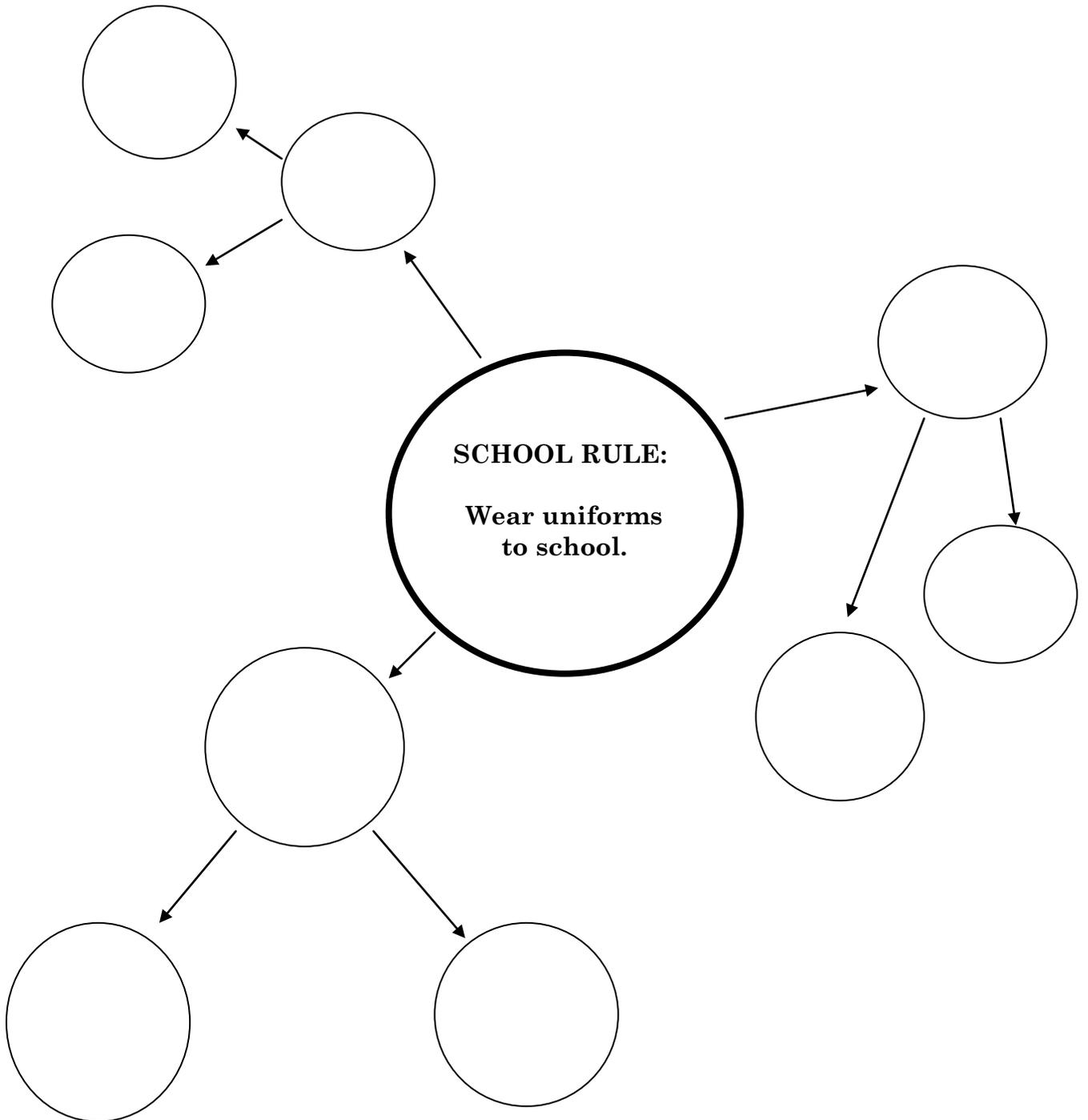
- Brainstorm a list of policy makers. Invite local policy makers into the classroom.
- Do a Future Wheel on a possible U.S. policy –“Free college education for everyone”.
- For one day, change a rule or policy in the classroom that is the opposite, or interferes with, a rule already in place.

