

American Indians And State Law Sovereignty Race And Citizenship 1790 1880

If you ally dependence such a referred **American Indians And State Law Sovereignty Race And Citizenship 1790 1880** ebook that will offer you worth, get the enormously best seller from us currently from several preferred authors. If you want to comical books, lots of novels, tale, jokes, and more fictions collections are then launched, from best seller to one of the most current released.

You may not be perplexed to enjoy all book collections American Indians And State Law Sovereignty Race And Citizenship 1790 1880 that we will extremely offer. It is not in this area the costs. Its about what you obsession currently. This American Indians And State Law Sovereignty Race And Citizenship 1790 1880, as one of the most practicing sellers here will unquestionably be along with the best options to review.

Hawaiian Blood J. Kēhaulani Kauanui 2008-10-17 In the Hawaiian Homes Commission Act (HHCA) of 1921, the U.S. Congress defined "native Hawaiians" as those people "with at least one-half blood quantum of individuals inhabiting the Hawaiian Islands prior to 1778." This "blood logic" has since become an entrenched part of the legal system in Hawai'i. *Hawaiian Blood* is the first comprehensive history and analysis of this federal law that equates Hawaiian cultural identity with a quantifiable amount of blood. J. Kēhaulani Kauanui explains how blood quantum classification emerged as a way to undermine Native Hawaiian (Kanaka Maoli) sovereignty. Within the framework of the 50-percent rule, intermarriage "dilutes" the number of state-recognized Native Hawaiians. Thus, rather than support Native claims to the Hawaiian islands, blood quantum reduces Hawaiians to a racial minority, reinforcing a system of white racial privilege bound to property ownership. Kauanui provides an impassioned assessment of how the arbitrary correlation of ancestry and race imposed by the U.S. government on the indigenous people of Hawai'i has had far-reaching legal and cultural effects. With the HHCA, the federal government explicitly limited the number of Hawaiians included in land provisions, and it recast Hawaiians' land claims in terms of colonial welfare rather than collective entitlement. Moreover, the exclusionary logic of blood quantum has profoundly affected cultural definitions of indigeneity by undermining more inclusive Kanaka Maoli notions of kinship and belonging. Kauanui also addresses the ongoing significance of the 50-percent rule: Its criteria underlie recent court decisions that have subverted the Hawaiian sovereignty movement and brought to the fore charged questions about who counts as Hawaiian.

American Indian Sovereignty and the U.S. Supreme Court David E. Wilkins 1997 Like the miner's canary, the Indian marks the shift from fresh air to poison gas in our political atmosphere; and our treatment of Indians, even more than our treatment of other minorities, reflects the rise and fall in our democratic faith, wrote Felix S. Cohen, an early expert in Indian legal affairs. In this book, David Wilkins charts the fall in our democratic faith through fifteen landmark cases in which the Supreme Court significantly curtailed Indian rights. He offers compelling evidence that Supreme Court justices selectively used precedents and facts, both historical and contemporary, to arrive at decisions that have undermined tribal sovereignty, legitimated massive tribal land losses, sanctioned the diminishment of Indian religious rights, and curtailed other rights as well. These case studies--and their implications for all minority groups--make important and troubling reading at a time when the Supreme Court is at the vortex of political and moral developments that are redefining the nature of American government, transforming the relationship between the legal and political branches, and altering the very meaning of federalism.

Uncommon Schools Wade Cole 2011-03-24 Postsecondary institutions for indigenous peoples emerged in the late 1960s, just as other special purpose colleges based on gender or race began to close. What accounts for the emergence of these distinctive institutions? Though indigenous students are among the least populous, the poorest, and the most educationally disadvantaged in the world, they differ from most other racial, ethnic, cultural, and linguistic minorities by virtue of their exceptional claims to

