Are We a Nation?

An Observation of Tribal Sovereignty

Jacob D. File

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Abstract

This paper will seek to answer how the Santa Clara v. Martinez [1]case set precedence for what tribal sovereignty has become. This essay will answer the importance and effects of sovereignty to Native American tribes in the U.S. Tribal sovereignty has been a term that has changed throughout the years. The views of this idea, sovereignty, have been molded by the cases heard by the Supreme Court and the to this day are still questioned by the Native American society. One court case however, Santa Clara Pueblo v. Martinez (1978)[2], has set the definitive standard for what tribes consider as "sovereignty" today. So in this capstone, this paper will show how this case has brought precedence for what sovereignty is today and how sovereignty is important to tribes in this modern age.

[1] Santa Clara Pueblo v. Martinez, 76-682 U.S. 436 (1978)
[2] Ibid.

Glossary

Habeas Corpus: a writ requiring a person to be brought before a judge or court, especially for investigation of a restraint of the person's liberty, used as a protection against illegal imprisonment.

De Novo: De novo means adj. Latin for "anew," which means starting over, as in a trial de novo. For example, a decision in a small claims case may be appealed to a local trial court, which may try the case again, de novo.

Sovereignty: A country's independent authority and the right to govern itself

Contents

Introduction	1
Evolution of Sovereignty	3
Case Study	6
Final Verdict and Conclusion	12
Case Effects and Importance of Sovereignty Today	14
Final Thoughts	17
Cases	22
Bibliography	23

Introduction

"Tribal sovereignty means that. It's sovereign. You're a … you're a … you've been given sovereignty and you're viewed as a sovereign entity"[3]

Many people do not know what sovereignty means. The quote from George W. Bush in 2004 is a great example of this. The former Commander-in-Chief of the U.S., the leader of the world's number one power did not even know the idea of sovereignty. This in turn, of him not knowing, is quite appalling since Native American tribes are right in the "backyard" of the country. Although the president does not need to know everything, it is amazing that even the people in an "idolized" position, does not even know a simple political term means.

Sovereignty, by definition, is "a country's independent authority and the right to govern itself"[4] This type of sovereignty is seen in tribes, as early as 1831 in the case of *Cherokee Nation v. Georgia (1831).* In this case it was stated by Chief Justice Marshall that the Cherokee Nation and other tribes lacked the ability to sue states. Their relation to the United States resembles that of a ward to his guardian."[5] Just one year later

[3] "Bush on Native American Issues: 'Tribal Sovereignty Means That. It's Sovereign," Juan Gonzalez and Amy Goodman, Democracy Now, Aired August 10, 2004

[4] Merriam-Webster 2011, "sovereignty", accessed May 1, 2015, http://www.merriam-webster.com

[5]Phillip J. Prygoski, "From Marshall to Marshall The Supreme Court's Changing Stance on Tribal Sovereignty." Date Accessed April 26, 2015. http://www.americanbar.org/content/newsletter/publications/gp_solo_magazine_home/gp_solo_magazine_index/marshall.html.

Chief Justice Marshall decided in the case of *Worcester v. Georgia (1832)* that in disputes of Georgia imposing penalties on missionaries in the Cherokee territory "[t]he Cherokee nation…is a distinct community, occupying its own territory, with boundaries accurately described, in which the laws of Georgia can have no force, and which the citizens of Georgia have no right to enter, but with the assent of the Cherokees themselves, or in conformity with treaties, and with the acts of Congress…."[6] Meaning that in these two earlier cases tribal sovereignty has been established, but was definitely subject to change.

The responsibilities and authority that normally come with being a "sovereign nation" is the ability to sign treaties (which Natives have been doing for years), the ability to self-govern (also something Natives have been doing long before Europeans arrived), and lastly a people who share a common custom, religion, language, origin, ancestry, or history. Therefore Native tribes have the right to be a sovereign nation, because they meet all these criteria and more. But in the case of tribes in the United States, they have what people call "limited sovereignty" in a sense that tribes do have ability to govern themselves but they aren't completely independent with their own separate sovereignty from the United States. For example they cannot make war or coin their own money, which is on major factor in being a completely independent nation with their own separate sovereignty. So in terms of tribes they are more considered as domestic dependent nations with limited sovereignty in their ability to govern

[6] Worcester v. Georgia, U.S., 31 U.S. 515 (1832)

themselves and other internal issues. When it comes to decisions outside of the tribes, the American government has the final say and what they say goes in the tribal nations.

