

Lesson at a Glance

**Northern Plains Treaties:
Is a Treaty Intended to Be Forever?**

Grade

- 9-12

Subjects

- Government and Civics
- History
- Social Studies

Key Message

The treaty-making process recognized the inherent sovereignty of Native Nations. However, while Article VI of the United States Constitution defined treaty law as the supreme law of the land, Native Nations found out that treaty promises—solemn legal obligations—were not always honored. Two historic treaties serve as case studies for applying an understanding of intentions, motivations, and outcomes of treaty making between Northern Plains Native Nations and the United States government: the 1851 Horse Creek Treaty and the 1868 Fort Laramie Treaty.

Pedagogical Approach

- This online lesson provides teachers and students with Native perspectives about treaty making between Native Nations and the United States. Over a relatively brief period of time, Native Nations made nearly four hundred treaties with the U.S. government, the vast majority of which were not honored by the United States. This lesson brings attention to the difficult choices and consequences Native Nations faced when entering into treaty negotiations. Students will examine the intentions, motivations, and outcomes of treaties, and consider the importance and impact of differing worldviews. In this lesson, we feature the perspectives of Native Nations while also offering the viewpoints held by officials representing the United States government at the time that two important nineteenth century treaties were made.
- This module utilizes the Inquiry Design Model (IDM), which implements the C3 Inquiry Arc and the C3 Framework Dimension Standards into a student-centered inquiry-based approach to teaching and learning. Like the IDM, our approach seeks to “honor teachers’ knowledge and expertise and avoids over prescription by highlighting key elements, offering pedagogical suggestions, and relying on teacher expertise and experience.”¹ Likewise, our module includes an inquiry blueprint that outlines supporting questions, featured sources, and performance tasks necessary for students to construct arguments that pertain to the

1 S. G., Grant, Kathy Swan, and John Lee, *Inquiry-based Practice in Social Studies Education: Understanding the Inquiry Design Model* (New York: Routledge and C3 Teachers, 2017).

compelling question. In addition to embodying the C3 Framework and IDM, this module utilizes elements of Understanding by Design (UbD) and Universal Design for Learning (UDL).²

Overarching Standards

Performance tasks in this module revolve around the skills outlined in the Common Core State Standards (CCSS) and the C3 Framework Dimension Standards, which seek to elaborate on the CCSS by diving deeper into skills necessary for college, career, *and civic life*.³ In an effort to provide skills-based assessments and to meet the needs of a diverse body of teachers, we have elected to use these two nationally recognized sets of skills-based standards. The standards we list correlate to measureable objective-based assessments through formative and summative performance tasks. The content and themes in this module are highly influenced by the National Council for the Social Studies National Curriculum for Social Studies, specifically in the ten themes of social studies and NMAI’s own framework for Essential Understandings about American Indians. We also considered other nationally recognized sets of standards, such as the National Geography Standards, the Framework for Twenty-First Century Learning, and the Council for Exceptional Children’s Ethical Principals and Professional Practice Standards for Special Educators. While exploring the stages of this inquiry, notice that corresponding Common Core Anchor Standards follow each set of grade-level standards.

[C3 Dimension Standards]

D1.5.9-12. Determine the kinds of sources that will be helpful in answering compelling and supporting questions, taking into consideration multiple points of view represented in the sources, the types of sources available, and the potential uses of the sources.

D4.1.9-12. Construct arguments using precise and knowledgeable claims, with evidence from multiple sources, while acknowledging counterclaims and evidentiary weaknesses.

D4.3.9-12. Present adaptations of arguments and explanations that feature evocative ideas and perspectives on issues and topics to reach a range of audiences and venues outside the classroom using print and oral technologies (e.g., posters, essays, letters, debates, speeches, reports, and maps) and digital technologies (e.g., Internet, social media, and digital documentary).

[CCSS: 9-12 Grade Specific Standards]

CCSS.ELA-LITERACY.WHST.9-10.1: Write [construct] arguments focused on discipline-specific content.

CCSS.ELA-LITERACY.WHST11-12.1: Write [construct] arguments focused on discipline-specific content.