sovereignty under international and domestic law. *Uncommon Schools* explores the emergence of postsecondary institutions for indigenous peoples worldwide, with a focus on developments in the United States, Canada, Australia, and New Zealand. Providing the opportunity to examine larger social, political, and legal processes, it traces the incorporation of indigenous peoples into nation-states, the rise of a global indigenous rights movement, and the "massification" of postsecondary education while investigating the variety of ways these culturally relevant colleges differ from each other and from other postsecondary institutions. *Law Without Nations?* Jeremy A. Rabkin 2005 What authority does international law really have for the United States? When and to what extent should the United States participate in the international legal system? This forcefully argued book by legal scholar Jeremy Rabkin provides an insightful new look at this important and much-debated question. Americans have long asked whether the United States should join forces with institutions such as the International Criminal Court and sign on to agreements like the Kyoto Protocol. Rabkin argues that the value of international agreements in such circumstances must be weighed against the threat they pose to liberties protected by strong national authority and institutions. He maintains that the protection of these liberties could be fatally weakened if we go too far in ceding authority to international institutions that might not be zealous in protecting the rights Americans deem important. Similarly, any cessation of authority might leave Americans far less attached to the resulting hybrid legal system than they now are to laws they can regard as their own. *Law without Nations?* traces the traditional American wariness of international law to the basic principles of American thought and the broader traditions of liberal political thought on which the American Founders drew: only a sovereign state can make and enforce law in a reliable way, so only a sovereign state can reliably protect the rights of its citizens. It then contrasts the American experience with that of the European Union, showing the difficulties that can arise from efforts to merge national legal systems with supranational schemes. In practice, international human rights law generates a cloud of rhetoric that does little to secure human rights, and in fact, is at odds with American principles, Rabkin concludes. A challenging and important contribution to the current debates about the meaning of multilateralism and international law, *Law without Nations?* will appeal to a broad cross-section of scholars in both the legal and political science arenas.

Handbook of Federal Indian Law Felix S. Cohen 1945

Indian Affairs United States 1904

In the Absences Rebecca L. Riall 2014 "State recognition" is shorthand for the recognition by a state within the United States of a group that is or claims to be an Indigenous or First Nation. "Recognition" is the tricky part; "state recognition" reads like a parallel to "federal recognition," but it is not. Federal recognition describes how the federal U.S. government acknowledges the legitimacy, sovereignty, and self-determination rights of an Indian nation, rights which predate the existence of the United States. Federal recognition of a group of Indian individuals as a nation thus confirms a specific, complex relationship between that nation and the federal government. State recognition is more variable: not all states recognize Indian nations and, of those that do, each state enacts its own laws, sometimes on a group-by-

group basis. State recognition is controversial. This dissertation, based on fieldwork with state-recognized Indian nations, compares state and federal recognition from a legal anthropological perspective and argues that the situations of state-recognized Indian nations are highly variable and immersed within widespread U.S. folk beliefs about race, ethnicity, and Indian-ness. These beliefs often do not comprehend the diversity of American Indian lifeways and histories, leaving some nations vulnerable to not being federally recognized despite long existence as distinct Indian communities. Using ethnographic methods this dissertation introduces the narratives of some state-recognized groups in the southeast and explores the legal consciousness, or beliefs about the law, held by members of state-recognized nations and groups. Through this research I show how these actors---even while realizing that their position is legally vulnerable---use state recognition to further their communities' physical and cultural survival in the absence of federal acknowledgment as Indian nations.

Race and the Cherokee Nation Fay A. Yarbrough 2013-11-21 "We believe by blood only," said a Cherokee resident of Oklahoma, speaking to reporters in 2007 after voting in favor of the Cherokee Nation constitutional amendment limiting its membership. In an election that made headlines around the world, a majority of Cherokee voters chose to eject from their tribe the descendants of the African American freedmen Cherokee Indians had once enslaved. Because of the unique sovereign status of Indian nations in the United States, legal membership in an Indian nation can have real economic benefits. In addition to money, the issues brought forth in this election have racial and cultural roots going back before the Civil War. Race and the Cherokee Nation examines how leaders of the Cherokee Nation fostered a racial ideology through the regulation of interracial marriage. By defining and policing interracial sex, nineteenth-century Cherokee lawmakers preserved political sovereignty, delineated Cherokee identity, and established a social hierarchy. Moreover, Cherokee conceptions of race and what constituted interracial sex differed from those of blacks and whites. Moving beyond the usual black/white dichotomy, historian Fay A. Yarbrough places American Indian voices firmly at the center of the story, as well as contrasting African American conceptions and perspectives on interracial sex with those of Cherokee Indians. For American Indians, nineteenth-century relationships produced offspring that pushed racial and citizenship boundaries. Those boundaries continue to have an impact on the way individuals identify themselves and what legal rights they can claim today.