LINKAGES

Family Life Framework

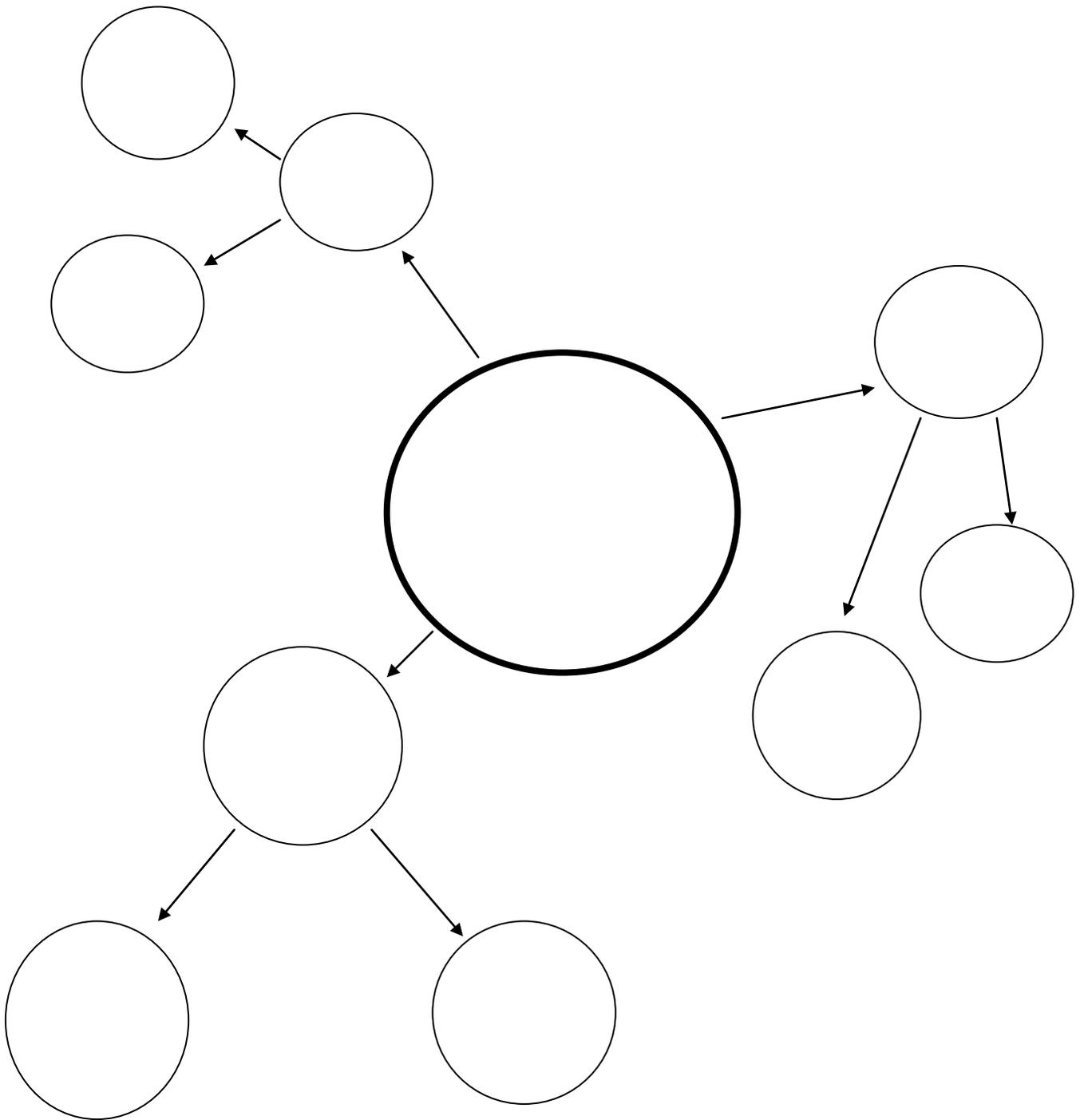
Future Wheel

WHAT WOULD HAPPEN IF ...



Add more wheels as needed.

WHAT WOULD HAPPEN IF ...



Add more wheels as needed.

U.S. POLICIES-INTERMEDIATE LESSON

2. DEVELOPMENTAL CHECKPOINT

Intermediate students will understand that voting rights evolved and were not available to everyone from the beginning of United States history. Students will have knowledge of how American Indians became citizens.

OUTCOME INDICATORS

- Checklist for discussions and debriefing sessions

CURRICULUM INTEGRATION

Social Studies, Citizenship

LESSON OUTCOMES

Students will be able to:

- understand how American Indians became U.S. citizens.
- know the changes over time regarding who may vote in U.S.

INSTRUCTIONAL STRATEGIES

1. This lesson may be incorporated in the study of the Constitution, U.S. Government, Citizenship, Voting or similar themes. To introduce the specific information in this lesson, invite students to consider these questions:
 - Who is a citizen?
 - What are the advantages of being a citizen of a country?
 - What are the responsibilities of being a citizen?
 - Are American Indians citizens of U.S.?
 - Have American Indians always been citizens?
 - According to the Constitution, who could/can vote?
2. Write student responses to the introductory questions on a flipchart for future reference.
3. Assign social studies textbook reading and activities for general information on citizenship, the Constitution, voting, and so on.
4. Assign student readings for individuals. Discuss in pairs and share conclusions with large group.
5. Students read parts in this Voting Scenario:
 - 1st Voter: May I have a ballot, please?
 - Poll Worker: You cannot vote.
 - 1st Voter: Why Not?
 - Poll Worker: You are American Indian. You cannot vote.

2nd Voter: May I have my ballot?

Poll Worker: No, you are a black man. Black men have no right to vote.

3rd Voter: May I have a ballot, please?

Poll Worker: No, you are a female. You do not qualify, only free white males may vote.

4th Voter: May I have a ballot, please?

Poll Worker: You look mighty young to me. How old are you?

4th Voter: I am eighteen, sir.

Poll Worker: You are too young.

Debriefing Questions:

1. Why is there a need for common voting requirements?
2. What are the requirements for voting today?

(Today, any man or woman who is an American citizen, eighteen (18) years and older, who has not been convicted of a serious crime and who is mentally able, may vote. Cities, states, and counties require that citizens live in an area a certain length of time and that they must register before they can vote.)

VOCABULARY

citizen

citizenship

vote

U.S. Constitution

MATERIALS

Social Studies textbooks

Student Readings

RESOURCE LIST

Update on Law-Related Education. American Bar Association Press: 750 North Lake Shore Drive, Chicago, IL 60611, 1987.

ASSESSMENT TASKS

- Participate in discussions
- Read and respond to student readings
- After listening to the Voting Scenario, identify changes that have occurred since that scenario was factual in United States.

ENRICHMENT ACTIVITY

- Write a paper on how history might be different if 200 years ago the groups mentioned had been granted the right to vote.
- Write a paper on how the present may be different one of the groups mentioned still could not vote.
- Put together a timeline that shows when certain groups of people could vote in the U.S.

