Who Held Power?

Trace changes to Tribal governments before Oklahoma statehood

OKH.C.8.3.A "Explain how Tribal governments in Indian Territory were altered or disestablished by congressional acts prior to Oklahoma statehood, including the effects of allotment policies and the dissolution of many tribal governing institutions..."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline each congressional action that changed Tribal authority, circle the Tribal power or institution it affected, and number the changes in time order. Use your marks to trace how governing power shifted.

Changing Authority in Indian Territory

1. Before Oklahoma became a state, the Cherokee, Chickasaw, Choctaw, Muscogee (Creek), and Seminole nations governed much of Indian Territory through their own councils, laws, and courts. These governments made decisions about land held in common by each nation. Congress passed the Dawes Act in 1887 to divide Tribal land into individual allotments, but the Five Tribes were initially excluded. Congress then created the Dawes Commission in 1893 to negotiate land division with those nations. This shift put their collective land systems, and the governments that managed them, under growing federal pressure.

2. In 1898, Congress passed the Curtis Act, which pushed allotment forward even when Tribal leaders opposed it. Instead of treating land chiefly as a shared national resource, federal officials assigned parcels to individual members; remaining land could pass into nonmember ownership. Breaking up common land weakened the land base of Tribal governments and their power to manage it. The act also abolished Tribal courts in Indian Territory and sent many legal matters to federal courts. A person with a dispute who once might have appeared before a Tribal judge now faced a court controlled by the United States.

3. Congress did not erase every Tribal government at once. Under a 1906 law, the Five Tribes' governments continued, but their councils' acts needed the U.S. president's approval to take effect. By Oklahoma statehood in 1907, federal laws had stripped away major governing powers, including control over many land decisions and the operation of Tribal courts. State and federal institutions took on roles once exercised by Tribal governments. Yet the nations did not vanish: their governments survived in restricted form, and Tribal sovereignty was not extinguished. This history shows a transfer and reduction of authority, not a simple disappearance.

2 ANSWER WITH EVIDENCE

Use the passage

1. Why did the Dawes Act not immediately divide the Five Tribes' land, and what did Congress do in 1893 to pursue that goal?

2. How did allotment weaken a governing power of the Five Tribes, beyond changing who owned individual parcels?

3. How did the Curtis Act change who handled legal disputes in Indian Territory?

4. How does the 1906 law complicate the claim that Tribal governments had disappeared by statehood?

3 YOUR TURN

Your own words

Imagine a newspaper claims, "Oklahoma statehood ended all Five Tribes governments overnight." Write a four-sentence correction that explains two changes made before statehood and what survived after it.

ANSWER KEY

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HIGH SCHOOL · OKH.C.8.3.A

PART 1 · READ AND MARK

Underline each congressional action that changed Tribal authority, circle the Tribal power or institution it affected, and number the changes in time order. Use your marks to trace how governing power shifted. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Why did the Dawes Act not immediately divide the Five Tribes' land, and what did Congress do in 1893 to pursue that goal?	**The Five Tribes were initially excluded from the Dawes Act. In 1893, Congress created the Dawes Commission to negotiate land division with them.**
2	How did allotment weaken a governing power of the Five Tribes, beyond changing who owned individual parcels?	**It broke up land held in common, weakening the land base that Tribal governments managed and reducing their power over land decisions.**
3	How did the Curtis Act change who handled legal disputes in Indian Territory?	**It abolished Tribal courts and shifted many legal matters to federal courts.**
4	How does the 1906 law complicate the claim that Tribal governments had disappeared by statehood?	**The law continued the Five Tribes' governments, although their councils' acts required presidential approval. Their authority was restricted, not erased.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The Five Tribes lost governing powers over several years, not in one day. Allotment broke up land held in common and reduced their governments' power to manage it. The Curtis Act abolished Tribal courts and moved many legal matters to federal courts. At statehood, the Five Tribes' governments still existed, although a 1906 law required presidential approval for their councils' acts.

Accept other passage-supported changes before statehood, such as the creation of the Dawes Commission. Corrections should distinguish the loss of major powers from the complete disappearance of Tribal governments.