American Indians, American Justice Vine Deloria, Jr. 1983-10-01 Baffled by the stereotypes presented by Hollywood and much historical fiction, many other Americans find the contemporary American Indian an enigma. Compounding their confusion is the highly publicized struggle of the contemporary Indian for self-determination, lost land, cultural preservation, and fundamental human rights--a struggle dramatized both by public acts of protest and by precedent-setting legal actions. More and more, the battles of American Indians are fought--and won--in the political arena and the courts. American Indians, American Justice explores the complexities of the present Indian situation, particularly with regard to legal and political rights. It is the first book to present an overview of federal Indian law in language readably accessible to the layperson. Remarkably comprehensive, it is destined to become a standard sourcebook for all concerned with the plight of the contemporary Indian. Beginning with an examination of the historical relationship of Indians and the courts, the authors describe how tribal courts developed and operate today, and how they relate to federal and state governments. They define such key legal concepts as tribal sovereignty and Indian Country. By comparing and contrasting the workings of Indian and non-Indian legal institutions, the authors illustrate how Indian tribes have adapted their customs, values, and institutions to the demands of the modern world. Describing the activities of attorneys and Indian advocates in asserting and defending Indian rights, they identify the difficulties typically faced by Indians in the criminal and civil legal arenas and explore the public policy and legal rights of Indians as regards citizenship, voting rights, religious freedom,

and basic governmental services.

American Indian Sovereignty and the U.S. Supreme Court

David E. Wilkins 1997 Himself a Lumbee Indian and political scientist, David E. Wilkins charts the "fall in our democratic faith" through fifteen landmark cases in which the Supreme Court significantly curtailed Indian rights. These case studies--and their implications for all minority groups--are important and timely in the context of American government re-examining and redefining itself.

Changing Numbers, Changing Needs National Research Council 1996-10-11 The reported population of American Indians and Alaska Natives has grown rapidly over the past 20 years. These changes raise questions for the Indian Health Service and other agencies responsible for serving the American Indian population. How big is the population? What are its health care and insurance needs? This volume presents an up-to-date summary of what is known about the demography of American Indian and Alaska Native population--their age and geographic distributions, household structure, employment, and disability and disease patterns. This information is critical for health care planners who must determine the eligible population for Indian health services and the costs of providing them. The volume will also be of interest to researchers and policymakers concerned about the future characteristics and needs of the American Indian population.

Indigenous Peoples and the State Bradley Reed Howard 2003 Long dismissed as relics of a primitive past, indigenous peoples are increasingly seeking international recognition and protection of their rights to land, water, and fundamental human freedoms. Anthropologist Bradley Reed Howard surveys the struggles of indigenous groups for self-determination in the United States and internationally, calling crucial attention to the urgent need for native social and political representation. Indigenous Peoples and the State presents an overview of the confrontation between tribal groups and both nation-states and international organizations. Howard places indigenous issues within the larger context of the work of nongovernmental agencies, United Nations initiatives on human rights, and national self-determination. Two specific case studies of indigenous legal status and rights--involving the Iroquois in the United States and the Maori in New Zealand--illuminate native peoples' claims to sovereignty, traditional culture, territory, and natural resources. Ethical problems inevitably arise in any attempt to define identity. Investigating the complex issues of colonialism and culture, Howard reveals that anthropologists have at times played a complicit role in tribal subjugation. He also emphasizes the contributions many cultural anthropologists have made to the progressive transformation of law and recognizes their efforts to preserve indigenous cultures and natural habitats. Anthropological approaches, Howard maintains, offer the best hope for understanding the magnitude of indigenous peoples' worldwide endeavors to attain human rights. Indigenous Peoples and the State draws extensively from native sources on questions of identity, rights, and sovereignty. North American Indians, the Maori, and numerous other native peoples assert international recognition of their independence and status as "peoples" through their treaties and agreements with Western nations. They further demand an accessible international forum through which they can achieve justice and promote national self-determination. Howard's bold analysis offers extraordinary anthropological and legal support for the declarations and aspirations of indigenous peoples.