[CCSS: Corresponding Anchor Standards]

CCSS.ELA-LITERACY.CCRA.W.1: Write arguments to support claims in an analysis of substantive topics or texts using valid reasoning and relevant and sufficient evidence.

² Grant Wiggins and Jay McTighe, *Understanding by Design* (Alexandria, VA: Association for supervision and Curriculum Development, 2005; Ron Mace, Center for Universal Design, (1997).

³ John Lee and Kathy Swan, “The C3 Framework and the Common Core State Standards,” in *Social Studies For The Next Generation: Purposes, practices, and implications of the College, Career, and Civic Life (C3) Framework for Social Studies State Standards*, *NCSS Bulletin 113*, (2013): xxii-xxiii; NCSS, “How to Read the C3 Framework,” *NCSS Bulletin 113*, (2013): 12-13.

IDM Blueprint

Compelling Question	Is a Treaty Intended to Be Forever?		
Standards	<p>D1.5.9-12. Determining sources from multiple points of view. . . D4.1.9-12. Constructing evidence-based arguments from multiple sources. . . D4.3.9-12. Present adaptations of arguments. . . using print and oral technologies. . . CCSS.ELA-LITERACY.WHST.9-10.1 and CCSS.ELA-LITERACY.WHST11-12.1 Write [construct] arguments focused on <i>discipline-specific content</i>.</p>		
Staging the Question	Construct a mind map associated with the term <i>sovereignty</i> ; then, summarize facts about sovereignty, and make inferences about what it means for Native Nations to be sovereign. Refine mind maps after watching the video Let's Talk Treaties .		
Supporting Question One	Supporting Question Two	Supporting Question Three	
What values shaped treaty making between Native Nations and the United States?	How did the intentions of the Horse Creek Treaty compare with the outcomes?	Did parties to the Fort Laramie Treaty honor their treaty obligations?	
Formative Performance Task	Formative Performance Task	Formative Performance Task	
Make inferences about the values and beliefs that shaped treaty making between Native Nations and the United States government by using an annotator tool and a flow chart.	Make inferences about possible intentions and outcomes of the 1851 Horse Creek Treaty using a graphic organizer.	Craft evidence-based claims and counterclaims that support or refute the assertion that parties to the Fort Laramie Treaty met their treaty obligations.	
Featured Sources	Featured Sources	Featured Sources	
<p>Source Set A: Words Matter Case Study Source Set B: Values Case Study</p>	<p>Timeline: U.S. Expansion or Invasion? Events that Led to the 1851 Horse Creek Treaty Source Set A: The 1851 Horse Creek Case Study Map: <i>Lands of the Horse Creek Treaty Nations</i></p>	<p>Timeline: Conflict Leading to the 1868 Fort Laramie Treaty Source Set A: The 1868 Fort Laramie Treaty Map: <i>Lands of the 1868 Fort Laramie Treaty Nations</i></p>	
Summative Performance Task	<p>Argument: Is a treaty intended to be forever? Construct an argument (e.g., detailed outline, graphic, presentation, or essay) that addresses the intentions, motivations, and outcomes of treaty making between Native Nations and the U.S. government as demonstrated in the 1851 Horse Creek Treaty and 1868 Fort Laramie Treaty, using specific claims and relevant evidence from historical and contemporary sources, while acknowledging competing views.</p>		
Mapping Informed Action	<p>Understand: The unique characteristics and challenges of organizing youth action and how youth groups from the Standing Rock Sioux Tribe take informed action by planning, organizing, and carrying out actions in order to rectify injustices and strengthen cultures.</p>		
	<p>Assess: How and why informed actions are organized in order to enact social or political change.</p>		
Taking Informed Action	<p>Act: NK360° Framework for Taking Informed Action</p>		

Pedagogical Framework

KNOW

Article VI of the United States Constitution defines treaties as the “supreme law of the land.” Therefore, the violations of treaties represent a gross disregard for the Constitution. European settlement and American expansion had devastating impacts on Native Nations, who continue to resist and act against policies that seek to damage their sovereignty and cultures.