Evolution of Sovereignty

Now with the basis of sovereignty covered, the issue is "how much power should these Native lands be able to hold and how far does their sovereignty extend?" That is what many court cases, for about the next 150 years, have been trying to explain. With the next case including the decision on major crimes, such as *Ex Parte Crow Dog (1883),* in which one Native man killed another, a case was held in Indian Country to deal with the reparations between families. The case was settled and the families happy with what they had to give or what they received, the federal government stepped in and held the defendant responsible for his actions. The tribe pleaded "tribal sovereignty" but the federal government concluded that since it was a major crime, the federal government had the right to intervene. This ultimately lead to the Major Crimes Act of 1885, ~~in~~ which states that if any of the major seven crimes are committed, (murder, manslaughter, rape, and assault with intent to commit murder, arson, burglary, and larceny), the federal government can step in and bring the defendant to federal court instead of Tribal court. This was the first "hit" to sovereignty to Native tribes, since now they had no power to decide on how to punish major crimes on their reservations.

The case that tribes took a huge step back was the court cases of *U.S. v. Kagama (1886)* and *Lone Wolf v. Hitchcock (1903).* In the case of Kagama, two

Natives killed another Native man. The case was taken to federal court and the men found guilty. What really hurt was the aftermath of this case in which "it ruled that the trust relationship between the federal government and the tribes conferred on Congress both the duty and the power to regulate tribal affairs."[7] As for the Lone Wolf case, the aftermath of what had become of the treaty regulations, was "It went on to say that the status of the Indians who entered into the treaty and their relationship of dependency to the United States were such that Congress had a plenary power over the government's relations with the tribes."[8] Sovereignty at the turn of the 20th century was not looking very well for the Natives and would not look to get better for quite some time.

Coming into the 20th century tribal sovereignty began to gain some of the power it had lost in the courts before with the case of *Williams v. Lee (1959)*. The case involved a non-Native man who had sued two Native men in a breach of contract, which had actually taken place on the reservation. "…[A]bsent governing Acts of Congress, the question has always been whether the state action infringed on the right of reservation Indians to make their own laws and be ruled by them."[9] This was the first case in which congress had agreed that Natives should begin to make their own decisions, in legal

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[7] Phillip J. Prygoski, "From Marshall to Marshall The Supreme Court's Changing Stance on Tribal Sovereignty." Date Accessed April 26, 2015. http://www.americanbar.org/content/newsletter/publications/gp_solo_magazine_home/gp_solo_magazine_index/marshall.html

[8] Ibid.

[9] Williams v. Lee, 39 U.S. 358 (1959).

matters, on what goes on in a reservation. One major factor that was created, in the midst of the Civil Rights Era, was the Indian Civil Rights Act in 1968.(Footnote) This act is a major deciding factor in the cases to come in terms of self-government, sovereignty, and what it means to be considered an "Indian." It also set the ground rules for Native tribes to accept the Bill of Rights into their self-government. This Act has given basic rights and freedoms to people in the community to advocate a more "equal-power" of the tribes. Another case in which sovereignty started to become more defined in today's standards, before the big case in *Santa Clara v. Martinez (1978),* would be the *McClanahan v. Arizona State Tax Commission (1973).* This case simply stated that the state did not have the right or power to tax the income of what each Native earned on the reservation. After this case, people began to look more at the difference between tribal laws and federal laws. "[T]he trend has been away from the idea of inherent Indian sovereignty as a bar to state jurisdiction and toward reliance on federal pre-emption…. The modern cases thus tend to avoid reliance on platonic notions of Indian sovereignty and to look instead to the applicable treaties and statutes which define the limits of state power" [10] After this case, tribal sovereignty began to gain more power, but also contributed to the confusion on what tribal sovereignty actually was. But the case that was yet to come was one of the biggest deciders and

[10] *McClanahan v. Arizona State Tax Commission, 71-834. U.S. 411 (1973).*

"grey-areas" of sovereignty for the Native Americans and their ability to self-govern with the idea of being a "sovereign nation"

Case Study

In the late 1970's Jimmy Carter was president, the Vietnam War had been over for three years now, and women were beginning to fight for their rights with the largest feminist march on Washington in history on July of 1978. The impeccable timing with the *Santa Clara v. Martinez* case, due to the fact that in the court case Audrey Martinez, a woman who married outside of her reservation, had her daughter denied tribal membership to the Petitioner Santa Clara Pueblo Indian Tribe because the tribe still accepted children from men who married outside the tribe, but not women. Audrey Martinez was given a warning before of what would happen if she were to marry outside the tribe. "Two years before this marriage, the Pueblo passed the membership ordinance here at issue, which bars admission of the Martinez children to the tribe because their father is not a Santa Claran."[11] Although the children could still live on the reservation and partake in most activities, the only downside of not being a member was the children were not allowed to run for Tribal office and may have to leave the reservation once their mother had passed away. Although cruel, the tribe did have the

[11] Ibid.

right to do so, and their main defense in the case was the right to self-determination and sovereignty.