Blood Politics Circe Sturm 2002-03-20 "Blood Politics offers an anthropological analysis of contemporary identity politics within the second largest Indian tribe in the United States--one that pays particular attention to the symbol of "blood." The work treats an extremely sensitive topic with originality and insight. It is also notable for bringing contemporary theories of race, nationalism, and social identity to bear upon the case of the Oklahoma Cherokee."—Pauline Turner Strong, author of *Captive Selves, Captivating Others: The Politics and Poetics of Colonial American Captivity Narratives*

Crow Dog's Case Naih Haring 1994-02-25 The first social history of American Indians' role in the making of American law sheds new light on Native American struggles for sovereignty and

justice during the "century of dishonor," a time when their lands were lost and their tribes reduced to reservations.

Choctaw Nation Valerie Lambert 2007 Choctaw Nation is a story of tribal nation building in the modern era. Valerie Lambert treats nation-building projects as nothing new to the Choctaws of southeastern Oklahoma, who have responded to a number of hard-hitting assaults on Choctaw sovereignty and nationhood by rebuilding their tribal nation. Drawing on field research, oral histories, and archival sources, Lambert explores the struggles and triumphs of a tribe building a new government and launching an ambitious program of economic development in the late twentieth century, achieving a partial restoration of the tribe's former glory as a significant political and economic presence in what is now the United States. An enrolled citizen of the Choctaw Nation who was reared in Oklahoma, Lambert describes in vivid detail what this nation building has meant for the Choctaw people and for non-Indians. Choctaw nation building has strengthened the tribe's ongoing efforts to defend their sovereignty and protect their rights to land, water, and other natural resources. It has also helped produce new ways of imagining, constructing, and expressing Choctaw identity. Yet, as Choctaw Nation also shows, Choctaw sovereignty—the bedrock of Choctaw empowerment—remains under threat, as tribal sovereignty is not only a bundle of inherent rights but also an ongoing, complex consequence of Native initiatives and negotiations on local, state, and national levels. In addition to wrestling with the topics of sovereignty, identity, tribal nationalism, and contemporary tribal governance, this book gives considerable ethnographic attention to tribal elections, non-Indians, urban Indians, economic development, and tribal water rights.

Indian Gaming & Tribal Sovereignty Steven Andrew Light 2005 Examines Indian gaming in detail: what it is, how it became one of the most politically charged phenomena for tribes and states today, and the legal and political compromises that shape its present and will determine its future.

The End of Indian Kansas H. Craig Miner 1978 Miner and Unrau show Kansas at midcentury to be a moral testing ground where the drama of Indian inheritance was played out. They related how railroad men, land speculators, and timber operations came to be firmly entrenched on Indian land in territorial Kansas.

Native American Sovereignty on Trial Bryan H. Wildenthal 2003 Examines Native American governments and their interactions and conflicts with federal and state governments by examining five major controversies, including tribal gambling and tribal civil jurisdiction.

American Indian Policy in the Formative Years Francis Paul Prucha 1970

Deadliest Enemies Thomas Biolsi 2001-06-03 Thomas Biolsi's study traces the origins of racial tension between Native Americans and whites to federal laws themselves, showing how the courts have created opposing political interests along race lines."

