



Tribes, Treaties, and Constitutional Tribulations

Vine, Jr. Deloria, David E. Wilkins

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"Federal Indian law . . . is a loosely related collection of past and present acts of Congress, treaties and agreements, executive orders, administrative rulings, and judicial opinions, connected only by the fact that law in some form has been applied haphazardly to American Indians over the course of several centuries. . . . Indians in their tribal relation and Indian tribes in their relation to the federal government hang suspended in a legal wonderland."

In this book, two prominent scholars of American Indian law and politics undertake a full historical examination of the relationship between Indians and the United States Constitution that explains the present state of confusion and inconsistent application in U.S. Indian law. The authors examine all sections of the Constitution that explicitly and implicitly apply to Indians and discuss how they have been interpreted and applied from the early republic up to the present. They convincingly argue that the Constitution does not provide any legal rights for American Indians and that the treaty-making process should govern relations between Indian nations and the federal government.



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