> "[T]he equal protection guarantee of the Indian Civil Rights Act should not be construed in a manner which would require or authorize this Court to determine which traditional values will promote cultural survival and should therefore be preserved . . . . Such a determination should be made by the people of Santa Clara; not only because they can best decide what values are important, but also because they must live with the decision every day. . . .
>
> ". . . To abrogate tribal decisions, particularly in the delicate area of membership, for whatever `good' reasons, is to destroy cultural identity under the guise of saving it."

So with the defense of preserving a culture and trying to keep the traditions they had for 600 years going, the main plaintiff's argument was that to keep her children from being members because she was a woman instead of a man was completely sexist. "…the Court of Appeals apparently concluded that because the classification was one based upon sex it was presumptively invidious and could be sustained only if justified by a compelling tribal interest." But in the other side of the argument, in order for the plaintiff's case to hold ground in court it needs to have "compelling tribal interest" in which "tribe's interest in the ordinance was not substantial enough to justify its discriminatory effect." Another added part to the defense is in section three of the case in which it states "Indian tribes have long been recognized as possessing the common-law immunity from suit traditionally enjoyed by sovereign powers" Meaning that without

congressional interest and authorization the "Indian Nations are exempt from suit"[12] But there was enough interest with the right of habeas corpus[13] to keep the trial going, although congress had begun to make sure not to "overstep their boundaries"

> "Although Congress clearly has power to authorize civil actions against tribal officers, and has done so with respect to habeas corpus relief in § 1303, a proper respect both for tribal sovereignty itself and for the plenary authority of Congress in this area cautions that we tread lightly in the absence of clear indications of legislative intent."[14]

With this kind of "green light" to their proceedings, there was also law written down in the Indian Civil Rights Act that had put the Bill of Rights into their tribal laws, and that they should follow them to the best of their abilities. This ability to trust one another has been tough, especially for the Natives, but in this case they show in the defense how "Tribal courts have repeatedly been recognized as appropriate forums for the exclusive adjudication of disputes affecting important personal and property interests of both Indians and non-Indians."[15] Meaning that the Natives have been doing a good job on their own with cases, except maybe a couple "grey-area" cases here and there, but out of the thousands of cases that are given to tribal governments, it feels as

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[12] Ibid.

[13] Merriam-Webster 2011, "Habeas Corpus", accessed May 1, 2015, http://www.merriam-webster.com

[14] Santa Clara Pueblo v. Martinez, 76-682 U.S. 436 (1978), 4.

[15] Ibid, 5

though ninety-nine percent of them are all given fair and balanced due process of the law.

Congress then decided to consider a *de novo*[16] review. "'Tribal representatives argued that de novo review would "deprive the tribal court of all jurisdictions in the event of an appeal, thus having a harmful effect upon law enforcement within the reservation'"[17] Also stated by Mr. Real Bird:

"This [bill] would in effect subject the tribal sovereignty of self-government to the Federal government. . . . [B]y its broad terms [it] would allow the Attorney General to bring any kind of action as he deems appropriate. By this bill, any time a member of the tribe would not be satisfied with an action by the [tribal] council, it would allow them [sic] to file a complaint with the Attorney General and subject the tribe to a multitude of investigations and threat of court action."[18]

The tribes then feared that if Congress intervened with this issue, that people who had claims against the tribal government (that had lost in tribal court) could grieve to the federal courts to get another trial every time. Concluding from the testimony by Mr. Real Bird that tribal sovereignty would be diminished because any disagreement can be reproached by Congress, and that the tribal government decisions would have no effect, leading to no point in the tribal decisions and the end of "self-justice" on reservations.