"No Sovereign Nation, No Reservation" Meghan Y. McCune 2015

American Indians Jack Utter 2001 Answer to today's questions. *Recognition, Sovereignty Struggles, & Indigenous Rights in the United States* Amy E. Den Ouden 2013

Written in the 1750s by Scottish physician Alexander Hamilton, one of the founding members of the Tuesday Club of Annapolis, this book is a mock-heroic narrative of ten years in the life of an eighteenth-century social club, as well as a political satire of the proprietor struggles in colonial Maryland and a humorous treatment of the outcry against luxury. This edition contains drawings, music scores, and a full textual apparatus. This is Volume II of three volumes. Originally published in 2011. A UNC Press Enduring Edition -- UNC Press Enduring Editions use the latest in digital technology to make available again books from our distinguished backlist that were previously out of print. These editions are published unaltered from the original, and are presented in affordable paperback formats, bringing readers both historical and cultural value.

When Did Indians Become Straight? Mark Rifkin 2011-01-27 "This is a groundbreaking study of the uses of the native in the making of critical theory and national belonging."--Elizabeth A.

Povinelli, Professor of Anthropology & Gender Studies, Columbia University --

Communities in Action National Academies of Sciences, Engineering, and Medicine 2017-03-27 In the United States, some populations suffer from far greater disparities in health than others. Those disparities are caused not only by fundamental differences in health status across segments of the population, but also because of inequities in factors that impact health status, so-called determinants of health. Only part of an individual's health status depends on his or her behavior and choice; community-wide problems like poverty, unemployment, poor education, inadequate housing, poor public transportation, interpersonal violence, and decaying neighborhoods also contribute to health inequities, as well as the historic and ongoing interplay of structures, policies, and norms that shape lives. When these factors are not optimal in a community, it does not mean they are intractable: such inequities can be mitigated by social policies that can shape health in powerful ways. *Communities in Action: Pathways to Health Equity* seeks to delineate the causes of and the solutions to health inequities in the United States. This report focuses on what communities can do to promote health equity, what actions are needed by the many and varied stakeholders that are part of communities or support them, as well as the root causes and structural barriers that need to be overcome.

American Indian Law Robert N. Clinton 2005

Tribes, Land, and the Environment Professor Ezra Rosser 2013-02-28 Legal and environmental concerns related to Indian law and tribal lands remain an understudied branch of both indigenous law and environmental law. Native American tribes have a far more complex relationship with the environment than is captured by the stereotype of Indians as environmental stewards. Meaningful tribal sovereignty requires that non-Indians recognize the right of Indians to determine their own relationship to the land and the environment. But tribes do not exist in a vacuum: in fact they are deeply affected by off-reservation activities and, similarly, tribal choices often have effects on nearby communities. This book brings together diverse essays by leading Indian law scholars across the disciplines of indigenous and environmental law. The chapters reveal the difficulties encountered by Native American tribes in attempts to establish their own environmental standards within federal Indian law and environmental law structures. Gleaning new insights from a focus on tribal land and property law, the collection studies the practice of tribal sovereignty as experienced by Indians and non-Indians, with an emphasis on the development and regulatory challenges these tribes face in the wake of climate change. This volume will advance the reader's knowledge and understanding of these challenging issues.

Legalized Racism A. R. Eguiguren 2000 "Two hundred and ten years into the constitutional existence of our federal republic, American Indians and non-Indians are still treated as if they were citizens of different countries. Thanks to Federal Indian Policy, the United States is not one country under one law but hundred of nations with a confusing array of laws, many of them based entirely on race. Since the early 1970s, there has been an organized movement to establish 'tribal sovereignty' and 'self-determination' for American Indian tribes. The goal: to distance two million Americans--Native Americans-- from the rest of the population and fragment the country along racial lines. Federal Indian Policy-- and an increasing number of lawsuits--is helping those behind this movement to reach their separatist goal, while activist courts rule in their favor and Congress looks the other way. Will the establishment of this unconstitutional, legalized racism continue unchallenged until it's too late?"--Back cover.