- **Staging the Question:** European nations arrived in the Americas and established settlements on lands inhabited by sovereign Native Nations. In an effort to protect and preserve their people and cultures, Native Nations often made sacrifices and signed treaties with other sovereign nations, including the United States.
- **Supporting Question One:** The British American colonies recognized Native sovereignty and negotiated with Native Nations for the acquisition of their lands, sometimes by treaty and other times through coercion or conquest. Cultural and religious beliefs about material possessions, use and ownership of land, and the sanctity of promises influenced both treaty negotiations and ensuing treaty agreements.
- **Supporting Question Two:** Many Native Nations of the Northern Plains, along with officials representing the United States government, participated in the negotiations of the 1851 Horse Creek Treaty. Native Nations shared common concerns about Westward Expansion and the preservation of their homelands, ways of life, and their people’s survival. The U.S. government entered into treaty negotiations in order to gain passage through the Northern Plains to lands further west.
- **Supporting Question Three:** The 1868 Fort Laramie Treaty determined the territorial boundaries for bands of the Great Sioux Nation and promised “absolute and undisturbed use and occupation” of those lands. In the years that followed, a series of treaty violations committed by settlers, the U.S. military, and gold miners in an effort to take Native lands culminated in the U.S. government’s seizure of the Black Hills.

UNDERSTAND

Sovereign nations make their own laws and those laws often reflect a society’s values and beliefs—or worldview. Treaty making, like most other aspects of U.S. Indian policy in the nineteenth century, was solidly rooted in the worldview of the Europeans who colonized the Americas. Official American documents often used terms like “savage” and “uncivilized” to describe Native people. Words and attitudes such as these served to justify the taking of Native lands. As the Europeans and, later, the Americans hunger for land grew, the concept of Manifest Destiny evolved and was embraced as inevitable progress. This worldview contrasted starkly with Native philosophy and political ideology.

- **Staging the Question:** Sovereign nations make their own laws; laws often reflect a society’s values and beliefs, or worldview.
- **Supporting Question One:** Words reflect beliefs and values. A nation’s beliefs and values are reflected in its system of laws and can be revealed through the words used in diplomacy and treaty making. Broken treaty promises resulted from differences in values, ethics, and governmental procedures.



- **Supporting Question Two:** Treaty negotiations between the United States and Native Nations were complex; parties entered treaty negotiations with specific outcomes in mind. Native Nations who joined treaty negotiations did so in an attempt to protect their people through diplomacy. Westward Expansion and prejudice and racism towards American Indians negatively impacted relations between the U.S. and Native Nations of the Northern Plains.
- **Supporting Question Three:** Territorial expansion by settlers and the U.S. government's desire for lands compromised treaty promises. Native Nations resisted further incursion into their lands in different ways and today continue to hold the U.S. government accountable for honoring treaty obligations.

DO

Is a treaty intended to be forever? Construct an argument (e.g., detailed outline, graphic, presentation, or essay) that addresses the intentions, motivations, and outcomes of treaty making between Native Nations and the U.S. government as demonstrated in the 1851 Horse Creek Treaty and 1868 Fort Laramie Treaty, using specific claims and relevant evidence from historical and contemporary sources while acknowledging competing views.

- **Staging the Question:** Construct a working definition of the term sovereignty using evidence-based facts pertaining to sovereignty.
- **Supporting Question One:** Make inferences about the values and beliefs that shaped treaty making between Native Nations and the United States government by using an annotator tool and a flow chart.
- **Supporting Question Two:** Make inferences about possible intentions and outcomes of the 1851 Horse Creek Treaty using a graphic organizer.
- **Supporting Question Three:** Craft evidence-based claims and counterclaims that support or refute the assertion that parties to the Fort Laramie Treaty met their treaty obligations.



