

Index

- agriculture, 14, 18–19, 40–41, 45, 58–59, 76, 81, 85, 104, 135, 167, 176, 238
 - three-sister crops, 18
- Alaska Native Claims Settlement Act, 157
- Algonquin, 39
- Amherst, Jeffery, 55–56
- Anasazi, 16–17
- Apache, 44–45, 103, 121, 152, 169–70, 185, 220, 260, 284
- Arawak, 26
- Articles of Confederation, 10, 64–65, 68
- Bering Strait Theory, 7–8
- Blackfeet Nation, 104, 142, 166
- boarding schools, 127–30, 291
- Bracker* balancing test, 220–21
- buffalo, 46, 101–2, 120, 149–51
- Cahokia, 11–14, 16, 37
- California v. Cabazon Band of Mission Indians*, 187, 223–24
- Caribs, 26
- Carson, Kit, 102–3, 147, 157
- Cayuga, 62
- Chaco Canyon, 14–16
- Cherokee, 19, 21, 55, 59, 62, 79–84, 89–97, 105–7, 119, 198, 229, 231–33, 250, 263, 291, 305
 - Cherokee Constitution, 82
- Cherokee Nation v. Georgia*, 90, 94, 96, 198, 229, 250
- Chickasaw Nation, 80, 88, 212
- Chief Standing Bear, 297–300
- Chippewa, 18, 62
- Choctaw Nation, 4, 80, 83, 88, 139, 194, 196, 201, 210, 216–19, 232, 239, 241, 272, 291–94
- Civil War, 99–101, 103
- civil/regulatory, 224
- Cobell, Elouise, 166–69, 178
- Cobell* litigation, 166–69, 178
 - class action, 166–67
- Collier, John, 137–38
- Columbus, Christopher, 22–27, 32, 38, 43, 101
- commerce, 1, 10–11, 13–14, 16, 20–22, 24–25, 28, 31, 33–34, 38–39, 41–43, 45, 47–49, 51–52, 56, 62, 65, 68, 70–73, 80–81, 91–92, 98, 114–15, 124, 143, 146–47, 173, 175, 181–84, 210–12, 220–22, 225, 227, 240, 251, 256, 268, 279–80, 284, 288, 307, 309
- currency
 - dentalia, 21
 - wampum, 21
- e-commerce, 225
- trade languages, 21, 38
- Confederacy
 - Creek Confederacy, 69, 71
 - Iroquois Confederacy, 67
 - Wabanaki Confederacy, 59
 - Wabash Confederacy, 62
- conquistador, 27–29
- contract rights, 20
- Corn Tassel, George, 83, 90
- counting coup, 19
- Coushatta Tribe of Louisiana, 237–41, 244