Reparations for Indigenous Peoples Federico Lenzerini 2008-01-24 Published in concomitance with the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, this volume brings together a group of renowned legal experts and activists from different parts of the world who, from international and comparative perspectives, investigate the right of indigenous peoples to reparation for breaches of their individual and collective rights. The first part of the book is devoted to general aspects of this important matter, providing a comprehensive assessment of the relevant international legal

framework and including overviews of the topic of reparations for human rights violations, the status of indigenous peoples in international law, and the vision of reparations as conceived by the communities concerned. The second part embraces a comprehensive investigation of the relevant practice at the international, regional, and national level, examining the best practices of reparations according to the ideologies and expectations of indigenous peoples and offering a comparative perspective on the ways in which the right of these peoples to redress for the injuries suffered is realized worldwide. The global picture painted by these contributions provides a view of the status of relevant international law that is synthesized in the two final chapters of the book, which include a concrete example of how a judicial claim for reparation is to be structured and prescribes the best practices and strategies to be adopted in order to maximize the opportunities for indigenous peoples to obtain effective redress. As a whole, this volume offers a comprehensive vision of its subject matter in international and comparative law, with a practical approach aimed at supporting legal academics, administrators, and practitioners in improving the avenues and modalities of reparations for indigenous peoples.

In the Courts of the Conqueror Walter Echo-Hawk 2018-03-26 Now in paperback, an important account of ten Supreme Court cases that changed the fate of Native Americans, providing the contemporary historical/political context of each case, and explaining how the decisions have adversely affected the cultural survival of Native people to this day.

The Nations Within Vine Deloria 1984 Traces the history of relations between the American Indians and the early settlers and analyzes current government policy toward them

Spaces Between Us Scott Lauria Morgensen 2011 Explores the intimate relationship of non-Native and Native sexual politics in the United States

American Indian Politics and the American Political System David Eugene Wilkins 2011 "This book is a lively and accessible account of the remarkably complex legal and political situation of American Indian tribes and tribal citizens (who are also U.S. citizens) David E. Wilkins and Heidi Kiiwetinepinesiiik Stark have provided the go-to source for a clear yet detailed and sophisticated introduction to tribal sovereignty and federal Indian policy. It is a valuable resource both for readers unfamiliar with the subject matter and for readers in Native American studies and related fields, who will appreciate the insightful and original scholarly analysis of the authors."--Thomas Biolsi, University of California at Berkeley "American Indian Politics and the American Political System is simply an indispensable compendium of fact and reason on the historical and modern landscape of American Indian law and policy. No teacher or student of American Indian studies, no policymaker in American Indian policy, and no observer of American Indian history and law should do without this book. There is nothing in the field remotely as comprehensive, usable, and balanced as Wilkins and Stark's work."--Matthew L. M. Fletcher, director of the Indigenous Law and Policy Center at Michigan State University College of Law "Wilkins has written the first general study of contemporary Indians in the United States from the disciplinary standpoint of political science. His inclusion of legal matters results in sophisticated treatment of many contemporary issues involving Native American governments and the government of the United States and gives readers a good background for understanding other questions. The writing is clear--not a minor matter in such a complex subject--and short case histories are presented, plus links (including websites) to many sources of information."--Choice

Cash, Color, and Colonialism Renee Ann Cramer 2005 Within the context of U.S.-Indian law, federal acknowledgment establishes a trust relationship between an Indian tribe and the U.S. government. Some tribes, however, have not been federally acknowledged, or, in more common language, "recognized." In *Cash, Color, and Colonialism*, Renee Ann Cramer offers a comprehensive analysis of the federal acknowledgment process, placing it in historical, legal, and social context.