LINKAGE -- History

STUDENT READINGS

“We the People”

When the Constitution was signed, the only people permitted to vote in most states were free (not slave or indentured servants), white, male, property owners over twenty-one years of age. This meant that the following people were not allowed to vote:

- Non-property Owners
- African Americans
- Women
- American Indians
- Youth (persons under 21)

Why would some government leaders want to deny these groups the right to vote?

Answers:

Non-property Owners – Political leaders believed that voting should be limited to men who owned property because “Those who own the government ought to run the government.”

African Americans – Most Black Americans were denied the right to vote because they were not recognized as citizens and were considered property.

Women – Women were traditionally viewed as property, without a separate legal existence, and incapable of independent thinking.

American Indians – Many people believed American Indians should not vote because they kept their traditional customs. Those in power wished to maintain control of government and did not want to take a chance on allowing American Indians to vote.

Youth (persons under 21) – Persons under twenty-one were considered too young, too immature, and not responsible enough to vote. People believed that many young people were not well-informed about politics, candidates, and the community, and therefore could not cast intelligent votes.

Each of the above groups now have the right to vote. What do you think led to these changes?

Answer (example):

American Indians – The recognition of the voting rights of American Indians closely parallels the movement supporting civil rights of other groups. As people became more sensitive to and aware of the issues of American Indians, many felt

that, as the first Americans, American Indians should have the same rights as other Americans. And even though they were the first Americans, living there for thousands of years, it was not until Congress passed the Indian Citizenship Act of 1924 that they were made citizens and provided an opportunity to vote in most states.

Arizona still prohibited American Indians from voting by interpreting their status as “persons under disability,” but finally, in 1948, the Arizona Supreme Court struck down this practice, and American Indians were granted the right to vote.

Indian citizenship was not a new or novel idea, having been tried before in various treaties from 1830 onward. In the late nineteenth century reformers placed much faith in ownership of private property as a way of making American Indians into independent citizens. The General Allotment Act was one method of getting citizenship. An Ojibwe who obtained a fee patent (at the end of the 25-year trust period or earlier with the approval of the secretary of the interior) on his land became a citizen of the United States and was no longer a tribal member. Another method used after 1888 was that American Indian women could marry white men and gain citizenship.

Many people mistakenly thought that American Indians automatically qualified for citizenship after the passage of the fourteenth amendment in 1868. Section I of this amendment says that “all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States...” Since American Indians were not specifically excluded, some people saw “all” and concluded that American Indians were covered by the amendment.

In 1870 the Senate Judiciary Committee reported that Indians who maintained their tribal relations were not made citizens under the amendment because they still adhered to tribal jurisdiction and therefore could not be said to have been born under the **complete** jurisdiction of the United States.

Many American Indians volunteered for service in the armed forces during the First World War. Their record of wartime heroism produced a strong wave of public feeling that such patriotism should be recognized. The Act of November 6, 1919, and the Act of July 19, 1919, gave citizenship to all American Indians who had been members of the armed forces during the war.

THE INDIAN CITIZENSHIP ACT OF 1924

On June 2, 1924, all American Indians born within the territorial limits of the United States were declared to be citizens. The Act provided “that the granting of such citizenship shall not in any manner impair or otherwise affect the right of any Indian to tribal or other property.” Indians are American citizens. They also possess all the rights of tribal members as outlined in their tribe’s constitution and by-laws. American Indians are not to lose civil rights because of their status as members of a tribe, and members of a tribe are not to be denied their tribal rights because of their American Citizenship.

U.S. POLICIES-MIDDLE SCHOOL LESSON

3. DEVELOPMENTAL CHECKPOINT

Middle School students will know the record of suppression of American Indian spirituality in the past and present and understand the efforts put forth to correct the inequities.

OUTCOME INDICATORS

- Graphic organizer, rubrics for group information gathering process and reporting (in the format of hearings)
- Likert scale to assess hearings

CURRICULUM INTEGRATION

Social Studies, Civics, Human Rights

LESSON OUTCOMES

Students will be able to:

- understand the history of suppression imposed by United States policies against American Indian practices of spirituality.

INSTRUCTIONAL STRATEGIES

1. Introduce readings and research on suppression of American Indian spirituality.
2. After initial browsing and reading, student groups select a particular issue or time period on which to become expert. Examples might be Sacred Lands, Spiritual Practices, Museum Displays of Sacred Objects, Museum Displays of Skeletons, the Religious Freedom Act of 1978, The First Amendment to the Constitution, Court Cases.
3. With student input create a rubric to assess the information gathering process and the hearings.
4. Distribute copies of Religious Freedom Act of 1978. Read and discuss together. Sift out main points of information:
 - Who is affected by this law?
 - What is the intended result?
 - Why was this law needed? Why wasn't the First Amendment enough?
 - How effective has this law been?
5. Share background information contained in articles, editorials and any current local cases.
6. Provide speakers/addresses for further research. Check phone directories and contact local American Indian organizations.

7. After students have gathered data, organize classroom hearings patterned after Congressional hearings to get the information out and pull together the evidence accumulated. A panel may be organized to formulate conclusions and recommendations.

Consider: What do you think causes the problem American Indian people have with being able to practice their religion/spirituality? After identifying the problem, brainstorm solutions and select the most promising ones to present to the class and/or other audiences.

8. List ways and means to protect religious freedom. Fill out graphic organizer to highlight attacks on American Indian spirituality and the resistance American Indians have made.

VOCABULARY

Students create their own glossaries starting with *religion* and *spirituality*.

MATERIALS

Attached readings in addition to current information to be found in periodicals and from resource people.

Graphic organizers

Rubrics

Likert scales

RESOURCE LIST

Brown, Joseph Epes. *The Sacred Pipe*. Penguin Books, 1953.

Eastman, Charles Alexander. *The Soul of the Indian*. Lincoln: University of Nebraska Press, 1911.