- Creek, 69–71, 80, 83, 87–89, 194–96,
285–87, 297, 303–4
- criminal justice, 1–3, 21–22, 31, 43, 57,
62, 64, 66, 72, 84, 86, 89, 100, 105,
107, 110–12, 114–16, 127–28, 142,
154, 187, 190–95, 197–209, 215,
217, 223–24, 243, 258, 260–61,
263–65, 276, 282, 302, 304
- domestic violence, 190, 202–3
- criminal/prohibitory, 224
- Crockett, Davy, 87
- Crow Dog, 21, 108–12, 198, 306
- Crow Tribe, 140, 212–15, 301
- Dawes Act. *See* General Allotment Act
- de Champlain, Samuel, 39, 42
- de Gálvez, Bernardo, 59, 242
- de Las Casas, Bartolomé, 29
- de Soto, Hernando, 27, 44, 238
- de Vitoria, Francisco, 28–29
- Declaration of Independence, 57, 59
- Delaware, 62, 206, 233, 276, 282–83
- discovery
- Age of Discovery, 23–25
 - Doctrine of Discovery, 25, 27, 75, 94,
106, 144, 175
- disease, 27, 31, 33, 37, 56, 113, 132, 242,
297, 309
- smallpox, 33, 56
- Dollar General v. Mississippi Band of
Choctaw Indians*, 216
- Dred Scott v. Sandford*, 106
- Duane, James, 61–62, 64, 154
- Duro v. Reina*, 103, 200–1, 260–61
- Dutch, 34, 38, 41–42
- economic development, 18, 20, 46, 120,
138, 152, 161, 171–72, 174, 177,
179, 183, 186, 210–11, 222, 251,
253, 274–75, 279–80, 288, 292–93
- Commercial Codes, 211, 268, 279
- commercial institutions, 211–12,
276, 279
- financial institutions, 20, 211, 219,
225–28, 272, 280
- poverty, 1–2, 10, 118, 124, 136, 142,
148, 162, 210, 238–39, 251, 291,
293, 309
- private sector, 171, 210, 276
- secured transactions, 211, 275
- Model Tribal Secured Transactions
Act, 211, 275–76
- tribal lending, 225–27
- unemployment, 1, 153, 210
- enabling acts, 284
- encomienda system
- encomenderos*, 28
 - encomienda, 28–30, 44, 49
- Erie, 42
- Etowa, 16
- Ex parte Crow Dog*, 21, 108–12, 198, 306
- extraterritoriality, 263–65
- factory system. *See* Indian trader laws and
regulations
- federal recognition, 158, 179, 205, 225,
231–37, 239–41, 245–48, 254, 263,
267, 279, 296
- federal acknowledgment process, 3, 180,
234–37, 239, 244, 247, 278
- criteria, 233–36, 244, 253, 271
- federalism, 3, 282, 289
- France, 3, 11, 18, 37–39, 42–43, 49,
52–57, 60, 68, 80, 85, 132, 239,
241–42, 244, 246, 258, 291
- Frank, Jr., Billy, 297
- French and Indian War, 52, 54–55, 57, 242
- Friends of the Indian, 118, 125, 199
- fur trade
- beaver, 42
 - fur, 31, 38, 40–42, 44, 47–48, 81
- gaming
- Class I, 187–88
 - Class II, 188
 - Class III, 188
 - Indian Gaming Regulatory Act, 187–88,
224
 - National Indian Gaming Commission,
187
- General Allotment Act, 20, 114, 117–21,
123–25, 130–31, 136–37, 145, 166,
177–79, 206, 250, 291
- Georgia, 16, 70–71, 79–80, 82, 84–85,
88–91, 93–97, 137, 148–49, 198,
229, 250
- gun, 38–43, 56, 62, 69, 100–1, 264, 309
- arquebus, 39–40, 42
- Haudenosaunee, 39, 41–42, 49–50, 54, 59,
62, 136, 140
- HEARTH Act, 179–80, 252–55
- Ho-Chunk Nation, 179, 252, 267–68
- Ho-Chunk Nation Trial Court, 267