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[16] Merriam-Webster 2011, "De novo, accessed May 1, 2015, http://www.merriam-webster.com

[17] Santa Clara v. Martinez (1978), 5

[18] Ibid, 5

Again emphasized by congress was the tribal government's infringement on section 1302 of the Indian Civil Rights Act, which states the constitutional rights of all Native Americans on their respective reservations:

> "Congress retains authority expressly to authorize civil actions for injunctive or other relief to redress violations of § 1302, in the event that the tribes themselves prove deficient in applying and enforcing its substantive provisions. But unless and until Congress makes clear its intention to permit the additional intrusion on tribal sovereignty that adjudication of such actions in a federal forum would represent, we are constrained to find that § 1302 does not impliedly authorize actions for declaratory or injunctive relief against either the tribe or its officers."[19]

So after all the decision making of the courts, Congress could still not prove enough that the denial of Audrey Martinez's children into the tribe was unconstitutional and or broke any part of the Indian Civil Rights Act, sections 1301-1341. With Justice White dissenting that the federal courts do have the right to intervene in civil cases if and only if there is undeniable evidence that civil rights of the person of that reservation had been breached, until then it is the tribe court and government to decide what is right and what is wrong, while following some of the basic guidelines of the Indian Civil Rights Act. But what Congress wanted to avoid is the tribe denying the rights of the Indian Civil Rights Act. Some tribes have denied the Indian Civil Rights Act, really undermining the goal that it wants to accomplish, but in this scenario, no case has been indisputably made that the Santa Clara Pueblo have neglected any part of the Indian Civil Rights act. Along with the federal district court their duty would be "limited to determining whether

[19] Ibid, 6

the challenged tribal action violated one of the enumerated rights. If found to be in violation, the action would be invalidated; if not, it would be allowed to stand."[20] So again, if the courts could find any reason that the tribe had denied the rights of Audrey Martinez, the earlier case would be thrown out and the new court decision would take its place, in terms of a *de novo* review.

Congress and the federal courts also wanted to keep in check the powers of tribal government. Although they can decide on how their government works and how their laws are put into effect, the federal government has the final say in what is considered constitutional, based on the guidelines in the Indian Civil Rights Act. Balancing of powers has always been in the American government, ever since the writing of the constitution.

> "[t]he people get governors and sometimes they get power hungry and then the people have no rights at all," to which Senator Ervin responded: "`Power hungry' is a pretty good shorthand statement to show why the people of the United States drew up a Constitution. They wanted to compel their rulers to
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> *82 stay within the bounds of that Constitution and not let that hunger for power carry them outside it."[21]

Even stated in this case Senator Sam Ervin, Democrat of North Carolina who was known for investigating the Watergate scandal, knew what would happen with an imbalance of power and what it would do to a governments system. As seen by the

[20] Ibid, 8

[21] Ibid, 10

court in this case, that because the tribal courts did not break any laws or technically didn't disobey the Indian Civil Rights Act, they weren't seen as "hungry empowered and corrupt", throwing out Senator Ervin's argument.

Final Verdict and Interpretation

The final verdict of this case was in favor of the tribe due to the fact that Congress could not provide sufficient evidence that the tribe of Santa Clara had broken any rules with the Indian Civil Rights Act and they could not prove that the right of habeas corpus was not provided. The tribe then had succeeded in their case on the grounds of tribal sovereignty. This major case brought into light how important and how strong a factor sovereignty is to tribes. The verdict of this case will represent how most civil cases are done in the Native courts, and how much Congress and the federal courts can actually interfere with tribal politics and government. The case of Santa Clara v. Martinez sets the precedence that although it looks as if civil liberties are not being "expressed," (although some of the tribal customs may seem discriminatory to people outside the tribe) the customs and laws of the tribe have been around a lot longer than the U.S. Some may argue that other discriminatory issues have been changed in the U.S. and so should the tribes, but in rebuttal the tribe treats all people on the reservation with equal opportunity dating back 600 years. People are told of the laws and customs that if you marry outside the tribe and you are a woman that your children may not be members, and although it sounds harsh, the community believes in keeping what customs and traditions they have left. If they lose what values they have

left, are they even a unique tribe and culture anymore? So in order to keep their tribe and culture intact they need to keep the power of their sovereignty strong and unbreakable.