Buffalohead, Priscilla. "Mita-kuyapi-owasin – All My Relatives." *Grandmother Spider's Web*. Indian Education Program, Anoka-Hennepin District 11, 1991.

Grover, H., Satx, R., Gulig, A., & Germaine, R. *Classroom Activities on Chipewewa Treaty Rights*. Wisconsin Department of Public Instruction, 1991.

Johnston, Basil. *Ojibway Heritage*. Lincoln: University of Nebraska Press, 1990.

Johnston, Basil. *Ojibwe Ceremonies and Ojibwe Heritage*. Toronto: McClelland and Stewart, 1976.

Lame Deer, John and Eroles, Richard. *Lame Deer: Seekers of Visions*. New York: Simon and Schuster, 1972.

Neihardt, John G. *When the Tree Flowered*. Lincoln, NE: University of Nebraska Press 1951.

Black Elk Speaks. Lincoln, NE: University of Nebraska Press, 1961.

The Sixth Grandfather. Lincoln, NE: University of Nebraska Press, 1984.

ASSESSMENT TASKS

- Gather information on suppression of American Indian spirituality.
- Report findings using the format of public hearings.
- Create rubrics and Likert scales to assess research and reporting skills.

ENRICHMENT ACTIVITY

- Create a timeline of events and documents related to American Indian history. Highlight those relating to spirituality/religion.
- Look at the history of other religious organizations in the United States. Compare them with the history of American Indian spirituality. List the differences and similarities.

LINKAGES

Language Arts, Communication

'For All My Relations'

by George Tinker

**Justice, Peace
And the Integrity
of Christmas Trees**

Heavily dressed for the half-meter of snow covering the hillside, a small group of people stood quietly around what looked like a perfect, if rather large, Christmas tree. Mostly American Indians from a variety of tribes and all members of an Indian congregation, the people were speaking prayers on behalf of the tree.

It could have been most any annual congregational outing to harvest a Christmas tree for their church, except that these prayers were a thorough mixture of Christian prayers and traditional Indian tribal prayers. Some of the people were actually speaking to the tree, speaking words of consolation, apology, purpose, and promise. The two pastors held tobacco in their hands, ready to offer it back to the Creator, to offer it for the life of this tree, to offer it to the four directions, above and below, to offer it in order to maintain the harmony and balance of creation even in the perpetration of an act of violence.

There is a real sense of cultural value being exposed in this gathering. There is here an attitude toward creation and all the created that sets American Indians apart from other Americans and most Europeans. Yet it is rather characteristic of a great many of the world's indigenous peoples and represents a set of cultural values that perseveres even in those indigenous communities that have been converted to Christianity.

Perhaps an outsider would describe the attitude of these Indians as one of awe or wonderment. We American Indians think of it as neither, but would prefer to call it "respect" – the appropriate attitude of respect necessary to fulfill our responsibility as part of the created whole, necessary to help maintain the harmony and balance, the interdependence and interrelationship of all things in our world.

Even more important is the underlying notion of reciprocity. The prayers and the offering of tobacco are reciprocal acts of giving something back to the Earth and to all of creation in order to maintain balance even as we disrupt the balance by cutting down this tree.

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Black Hills: Sacred Hills

Text: Tom Charging Eagle and Ron Zeilinger

Visitor centers,
parking lots and hiking trails
are built on sacred ground
where our people try to fast and pray to God,
the Great Spirit.
Places long known and revered by our people,
have been “discovered” and put to other uses.

It is like the holy places of the Jews and Christians,
although it is a hill like Mt. Sinai,
instead of a building like a church.
Its rocks and pines rise high above the plains,
making it a beautiful meeting place
between God and human beings.

Public Law 95-341 – August 11, 1978
95th Congress

Joint Resolution
American Indian Religious Freedom

Whereas the freedom of religion for all people is an inherent right, fundamental to the democratic structure of the United States and is guaranteed by the First Amendment of the United States Constitution;

Whereas the United States has traditionally rejected the concept of a government denying individuals the right to practice their religion and, as a result, has benefited from a rich variety of religious heritages in this country;

Whereas the religious practices of the American Indian (as well as Native Alaskan and Hawaiian) are an integral part of their culture, tradition and heritage, such practices forming the basis of Indian identity and value systems;

Whereas the traditional American Indian religions, as an integral part of Indian life, are indispensable and irreplaceable;

Whereas the lack of a clear, comprehensive, and consistent Federal policy has often resulted in the abridgement of religious freedom for traditional American Indians;

Whereas such religious infringements result from a lack of knowledge or the insensitive and inflexible enforcement of Federal policies and regulations premised on a variety of laws;

Whereas such laws were designed for such worthwhile purposes as conservation and preservation of natural species and resources but were never intended to relate to Indian religious practices and, therefore, were passed without consideration of their effect on traditional American Indian religions;

Whereas such laws and policies often deny American Indians access to sacred sites required in their religions, including cemeteries;

Whereas such laws at times prohibit the use and possession of sacred objects necessary to the exercise of religious rites and ceremonies;

Whereas traditional American Indian ceremonies have been intruded upon, interfered with, and in a few instances banned:

Now therefore be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That henceforth it shall be the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions of the American Indian, Eskimo, Aleut, and Native Hawaiians, including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites.

Sec. 2 The President shall direct the various Federal departments, agencies, and other instrumentalities responsible for administering relevant laws to evaluate their policies and procedures in consultation with native traditional religious leaders in order to determine appropriate changes necessary to protect and preserve Native American religious cultural rights and practices. Twelve months after approval of this resolution, the President shall report back to the Congress the results of his evaluation, including any changes which were made in administrative policies and procedures, and any recommendations he may have for legislative action.