Suggested Pacing Guide

Traditional Schedule:

Stage	Assessment Materials	Standards
Day 1 Staging the Question	<u>Sovereignty?</u> [Parts A-C]	[C3] D2.His.1.9-12. Evaluate how historical events and developments were shaped by unique circumstances of time. . . [CCSS Anchor Standards] CCSS.ELA-LITERACY.CCRA.R.2: Determine central ideas or themes of a text. . .summarize the key supporting details and ideas. CCSS.ELA-LITERACY.CCRA.R.4 Interpret words and phrases as they are used in a text. . .
Day 2 Supporting Question 1	<u>Beliefs and Values</u> [Parts A-B]	[C3] D2.Civ.10.9-12. Analyze the impact and the appropriate roles of personal interests and perspectives. . . [CCSS Anchor Standards] CCSS.ELA-LITERACY.CCRA.R.1: Read closely to determine what the text says explicitly and to make logical inferences from it. . . CCSS.ELA-LITERACY.CCRA.R.4: Interpret words and phrases as they are used in a text, including determining. . .figurative meanings, and analyze how specific word choices shape meaning or tone.
Day 3 Supporting Question 1	<u>Resource Annotator Example</u> <i>Teacher Tip: Students can save their annotations as a PDF for the next class or for their summative performance task.</i> <u>Beliefs and Values</u> [Part C]	
Day 3 Supporting Question 2	<u>Intentions and Outcomes</u> [Parts A-B]	[C3] D2.Civ.13.9-12. Evaluate public policies in terms of intended and unintended outcomes. . . D2.His.14.9-12. Analyze multiple and complex causes and effects. . . [CCSS Anchor Standards] CCSS.ELA-LITERACY.CCRA.R.2: Determine central ideas or themes of a text and analyze. . .summarize the key supporting details and ideas. CCSS.ELA-LITERACY.CCRA.R.3: Analyze how and why individuals, events, or ideas develop and interact over the course of a text.
Day 4 Supporting Question 3	<u>Treaty Obligations</u> [Parts A-B]	[C3] D1.5.9-12. Determine the kinds of sources that will be helpful in answering compelling and supporting questions. . . D4.1.9-12. Construct arguments. . .with evidence from multiple sources, while acknowledging counterclaims. . . [CCSS Anchor Standards] CCSS.ELA-LITERACY.CCRA.R.1: Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence. . . CCSS.ELA-LITERACY.CCRA.W.1: Write arguments to support claims. . .using valid reasoning and relevant and sufficient evidence.
Day 5-6 Summative Performance Task	<u>The Independent Observer: Constructing Evidence-Based Arguments</u> Is a treaty intended to be forever? Construct an argument addressing the compelling question.	[C3] D1.5.9-12. Determining sources from multiple points of view. . . D4.1.9-12. Constructing evidence-based arguments from multiple sources. . . D4.3.9-12. Present adaptations of arguments. . .using print and oral technologies. . . [CCSS Anchor Standard] CCSS.ELA-LITERACY.CCRA.W.1: Write arguments to support claims in an analysis of substantive topics or texts using valid reasoning and relevant and sufficient evidence.
Day 7 Mapping Informed Action	<u>Optional Extension</u> <u>Dakota Access Pipeline</u> [Parts A-C]	[C3] D4.7.9-12. Assess options for individual and collective action. . . D4.6.9-12. Use disciplinary and interdisciplinary lenses to understand the characteristics and causes of. . .problems. . . [CCSS Anchor Standard] CCSS.ELA-LITERACY.CCRA.R.9: Analyze how two or more texts address similar themes or topics in order to build knowledge or to compare the approaches the authors take.
Day 8 Mapping Informed Action	<u>Optional Extension: Expository Writing</u> <u>Standards-Based Rubric</u> [Part D]	[CCSS Anchor Standard] CCSS.ELA-LITERACY.CCRA.W.2: Write informative/explanatory texts to examine and convey complex ideas and information clearly and accurately through the effective selection, organization, and analysis of content.
Extension 1-3 Days Taking Informed Action	<u>NK360° Framework for Taking Action</u>	[C3] D4.7.9-12. Assess options for individual and collective action. . . D4.8.9-12. Apply a range of deliberative and democratic strategies. . .make decisions and take action. . .