> "Every human relation within the association, whether transient or permanent, is sustained exclusive by the rules of conduct. If the rules cease to be operative, the community disintegrates; the weaker they become, the less firmly knit the organization becomes."[22]

Meaning, if the rules and traditions of a tribe are broke or even bent, what makes the tribe so special? As stated earlier, what culture or traditions would then set the Santa Clara Pueblo tribe apart from any other tribe in the United States? Along with the idea and the right of having sovereignty, federally recognized tribes have their rules and regulations that sets them apart from other tribes. One of which is to have their own culture separate from other tribes (that set them apart). So what scares the tribe of the Santa Clara Pueblo is that if they begin to lose their culture with a court case that makes the tribe have to accept someone as a tribal member (not including the fact that many tribes have numerous rules on who can be a tribal member), they begin to lose what differentiates them from other tribes. Thus in risk of losing their right as a federally recognized tribe, all in turn loses their right to any sovereignty. Although the series of events seems a bit extreme, the risk of losing federal membership as a tribe is a problem that many other tribes face daily. If the Santa Clara tribe were to lose their

[22] Ehrlich, Eugen and Walter Moll, "Fundamental Principles of the Sociology of Law 44" (The Harvard Law Review Association 1937).

"membership" as a federally recognized tribe they stand to lose not only federally funding, land, and other perks of being federally recognized, but also their culture and their sovereignty. Without sovereignty the tribe stands to lose anything that involves their culture and way of life. *"Tribal sovereignty ensures that any decisions about the tribes with regard to their property and citizens are made with their participation and consent."*[23] The significance of tribal sovereignty and culture are the largest aspects of importance to the individual tribes and their nations. Whereas the tribes without sovereignty struggle to be federally recognized so that maybe one day they can have the right to decide on how their culture lives on. Not saying that the end of their sovereignty is the end for the Santa Clara Pueblo Tribe, but it would be the start of a fight to stay relevant in order for their culture to live on. In turn, the importance of having their own sovereignty means the symbol of their culture and way of life.

Case effects and Importance of Sovereignty today

The case of Santa Clara v. Martinez has set the standard for how inclusive the federal courts can be in tribal cases. It cleared up some of the "grey-area" that had been before, with the Indian Civil Rights Act. It had a relation to other major cases in tribal sovereignty in the years after this case. For example, in the case of Montana v. The United States (1981), the Crow Indian Tribe had disputes with non-natives on their

[23] U.S. Department of Interior: Indian Affairs, "Frequently Asked Questions" last modified April 29, 2015. Accessed April 26, 2015. http://www.bia.gov/FAQs/.

land over fishing and hunting (one of the major issues, even within the last 20 years in the state of Wisconsin and Midwest). In this case the tribe believed that it had a right to exclude any non-native they wanted from fishing or hunting on their lands. The state of Montana disagreed and had many arguments against the tribe, such as the Treaty of 1851 and Natives not having the right to govern non-natives. This ties back to the Martinez case in the way that the tribe has the right to self-govern the land, people, and property they own. The Crow tribe has the right to govern the land they own, that as long as they don't push criminal charges against the non-natives on their land and have them return to non-reservation land instead, that The Crow can decide who or what goes on in their sovereign lands. This was similar to the Martinez case in that the people and customs of that tribe are there for a cultural purpose and the tribe can do as the please with the land and people they have.

> "self-rule – sovereignty – has proven to be the only policy that has shown concrete success in breaking debilitating economic dependence on federal spending programs and replenishing the social and cultural fabric that can support vibrant and healthy communities and families."[24]

Along with the study of sovereign versus non-sovereign tribes, it is well known in the Native communities that Native Americans are the largest represented of the races that live below the poverty level.[25] For example the people of the Pine Ridge

[24] Kalt, Joseph P. and Joseph Willaim, "Myths and Realities of Tribal Sovereignty: The Law And Economics of Indian Self-Rule." (March 2004) Faculty Research Working Papers Series, accessed April 24, 2015.

[25] See figure 1 and 2 on page 20

reservation are the poorest in the nation. They are being offered $1.3 billion by the government for the Black Hills, but the tribe refuses the money because of the importance of land to the people and the betrayal of the Treaty of Fort Laramie in 1868, that had promised the Sioux people the right to keep the Black Hills.[26] The reason for the Black Hills connection to the sovereignty cases is to show the extreme problems in Native country and the problems they still face today. That even in these modern times, this tribe, like many others, still faces problems such as no electricity, internet, or sometimes even clean water and food. The poorest place in the United States is deciding to decline over a billion dollars because of the importance of culture and their desire for self-determination. Some of the core American values are the right to freedom, self-determination, and the pursuit of happiness. Relating this to the Martinez case, the tribe wants to keep its culture, but the government tries to intervene and this scares the tribe because if they lose sovereignty they will begin to lose their right to self-determination.