Approved August 11, 1978

Media coverage can help protect Indians' freedom of worship

By Winona LaDuke
White Earth Reservation
White Earth, Minnesota

I felt truly blessed. I sat quietly listening as one great spiritual leader after another stood and spoke. The spiritual teachers and leaders of many nations were present – the Lakota, Anishinabe, Winnebago and Cheyenne had all sent delegations to address the U.S. Senate Select Committee on Indian Affairs at legislative hearings March 8 in Minneapolis.

Pete Catches was celebrating his 82nd birthday that day, but that didn't stop him from speaking to the Senate – so important was the hearing. Catches called on Congress to affirm the religious freedom of Native Americans by amendments to the American Indian Religious Freedom Act, a 1978 law intended to protect the religious worship by native people but which lacks any enforcement power. Catches asked that native people be allowed to continue worshiping without arrest, and that sacred sites, such as those in the Black Hills of South Dakota, be returned to the native people – those who worship at those shrines.

Betty Green Crow asked why native children should learn that their form of prayer would lead to their arrest, and how Americans could support this affront to culture and continuity of generations. Green Crow, representing the Native American Church, told of her return to the traditional religion after years in the Christian faith, and that this reaffirmation of her culture, language and teachings had strengthened her belief in the world – and in the future.

Since the use of peyote as a sacrament is punishable by jail, Green Crow, like other Native American Church members, is hopeful that the federal government will reaffirm church members' rights to use it and other sacred sacraments. As Paul Sand, representing the American Council of Jews and Catholics, beseeched the committee: "If one sacrament is illegal, the day will come when most are challenged." Sand's institution supports the right of Native Americans to worship freely.

The sixth of 15 to give testimony, Eddie Benton, a leader of the Three Fires Midewiwin Society (a traditional Anishinabe Ojibwe religious practice), also challenged Congress.

"We have always prayed and had our ceremonies," he said. "Most have been illegal, and we have been arrested many times, but whether or not the law allows us to pray, we will continue our traditions, our language and our cultures."

These were the first federal hearings I remember being held in Minneapolis for quite some time. Three senators – Paul Wellstone, D-Minn., Ben Nighthorse

Campbell, D-Colo., and Chairman Daniel Inouye, D-Hawaii, -- were present, as were hundreds of American Indians from at least five states. All felt moved by the presence and the testimony, and the historic nature of the occasion.

What was most ironic, however, was the lack of media coverage. Although National Public Radio did some short pieces on the hearing, the Star Tribune buried a quarter-page story on page 8A, pushing the Mille Lacs controversy, African-Americans in hockey and a lunatic in Texas to the front page.

I guess this is exactly the reason that Native Americans need religious freedom, even today. Those testifying, in “conventional” or Christian terms, were equivalent to the Dalai Lama, the Archbishop of Canterbury and at least three bishops or other leaders in national or international churches. Simply stated, if the Archbishop of Canterbury or Desmond Tutu had come to town, would we have had front-page coverage? I think so. Yet, ignorance of native cultures and basic racism continue to play a role in press coverage of native people. Our spiritual traditions are as valid as those of other cultures, as are our human rights.

The amendments to the American Indian Religious Freedom Act should be of interest to everyone – after all, wasn’t this country “founded” on “freedom of religion?” And so, perhaps, it would be honorable to accord the same to the “first Americans.” The amendments would protect sacred sites from desecration, allow for the use of sacraments and other central components of the religion, even if in violation of certain state laws, and would allow for native prisoners to have the same access and right to worship as other prisoners. Basic human rights.

Let Senator Wellstone know that other people care about native freedom of religion.

--Permission to reprint granted by Winona LaDuke, White Earth Reservation, Minnesota

MINNEAPOLIS STAR TRIBUNE
MARCH 27, 1993

Religious freedom still eludes Native Americans

By Jack Weatherford
Professor of Anthropology
Macalester College, St. Paul, MN

In Siberia last summer, at a remote spot along the shores of Lake Baikal, the world's deepest lake, I witnessed the joy of Buryat people again praying and tying ribbons to trees in a sacred grove. After seven decades of official atheism, religion has returned to the former Soviet Union. The Buryats, like people across Siberia, once again regained access and control of their traditional religious sites.

With the lifting of centralized Soviet authority, religion is flourishing again in Siberia. In Irkutsk, the traditional Siberian capital, I watched the painstaking restoration of the dome of a 19th-century church that had been allowed to rot almost to collapsing. I saw one of the few surviving nuns from Stalin's religious purge being pushed around her old nunnery in a makeshift wheelchair.

I saw joy in the streets of Ulan Ude, where the Dalai Lama arrived to minister to his flock of Mongol followers in Siberia's only Buddhist monastery.

As I watched the excitement of native people across Siberia returning to their traditional forms of worship, I could not help but think of the native people of North America who do not yet have access to their traditional places of worship, ceremony and vision quest. I could not help but hope that soon the Lakota, Navajo, Blackfeet, Hopi, Ojibwa, Choctaw, and all the other native nations of North America might share in the joy of the Buryat, Chuckchi, and Tuvan of Siberia.

Of all the spiritual suffering a people can undergo, the separation from traditional religious sites seems to be one of the most painful and often one of the most difficult to justify by any government. For religions such as Judaism, Islam, Taoism, Hinduism and Christianity, the sacred site usually is a temple, church, monastery or shrine. For the native peoples who follow traditional ways of worship, the site more often is a sacred brook, a quiet

forest, a rocky promontory, a special lake or some other natural spot that has not been transformed into a man-made edifice.