Semblances of Sovereignty Thomas Alexander ALEINIKOFF 2009-06-30 In a set of cases decided at the end of the nineteenth century, the Supreme Court declared that Congress had "plenary

power" to regulate immigration, Indian tribes, and newly acquired territories. Not coincidentally, the groups subject to Congress' plenary power were primarily nonwhite and generally perceived as "uncivilized." The Court left Congress free to craft policies of assimilation, exclusion, paternalism, and domination. Despite dramatic shifts in constitutional law in the twentieth century, the plenary power case decisions remain largely the controlling law. The Warren Court, widely recognized for its dedication to individual rights, focused on ensuring "full and equal citizenship"--an agenda that utterly neglected immigrants, tribes, and residents of the territories. The Rehnquist Court has appropriated the Warren Court's rhetoric of citizenship, but has used it to strike down policies that support diversity and the sovereignty of Indian tribes. Attuned to the demands of a new century, the author argues for abandonment of the plenary power cases, and for more flexible conceptions of sovereignty and citizenship. The federal government ought to negotiate compacts with Indian tribes and the territories that affirm more durable forms of self-government. Citizenship should be "decentered," understood as a commitment to an intergenerational national project, not a basis for denying rights to immigrants. Table of Contents: 1. Introduction 2. The Sovereignty Cases and the Pursuit of an American Nation-State 3. The Citizen-State: From the Warren Court to the Rehnquist Court 4. Commonwealth and the Constitution: The Case of Puerto Rico 5. The Erosion of American Indian Sovereignty 6. Indian Tribal Sovereignty beyond Plenary Power 7. Plenary Power, Immigration Regulation, and Decentered Citizenship 8. Reconceptualizing Sovereignty: Toward a New American Narrative Notes Index Reviews of this book: This book not only provides careful analysis of U.S. Supreme Court and congressional relationships but also could lead to novel studies of rights and obligations in American society. Highly recommended. --Steven Puro, Library Journal Reviews of this book: Aleinikoff examines sovereignty, citizenship, and the broader concept of membership (aliens as well as citizens) in the American nation-state and suggests that American constitutional law needs "understandings of sovereignty and membership that are supple and flexible, open to new arrangements"...Sure to generate heated debate over the extent to which the rules governing immigration, Indian tribes, and American territories should be altered, this book is required reading for constitutional scholars. --R. J. Steamer, Choice Amid the overflowing scholarship on American constitutional law, little has been written on this cluster of topics, which go to the core of what sovereignty under the Constitution means. Aleinikoff asks not only how we define "ourselves," but exactly who is authorized to place themselves in the category of insiders empowered to set limits excluding others. The book stands out as a novel, intriguing, and interesting analysis against the sea of sameness found in the constitutional literature. --Philip P. Frickey, Law School, University of California, Berkeley What lends Aleinikoff's work originality and importance is its synthetic range and the new insights that flow from bringing immigration, Indian, and territorial issues together, and taking on such much criticized anomalies as the plenary power doctrine in their full ambit. In my view, he may well make good on his hope of helping to inspire a new field of sovereignty studies. Certainly, the idea of "problematizing" national citizenship and national sovereignty is afoot in the law schools and, far more so, in sociology, political science, and in various interdisciplinary fields like American Studies, regional studies, and global political economy and cultural studies. To my knowledge, no one has written a synthetic treatment of these issues that compares with Aleinikoff's in its mastery of constitutional law, its working knowledge or adjacent normative, historical and policy studies, and its intellectual clarity, stylistic grace, and morally sensitive but pragmatic political judgments. --William Forbath, University of Texas at Austin Law School **Who Belongs?** Mikaëla M. Adams 2016-10-13 Who can lay claim to a legally-recognized Indian identity? Who decides whether or not an individual qualifies? The right to determine tribal citizenship is fundamental to tribal sovereignty, but deciding who belongs has a complicated history, especially in the South. Indians who remained in the South following removal became a marginalized and anomalous people in an emerging biracial world. Despite the economic hardships and assimilationist