[26] Fritz, Mike & Uenuma, Francine, "Why the Sioux Are Refusing $1.3 Billion." PBS, August 24, 2011, accessed April 26, 2015. http://www.pbs.org/newshour/updates/north_america-july-dec11-blackhills_08-23/.

Final Thoughts

A handful of tribal leaders gathered to fight assimilation and termination and now we carry on their work by promoting tribal sovereignty, strengthening our government-to-government relationships with the U.S. government, and working tirelessly so that Native people can have better lives. Joe Garcia, President, National Congress of the American Indian[27]

A powerful quote from a powerful man, implying that now is their time to fight for their culture, now is the time to try and win their sovereignty back. The importance of the Martinez case can be summarized as a case to fight for sovereignty. That now is their time in which the Natives have now been given the chance to prove that they are willing and strong enough to survive and self-govern themselves. That they need not to lean on the powers of the federal government which has taken so much from them, but to rise up and prove them wrong.

As stated before, the allowance of sovereignty will most likely lead to a better socio-economical way of life for the Natives on reservations. The removal of self-sovereignty will lead to a bad economy, which in turn leads to poor education, a high crime rate and high dropout rate, and eventually unemployment, which brings us back to the vicious circle of a bad economy and bad education system. The government, it being their responsibility to look after its citizens, would find it best to allow these cases

[27] Boltz, Gina, "Native Village WORDS FROM THE CIRCLE" Native Village, accessed April 25, 2015, http://www.nativevillage.org/Libraries/Quotes/Native%20American%20Quotes%2019.htm.

such as the "Santa Clara v. Martinez" case to stay within the tribes. There are reasons that the government would want to step in (with relation to the Major Crimes Act[28]) (The Major Crimes Act was passed in 1885 and placed 7 major crimes under federal jurisdiction, if committed on Native American territory.) But outside of murder or other major crimes, what does the tribe have to lose if the government does not intervene? Since what is going on right now and has been, is definitely not working.[29] Since colonization the government had intervened for "the greater good" such as the Indian Removal Act or the Indian Assimilation Act that sought out to "Kill the Indian but save the Man." Which all in all, if the Natives were given back their sovereignty; many arguments would lead to the fact that they would not be the poorest minority in the country or the highest in per capita crime. Giving the Natives a "chance with sovereignty" looks as though it would be a win-win situation for all of us.

The Martinez decision has also given the Indian tribes a big chance, perhaps their last one, to salvage the remnants of their native legal systems and to develop their governmental powers. It is, in many ways, a landmark decision in the history of tribal law for it is and acknowledgment and acceptance by the dominant system of the existence of conflicting systems.[30]

[28] "Criminal Resource Manual 679 The Major Crimes Act -- 18 U.S.C. 1153." Criminal Resource Manual 679 The Major Crimes Act. Accessed May 1, 2015. http://www.justice.gov/usam/criminal-resource-manual-679-major-crimes-act-18-usc-1153."