In a series of federal court decisions over the past few years, the United States has decided that its native people do not have access to their sacred areas. The Indians do not have the same rights as other Americans or even rights equal to those of the native tribes of Siberia. Not only are Indians often barred from sacred areas, but across the United States many sites now stand in danger of being destroyed. Navajo and Zuni shrines are being razed by a gravel-mining operation at Woodruff Butte, Ariz. The U.S. Forest Service plans a uranium mine on the religious territory of the Havasupai in Arizona. Particularly in the western and plains states, sacred places such as the Medicine Wheel in the Big Horn mountains of Wyoming and Lakota sacred sites in the Black Hills of South Dakota are threatened by unnecessary tourism and economic development.

Religious freedom would not mean much to Catholics if they were not allowed to use wine for mass.

Such freedoms would not seem real to Muslims if they were forbidden to make the pilgrimage to Mecca or to pray in a mosque. In order to have religious freedom people must have access to the places and means of worship, without that fundamental right there is no freedom of religion.

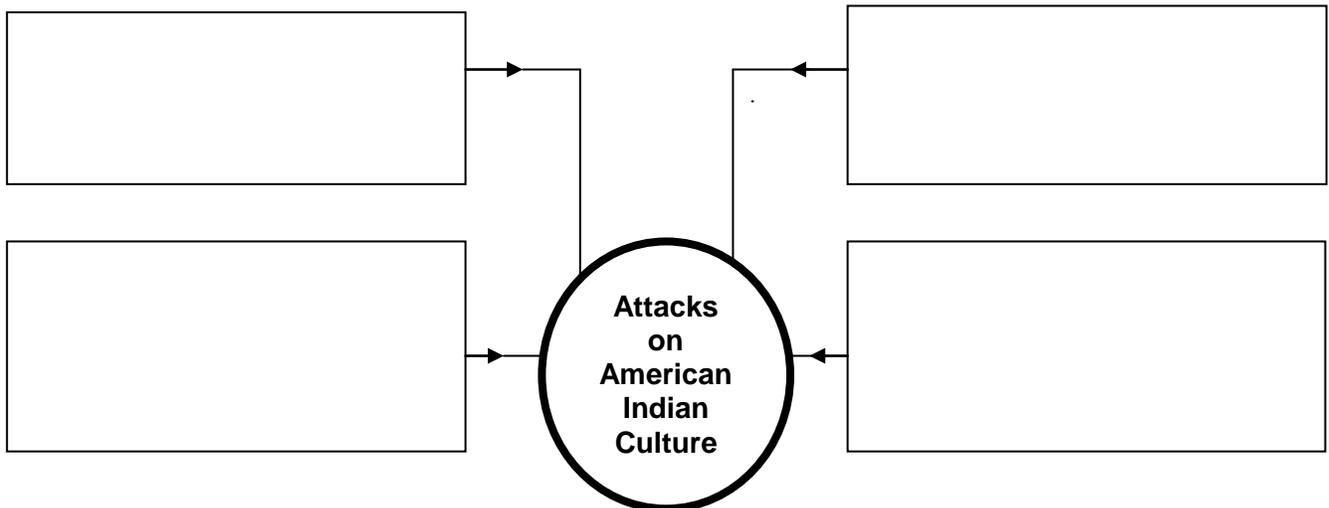
In 1978, Congress passed the American Indian Religious Freedom Act. This act allowed natives to practice rituals and ceremonies such as the Sun Dance that had been declared illegal. With the passing of that law, many people believed that at last Indians had the same rights as other Americans; at last Indians could worship freely in their own way.

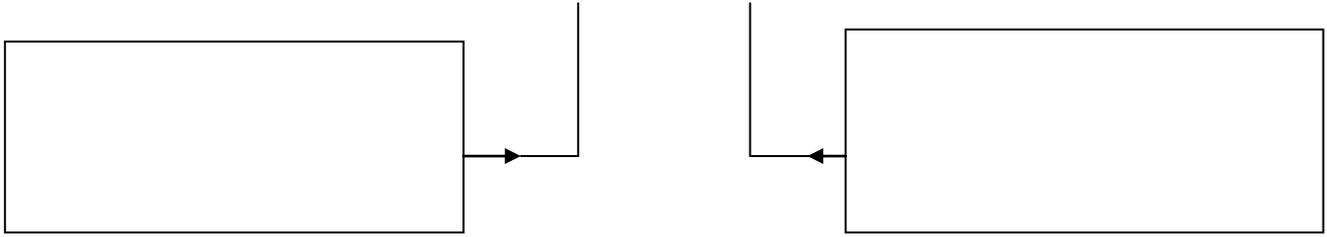
Having the right to religious freedom means little to a people who do not have access to their religious sites. Now it is time for the United States to pass a sacred sites law and allow native people access to their traditional places of worship.

Across the United States Indian leaders spent much of last year drafting legislation that will restore to Indians the right to have access to traditional sacred areas and to engage in their traditional acts of worship. In 1992 this sacred-lands legislation will be considered by Congress.