pressures they faced, they insisted on their political identity as citizens of tribal nations and rejected Euro-American efforts to reduce them to another racial minority, especially in the face of Jim Crow segregation. Drawing upon their cultural traditions, kinship patterns, and evolving needs to protect their land, resources, and identity from outsiders, southern Indians constructed tribally-specific citizenship criteria, in part by manipulating racial categories - like blood quantum - that were not traditional elements of indigenous cultures. Mikaëla M. Adams investigates how six southern tribes-the Pamunkey Indian Tribe of Virginia, the Catawba Indian Nation of South Carolina, the Mississippi Band of Choctaw Indians, the Eastern Band of Cherokee Indians of North Carolina, the Seminole Tribe of Florida, and the Miccosukee Tribe of Indians of Florida-decided who belonged. By focusing on the rights and resources at stake, the effects of state and federal recognition, the influence of kinship systems and racial ideologies, and the process of creating official tribal rolls, Adams reveals how Indians established legal identities. Through examining the nineteenth and twentieth century histories of these Southern tribes, *Who Belongs?* quashes the notion of an essential "Indian" and showcases the constantly-evolving process of defining tribal citizenship.

Blood Struggle Charles F. Wilkinson 2005 "The story of the extraordinary gains by Indian tribes over the second half of the twentieth century"--Provided by publisher.

Term Paper Resource Guide to American Indian History

Patrick Russell LeBeau 2009 Presents one hundred term paper topics regarding American Indian history, from their relationships with early explorers to American legal disputes and battles, and modern civil rights activities.

American Indians and State Law Deborah A. Rosen 2007

American Indians and State Law examines the history of state and territorial policies, laws, and judicial decisions pertaining to Native Americans from 1790 to 1880. Belying the common assumption that Indian policy and regulation in the United States were exclusively within the federal government's domain, the book reveals how states and territories extended their legislative and judicial authority over American Indians during this period. Deborah A. Rosen uses discussions of nationwide patterns, complemented by case studies focusing on New York, Georgia, New Mexico, Michigan, Minnesota, Louisiana, and Massachusetts, to demonstrate the decentralized nature of much of early American Indian policy. This study details how state and territorial governments regulated American Indians and brought

them into local criminal courts, as well as how Indians contested the actions of states and asserted tribal sovereignty. Assessing the racial conditions of incorporation into the American civic community, Rosen examines the ways in which state legislatures treated Indians as a distinct racial group, explores racial issues arising in state courts, and analyzes shifts in the rhetoric of race, culture, and political status during state constitutional conventions. She also describes the politics of Indian citizenship rights in the states and territories. Rosen concludes that state and territorial governments played an important role in extending direct rule over Indians and in defining the limits and the meaning of citizenship.

Reconstituting Authority William E. Moddelmog 2002-04-25 In *Reconstituting Authority*, William Moddelmog explores the ways in which American law and literature converged in the late nineteenth and early twentieth centuries. Through close readings of significant texts from the era, he reveals not only how novelists invoked specific legal principles and ideals in their fictions but also how they sought to reconceptualize the boundaries of law and literature in ways that transformed previous versions of both legal and literary authority. Moddelmog does not assume a sharp distinction between literary and legal institutions and practices but shows how writers imagined the two fields as engaged in the same cultural process. He argues that because the law was instrumental in setting the terms by which concepts such as race, gender, nationhood, ownership, and citizenship were defined in the nineteenth century, authors challenging those definitions had to engage the law on its own terrain: to place their work in a dialogue with the law by telling stories that were already authorized (though perhaps suppressed) by legal institutions. The first half of the book is devoted in separate chapters to William Dean Howells, Helen Hunt Jackson, and Pauline Hopkins. The focus shifts from large theoretical concerns to questions of contract and native sovereignty, to issues of African American citizenship and racial entitlement. In each case the discussion is rooted in a larger consideration of the rule (or misrule) of law. The second half of the book turns from the rule of law to the issue of property, specifically the Lockean version of the self that tied identity to legal conceptions of property and economic value. In separate discussions of Charles Chesnut, Edith Wharton, and Theodore Dreiser, *Reconstituting Authority* reveals authors as closely engaged with those changing perspectives on property and identity, in ways that challenged the racial, gendered, and economic consequences of America's possessive individualism.