[29] See figure 3 and 4 page 22

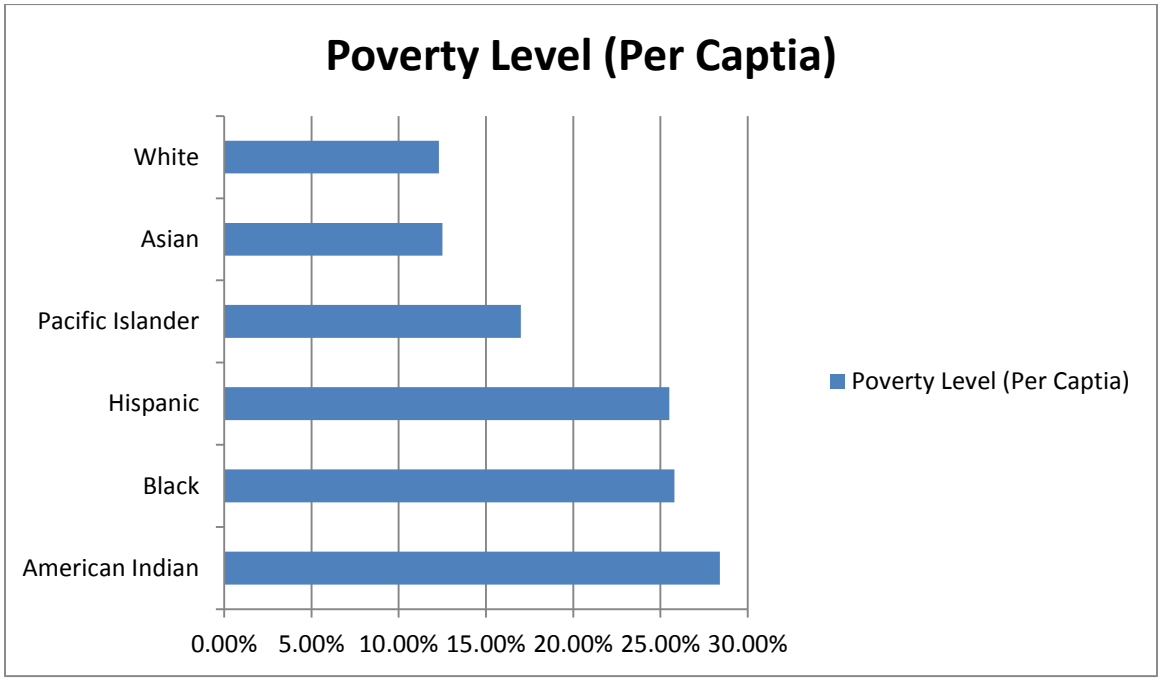
[30] Stetson C.L., Tribal Sovereignty: Santa Clara Pueblo v. Martinez: Tribal Sovereignty 146 Years Later" American Indian Law Review 8, no. 1 (1980), 158.

Throughout the ages of European contact, the Natives and whites have always had differences on how to run things, from how to properly use the land to religious ceremonies. In relation to sovereignty, tribes like to run things a certain way, while the government sees certain ways to be better, in their own values. The American fear of accepting Santa Clara laws may come from the different norms and only an understanding of American laws.[31]

As the tribe sees it as "an invasion of their sovereignty," the government does not see it as "invading their sovereignty" but instead as "providing freedom and liberty." So both sides view their "fight for freedom" as a righteous one. Maybe one day an understanding will come of this and both sides of the table will come to an agreement on how to view their own sovereignty.

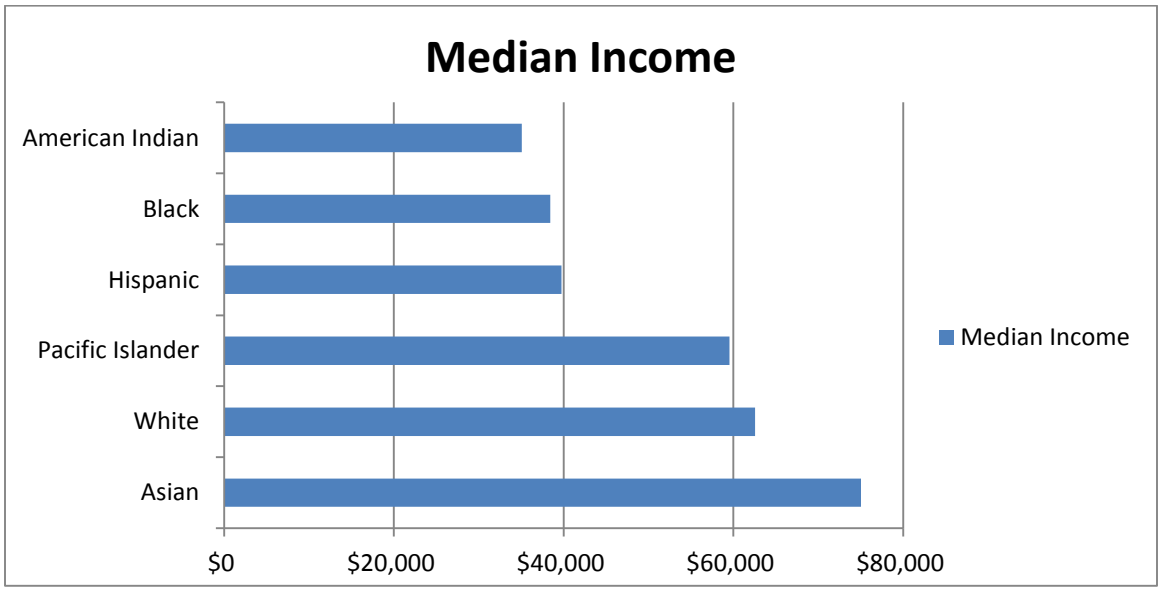
[31] Ibid.