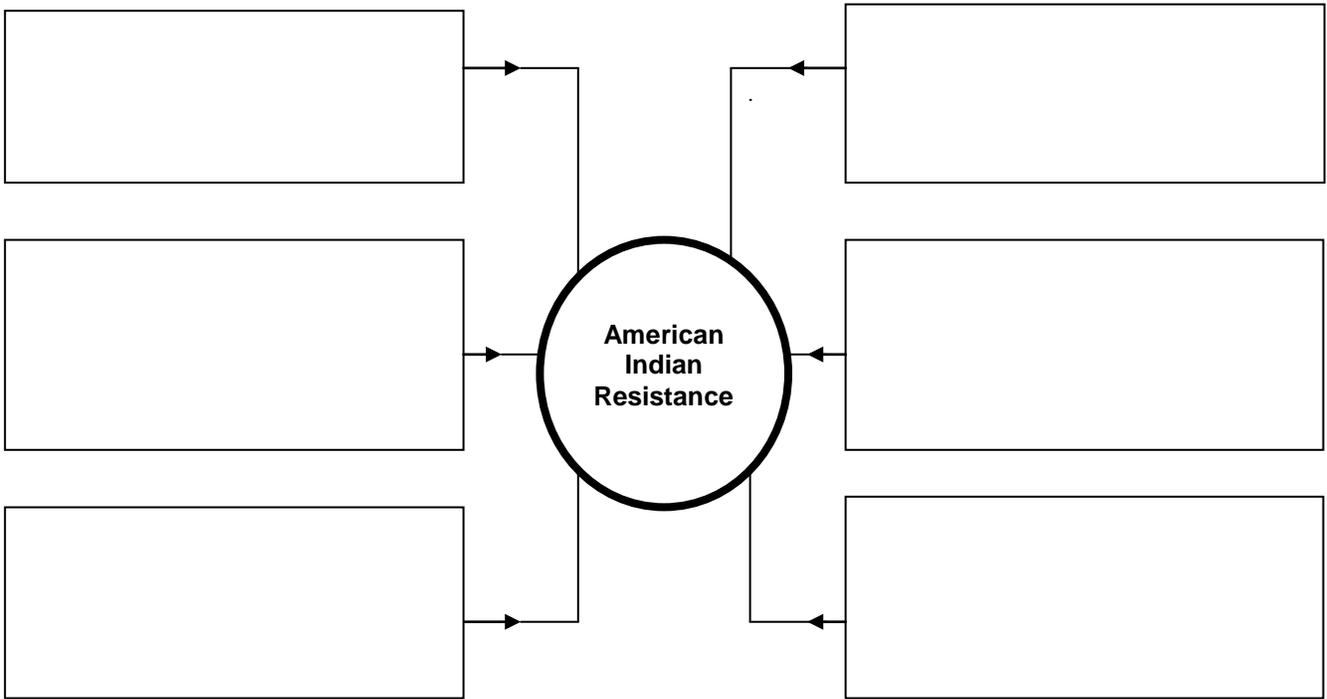
If the Iron Curtain of atheism can be lifted across Eastern Europe, if religious freedom can be restored in Russia, then surely the United States of America, the first nation to recognize the right of religious freedom in its constitution, can finally grant complete religious freedom to the first Americans. Let this year be the one that the United States passes a law guaranteeing Indians access to religious sites.

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Summarize information from your readings by filling in this graphic organizer. Use additional sheet if needed.



U.S. POLICIES-SENIOR HIGH LESSON

4. DEVELOPMENTAL CHECKPOINT

Senior High students will have knowledge of U.S. policy toward American Indians as divided into five periods reflecting shifting views.

OUTCOME INDICATORS

- Summary chart showing an outline of U.S. policy toward American Indians.
- Map series indicating the loss of American Indian lands.

CURRICULUM INTEGRATION

Social Studies, History, Government

LESSON OUTCOMES

Students will be able to:

- Name the broad categories of U.S. policy toward American Indians.
- Describe U.S. policy regarding American Indians during the first century of U.S. independence

INSTRUCTIONAL STRATEGIES

1. Determine knowledge level of students by asking them to name any U.S. policy they can think of that impacted American Indians in the past and any that impact American Indians at the present time.
2. If any information is forthcoming in this initial discussion, place it on a flipchart timeline for additions and future reference.
3. Reveal a broad outline of categories of U.S. policy similar to the following:
 - Separation: U.S. policy was to remove American Indians from the land that European Americans wanted and to set up boundaries between the two peoples.
 - Coercive assimilation: U.S. policy sought to replace American Indian culture and to make them become farmers and artisans under conditions dictated by European Americans.
 - Tribal restoration phase I: U.S. policy reversed course and encouraged American Indians to maintain their tribal existence if they so chose.
 - Termination: U.S. policy was to break off all relationships of protection and assistance with the federal government.
 - Tribal restoration phase II: U.S. policy encouraged tribal adaptation to American society and reaffirm cultural choice.
4. Acknowledge that readings and examples of all these phases will require more than one lesson. A start will be made in understanding the **Separation** period by studying a number of readings and relating the readings to textbook information.
5. Students examine copies of treaties included in the “Treaties” chapter (Intermediate, Middle School and Senior High) of this curriculum, for the purpose of finding details of U.S. policy during the land acquisition and separation period.

6. Individually or in small groups, students read *background information* included in the “Treaties” chapter (Intermediate, Middle School and Senior High) to find details of U.S. policy during the land acquisition and separation period.
7. Students gather information on the series of federal laws passed to regulate trade with the Indian tribes and to preserve peace on the frontier. While originally designed to implement the treaties and enforce their terms against the unruly action of non-Indians on the frontier, these laws gradually became the foundation upon which Federal Indian Policy was established. These laws were called the Non-Intercourse Acts, the first of which was enacted July 22, 1790.
8. Individually or in small groups, students read quotations from Thomas Jefferson, Ish Tah Ba (Sleepy Eye), or Oo Pee Ya Hed Ay A (Curly Head). Note the dates and circumstances. What conclusions can be reached from comparing these quotations? List treaties and other events impacting American Indians between the dates of 1803 and 1851.

VOCABULARY

coercive assimilation
tribal restoration
termination

MATERIALS

Treaties Chapter (Intermediate, Middle School and Senior High)
Student Readings

RESOURCE LIST

Fond du Lac Education Division, Dan Anderson, Curriculum Developer.
The Ojibway of Minnesota, Part I, 1985.