Block Schedule:

Stage	Assessment Materials	Standards
Day 1 Staging the Question Supporting Question 1	<u>Sovereignty?</u> [Parts A-C]	<p>[C3] D2.His.1.9-12. Evaluate how historical events and developments were shaped by unique circumstances of time. . .</p> <p>[CCSS Anchor Standards] CCSS.ELA-LITERACY.CCRA.R.2: Determine central ideas or themes of a text. . .summarize the key supporting details and ideas.</p> <p>CCSS.ELA-LITERACY.CCRA.R.4 Interpret words and phrases as they are used in a text. . .</p>
	<u>Beliefs and Values</u> [Parts A-B]	
Day 2 Supporting Question 1 Supporting Question 2	<u>Resource Annotator Example</u> <i>Teacher Tip: Students can save their annotations as a PDF for the next class or for their summative performance task.</i> <u>Beliefs and Values</u> [Part C]	<p>[C3] D2.Civ.10.9-12. Analyze the impact and the appropriate roles of personal interests and perspectives. . .</p> <p>[CCSS Anchor Standards] CCSS.ELA-LITERACY.CCRA.R.1: Read closely to determine what the text says explicitly and to make logical inferences from it. . .</p> <p>CCSS.ELA-LITERACY.CCRA.R.4: Interpret words and phrases as they are used in a text, including determining. . .figurative meanings, and analyze how specific word choices shape meaning or tone.</p>
	<u>Intentions and Outcomes</u> [Part A]	
Day 3 Short Day Supporting Question 2	<u>Intentions and Outcomes</u> [Part B]	<p>[C3] D2.Civ.13.9-12. Evaluate public policies in terms of intended and unintended outcomes. . .</p> <p>D2.His.14.9-12. Analyze multiple and complex causes and effects. . .</p> <p>[CCSS Anchor Standards] CCSS.ELA-LITERACY.CCRA.R.2: Determine central ideas or themes of a text and analyze. . .summarize the key supporting details and ideas.</p> <p>CCSS.ELA-LITERACY.CCRA.R.3: Analyze how and why individuals, events, or ideas develop and interact over the course of a text.</p>
Day 4 Supporting Question 3	<u>Treaty Obligations</u> [Parts A-B]	<p>[C3] D1.5.9-12. Determine the kinds of sources that will be helpful in answering compelling and supporting questions. . .</p> <p>D4.1.9-12. Construct arguments. . .with evidence from multiple sources, while acknowledging counterclaims. . .</p> <p>[CCSS Anchor Standards] CCSS.ELA-LITERACY.CCRA.R.1: Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence. . .</p> <p>CCSS.ELA-LITERACY.CCRA.W.1: Write arguments to support claims. . .using valid reasoning and relevant and sufficient evidence.</p>
Day 5 Summative Performance Task	<u>The Independent Observer: Constructing Evidence-Based Arguments</u> Is a treaty intended to be forever? Construct an argument addressing the compelling question.	<p>[C3] D1.5.9-12. Determining sources from multiple points of view. . .</p> <p>D4.1.9-12. Constructing evidence-based arguments from multiple sources. . .</p> <p>D4.3.9-12. Present adaptations of arguments. . .using print and oral technologies. . .</p> <p>[CCSS Anchor Standard] CCSS.ELA-LITERACY.CCRA.W.1: Write arguments to support claims in an analysis of substantive topics or texts using valid reasoning and relevant and sufficient evidence.</p>
Day 5 Mapping Informed Action	<u>Optional Extension</u> <u>Dakota Access Pipeline</u> [Parts A-C] <u>Standards-Based Rubric</u> [Part D]	<p>[C3] D4.7.9-12. Assess options for individual and collective action. . .</p> <p>D4.6.9-12. Use disciplinary and interdisciplinary lenses to understand the characteristics and causes of. . .problems. . .</p> <p>[CCSS Anchor Standards] CCSS.ELA-LITERACY.CCRA.R.9: Analyze how two or more texts address similar themes or topics in order to build knowledge or to compare the approaches the authors take.</p> <p>CCSS.ELA-LITERACY.CCRA.W.2: Write informative/explanatory texts to examine and convey complex ideas and information clearly and accurately through the effective selection, organization, and analysis of content.</p>
Extension 1-2 Days Taking Informed Action	<u>NK360° Framework for Taking Action</u>	<p>[C3] D4.7.9-12. Assess options for individual and collective action. . .</p> <p>D4.8.9-12. Apply a range of deliberative and democratic strategies. . .make decisions and take action. . .</p>