Sovereignty and Treaties: Worksheet

Native American Studies · Worksheet for https://jugami.com/native-american-studies/sovereignty-and-treaties/ · For instant feedback, try the self-guided quiz online.

Name: _____ Date: _____

Directions: Use the unit page and its Sources section. Answer in complete sentences unless a problem asks for a short answer. Problems go from easier to harder. When you quote a document, copy its words exactly and put them in quotation marks.

---

1. **Vocabulary match.** Write the number of the correct definition next to each term.

Term	Number
a. Jurisdiction	____
b. Ratification	____
c. Federal recognition	____
d. Trust responsibility	____
e. Tribal sovereignty	____

Definitions:

1. A Native nation's inherent authority to govern itself.
2. The United States' legally enforceable duty to protect tribal treaty rights, lands, assets and resources.
3. The legal power to make and enforce laws over certain people, places or cases.
4. The U.S. acknowledgment that a tribe is a government with a government-to-government relationship, eligible for federal services.
5. The step that makes a signed treaty binding on the United States.

2. **The Indian Commerce Clause.** Article I, Section 8 of the Constitution gives Congress power "To regulate Commerce with foreign Nations, and among the several States, and with the _____."

(a) Fill in the blank. (b) In one sentence, explain what it suggests that tribes appear in the same list as foreign nations and states.

Answer: _____

_____

3. **Put these in time order** (1 = earliest, 7 = latest).

Event	Order
Oklahoma v. Castro-Huerta decided	____
Indian Self-Determination and Education Assistance Act signed	____
Cherokee Nation v. Georgia decided	____
United States v. Sioux Nation of Indians decided	____
Congress stops making treaties with tribes	____
Judge Boldt's first decision in United States v. Washington	____
McGirt v. Oklahoma decided	____

4. **Signed or in force?** The Treaty of Point Elliott was concluded on January 22, 1855. The Senate ratified it on March 8, 1859, and the President proclaimed it on April 11, 1859.

(a) How many years passed between signing and Senate ratification?

(b) Why might a historian need to say which date she means when she writes "the 1855 treaty"?

Answer: _____

_____

5. **Close reading: Canandaigua, Article II.** Read this passage from the 1794 Treaty of Canandaigua:

> "The United States acknowledge the lands reserved to the Oneida, Onondaga and Cayuga Nations, in their respective treaties with the state of New-York, and called their reservations, to be their property; and the United States will never claim the same nor disturb them or either of the Six Nations, nor their Indian friends residing thereon and united with them in the free use and enjoyment thereof..."

(a) Which verb shows the United States recognizing something that already existed, rather than giving something new?

(b) What two promises does the United States make about these lands?

Answer: _____

_____

6. **The 1871 law.** In 1871 Congress ended treaty-making with tribes. Using 25 U.S. Code § 71, explain what happened to treaties that were already ratified before March 3, 1871.

   Answer: _____

   _____

7. **Fort Laramie, Article XII.** Article XII of the 1868 treaty said no cession of reservation land would be valid unless signed by at least three-fourths of the adult men. The 1876 "agreement" to give up the Black Hills was signed by about 10 percent.

   (a) Express the gap: how many percentage points short of the treaty's requirement was the 1876 signing?

   (b) In your own words, why does this gap matter to the Sioux nations' view of the 1877 act?

   Answer: _____

   _____

8. **Money or land?** In 1980 the Supreme Court held that the 1877 act was a taking that required just compensation with interest. Explain why the Sioux nations have refused the money. What would accepting it mean for their claim?

   Answer: _____

   _____

9. **Oliphant and after.** (a) What did the Supreme Court hold in Oliphant v. Suquamish Indian Tribe (1978) about tribal courts and non-Indians? (b) What did Congress change in 2013, and which nation in this unit began using that power in 2014?

   Answer: _____

   _____

10. **Jurisdiction scenario.** In 2023, a non-Native man steals a car from a citizen of the Muscogee (Creek) Nation inside the Muscogee (Creek) Reservation. Under Oklahoma v. Castro-Huerta (2022), which government or governments may prosecute him? Explain how you know.

    Answer: _____

    _____

11. **A nation governing today.** Choose one nation profiled in the unit (Navajo Nation, Cherokee Nation, Muscogee (Creek) Nation or Tulalip Tribes). Visit its official website. List three different ways it exercises sovereignty today (for example: courts, laws, citizenship, land, language, schools, police, businesses). For each, name the page where you found it.

Way it exercises sovereignty	Where I found it (page title)
1.	
2.	
3.	

12. **Argument.** The unit says treaties are 'living law.' Do you agree? Write a paragraph of 6–8 sentences that uses evidence from **two different treaties** in the unit. Include at least one exact quotation and at least one present-day fact.

_____

_____

_____

_____

_____