Figure 1



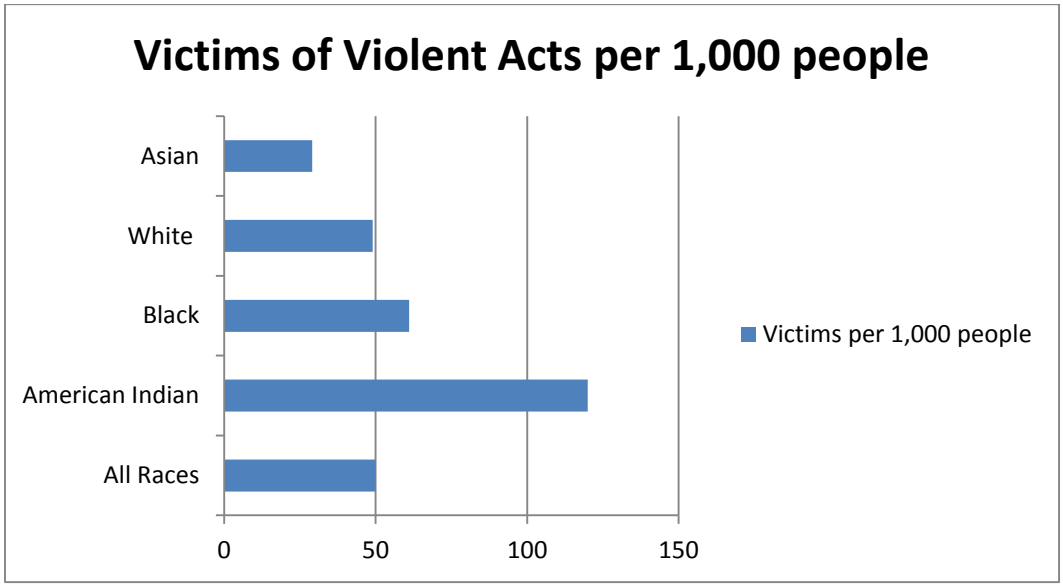
U.S. Census Bureau "American Indian and Alaska Native Heritage Month: November 2011"

Figure 2



U.S. Census Bureau "American Indian and Alaska Native Heritage Month: November 2011"

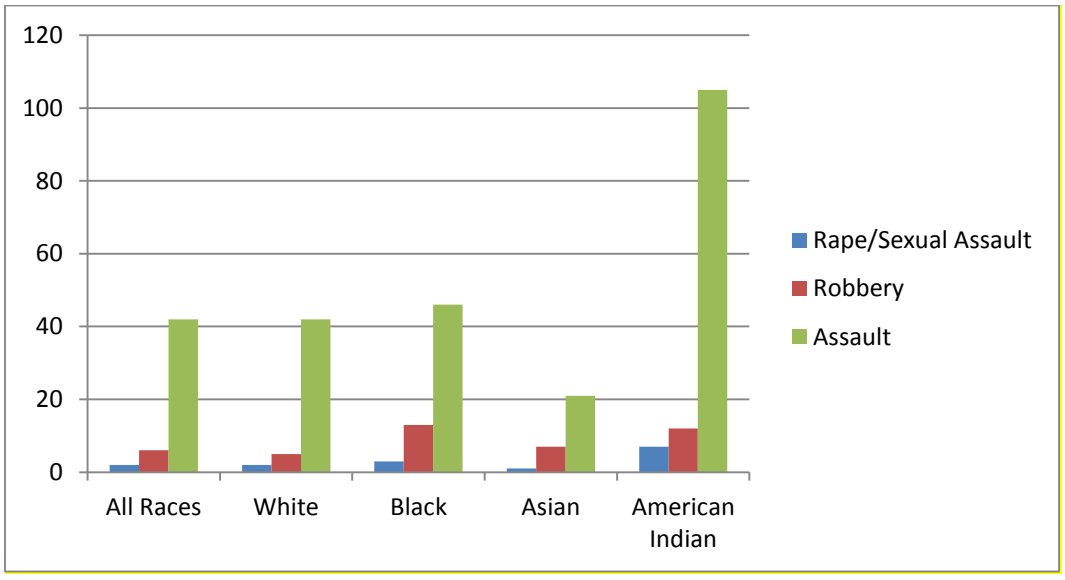
Figure 3



Greenfeld, Lawrence A. and Steven K. Smith "American Indians and Crime." U.S. Department of Justice (February 1999).

Figure 4

Victims per 1,000 People



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