Grover, H., Satx, R., Gulig, A., & Germaine, R. *Classroom Activities on Chippewa Treaty Rights*. Wisconsin Department of Public Instruction, 1991.

Laduke, Winona. *Native Struggles for Land and Life*. South End Press. (1999).

Spicer, Edward H. *The American Indians*. Cambridge: Belknap Press of Harvard University, 1980.

ASSESSMENT TASKS

- Create a chart which shows U.S. policies toward American Indians during the first century of U.S. independence. Use written evidence such as treaties and laws. Include quotations by American Indians and non-Indians of that era.
- Produce a series of maps to show the loss of American Indian lands.

ENRICHMENT ACTIVITY

- Gather information on one or more of the other periods describing U.S. policy trends. Prepare a presentation for the class or another student audience.
- Gather background information on the Reorganization Act. Discuss how history would have dealt with the American Indian without the Reorganization Act.
- The Red lake Band of Chippewa Indians rejected the Indian Reorganization Act. Compare the results of this decision to other tribes who rejected the Indian Reorganization Act (Pueblos and Navajos).

LINKAGES

Language Arts, Treaties Lessons

STUDENT READING

An “Unofficial & Private” Policy

The following excerpt is from a private letter from President Thomas Jefferson to William Henry Harrison dated February 27, 1803.

Mr. Harrison was a former medical student, who joined the military and quickly rose in rank because of his tenacity in fighting Native people. It was Mr. Harrison's army that hunted and terrorized tribes across the Ohio valley in the early 1800's. Mr. Harrison is widely known as the man who sought to kill Tecumseh, the gifted Shawnee leader. At the time of this letter, Mr. Harrison was the newly elected Governor of the Indiana Territory. Mr. Harrison's political career was launched under the banner of Indian fighting.

This letter was a personal explanation from the President on how Mr. Harrison might carry out his duties as the Governor of a would-be state. President Jefferson clearly outlines how the operation of government trading houses, originally set up under President Washington, were to be used as an economic means of obtaining the lands occupied by Native people:

... this letter being unofficial and private, I may with safety give you a more extensive view of our policy respecting Indians, that you may the better comprehend the part dealt out to you in detail through the official channel...

... Our system is to live in perpetual peace with the Indians, to cultivate an affectionate attachment from them, by everything just and liberal which we can do for them within the bounds of reason, and by giving them effectual protection against wrongs from our own people.

The decrease of game rendering their subsistence by hunting insufficient, we wish to draw them to agriculture, to spinning and weaving. The latter branches they take up with great readiness, because they fall to the women, who gain by quitting the labors of the field for those which are exercised within doors.

When they withdraw themselves to the culture of a small piece of land, they will perceive how useless to them are their extensive forests, and will be willing to pare them off from time to time in exchange for necessaries, for their farms and families.

To promote this disposition to exchange lands, which they have to spare and we want, for necessaries, which we have to spare and they want, we shall push out trading houses, and be glad to see the good and influential individuals among them run in debt, because we observe that when these debts get beyond what the individuals can pay, they become willing to lop them off by a cession of lands.

At our trading houses, too, we mean to sell so low as merely to repay us cost and charges, so as neither to lessen nor enlarge our capital. This is what private traders cannot do, for they must gain; they will consequently retire from the competition, and we shall thus get clear of this pest without offense or umbrage to the Indians.

In this way our settlements will gradually circumscribe and approach the Indians, and they will in time either incorporate with us as citizens of the United States, or remove beyond the Mississippi.

The former is certainly the termination of their history most happy for themselves; but in the whole course of this, it is essential to cultivate their love.

As to their fear, we presume that our strength and their weakness is now so visible that they must see we have only to shut our hand to crush them, and that all our liberalities to them proceed from motive of pure humanity only.

Should any tribe be foolhardy enough to take up the hatchet at any time, the seizing the whole country of that tribe, and driving them across the Mississippi, as the only condition of peace, would be an example to others...

- Writings of Thomas Jefferson from an article by Red Elk Banks in *The Circle*, May 1993

In 1851 at Traverse des Sioux, the Dakota agreed to sell much of their land in southern and western Minnesota. United States officials signed the treaty first. Then 35 Dakota chiefs stepped forward, each touching the pen with which the secretary wrote their names. Many made short speeches, and, as they signed, they received presidential medals and other gifts. Artist Frank B. Mayer was on hand to record the event. He made an oil painting in 1885 based on sketches he made during treaty negotiations.

“Your coming and asking me for my country makes me sad; and your saying that I am not able to do anything with my country, makes me still more sad.”

- Ish Tah Ba (Sleepy Eyes) at the Traverse des Sioux treaty negotiations, 1851.
Quoted by James M. Goodhue, a journalist.

“You think it is a great deal you are giving for the country. I don’t think so; for both our lands and all we get for them will at least belong to the

white man. The money comes to us, but will all go to the white men who trade with us.”

- Oo Pee Ya Hed Ay A (Curly Head) at Traverse des Sioux, 1851
Quoted by James M. Goodhue, a journalist

Henry Knox, Secretary of War, made responsible for Indian affairs by an Ordinance of August 7, 1786, “came to realize that agreements with the Indians based upon the right of conquest did not work and that adherence to such a policy would continually endanger the peace of the frontier.”

“The historic fact is that practically all of the real estate acquired by the United States since 1776 was purchased not from Napoleon or any other emperor or czar but from its original Indian owners...What we did acquire from Napoleon was not the land, which was not his to sell, but simply the power to govern and to tax...”

- Felix Cohen in a statement on Indian title in 1947

(A footnote to Felix Cohen’s statement might include additional facts: the “purchases” were forced and payments in many cases have not been made as of 1999.)