- Hopewell, 11
 Hopi Court of Appeals, 268
 horse, 15, 27, 38, 43–47, 100, 103, 109–10, 140, 214, 309
 houses
 housing, 48, 136, 143, 276, 292
 log cabins, 48
 longhouse, 17, 59
 Pueblos, 48, 157, 290
 Hudson, 27, 34, 42
 Huron, 62
- In re Mayfield*, 198, 219
 Indian agents, 103–4, 139, 191, 200, 206–7
 Indian citizenship, 133, 135–36
 Indian Citizenship Act, 135–36
 Indian Civil Rights Act, 153, 192–93, 199, 203, 261, 267
 Indian Relocation Act, 143
 Indian Removal Act, 85–88, 97–98, 291
 Indian Reorganization Act, 137–39, 145, 161, 177, 179, 212, 274, 305
 Indian Self-Determination and Education Assistance Act, 71, 88, 158, 171, 252, 255, 306
 Indian trader laws and regulations
 factory system, 72–73
 federal trading post, 39, 72–73
 Trade and Intercourse Act of 1790, 71–72, 74, 147–48, 181–85
 Indian Trust Reform Act, 166
Indios, 26
 infrastructure, 10, 21, 181, 207, 211, 221–22, 288
 waterways, 10, 21
 Iroquois, 19, 39, 67
- Jackson, Andrew, 17, 83–84, 87–89, 94, 96–99, 227, 291
 battles, 83, 242
 Jamestown, 30–33, 43
 Jefferson, Thomas, 73, 79, 82, 210
 Jicarilla Apache Nation, 169–70
Johnson v. M'Intosh, 74–78, 91–92, 96, 102, 141, 144–45, 152–54, 175, 198, 250, 262, 273
 jurisdiction, 2–4, 36, 88–91, 94, 106, 110–11, 115, 120, 142, 146, 148, 175, 189, 191–98, 200, 202–13, 215–20, 227–29, 249, 256–66, 268, 272–74, 280, 282, 284–85, 302, 304, 306
 civil jurisdiction, 210–12, 215, 218, 265
 criminal jurisdiction, 110, 154, 191, 193–95, 197, 200, 203–5, 208, 215, 217, 260–63, 265, 304
 difference between ownership and jurisdiction, 258
 territorial jurisdiction, 3, 189, 192, 195, 200, 203–4, 215–17, 227–29, 249, 256, 258–59, 261, 266, 280, 306
 tribal jurisdiction, 3, 189, 192, 195, 200, 203–4, 215–17, 227–29, 256, 258–59, 261, 266, 280, 306
 justice system
 punitive justice, 21
 restorative justice, 21, 107
- Kagama, 113–15, 198, 283, 306–7
 King Philip's War, 35–37
 Kiowa, 103, 121–22
 Kiowa, Comanche, and Apache, 121–22
 Knox, Henry, 4, 64–65, 69–71
- Lamberth, Royce, 167–68
 land tenure, 4, 75, 77–78, 145, 175, 250, 254–55
 fee Simple, 77, 92, 123–25, 157, 175–76, 180, 184, 213, 216, 250–51, 256, 258–61, 275
 fractionation, 177–79
 restricted fee, 175
 rights-of-way, 4, 180
 trust land, 138, 169, 175–78, 180, 184–86, 213, 216, 249–56, 259
 Last Arrow Ceremony, 125
 legal institutions, 21, 229, 274, 277, 281
 Lone Wolf, 121–23
Lone Wolf v. Hitchcock, 121–23
 Lumpkin, Wilson, 85–86
- Mandan, Hidatsa, and Arikara, 17
 Manifest Destiny, 100, 118
 Manisses, 34
 Marshall, John, 75–77, 90–91, 93–96, 148
 Martin, Phillip, 82, 90, 154, 191, 227, 291–94
 Massasoit, 36
 McGillivray, Alexander, 69–71
McGirt v. Oklahoma, 194, 206, 220, 246, 258, 287, 289, 301, 303–4
 McIntosh, William, 74–75
 medicine, 49
 Medicine Crow, Joe, 140–41, 214

- Meriam, Lewis, 129, 136
 Meriam Report, 136–37
 Metacom, 36–37
 Miccosukee, 149–51
 Mississippi Band of Choctaw Indians, 4,
 201, 216–19, 232, 272, 291–94
 Mississippi Band of Choctaw Indians
 (MBCI) tribal courts, 272
 Moapa Band of Paiute Indians, 161–62
 Model Tribal Secured Transaction Act,
 211, 275–76
 Mohawk, 19, 37, 39, 62
 Mohegan, 35
 Montana exceptions, 215, 217
 Montana One, 215, 217–19, 227
 Montana Two, 215, 217
 Montana v. United States, 117, 212–15,
 217–19, 227, 253, 256, 259, 297
 Monte Verde, 8–9
 mounds, 10–12, 16–17, 22, 34, 37
 Monks Mound, 12, 37
 Muscogee Nation, 302–3
 Myer, Dillon S., 139, 142–44
- Narragansett, 33, 35
 National Labor Relations Act, 170–71
 National Labor Relations Board, 171
 natural resources, 25, 255
 Clean Water Act, 253, 288
 energy production, 180, 185–86, 243
 timber, 14, 18, 144, 185, 254
 Navajo, 44–45, 102–3, 146–48, 162–66,
 175, 180, 201, 231, 267–70,
 274–75, 277, 287
 Navajo Nation, 146–48, 162–65, 175,
 231, 267–70, 274–75, 277
 Navajo Nation Supreme Court, 267–70,
 274, 277
 Newman, Wallace, 155
 Nixon, Richard, 152, 154–58, 192
 Northwest Ordinance, 63–64
- Oklahoma v. Castro-Huerta*, 124, 205,
 303–5
 Oliphant, Mark David, 43, 154, 192–200,
 203, 209, 211–13, 215, 217, 259,
 264–65, 306
Oliphant v. Suquamish Indian Tribe, 43,
 154, 192–200, 203, 209, 211–13,
 215, 217, 259, 264–65, 306
 Oñate, Don Juan, 29
 Oneida, 41, 62, 134, 250
- Onondaga, 62, 134
 Ordinance for the Regulation of Indian
 Affairs, 63, 71
 Ottawa, 20, 56, 62
- Parker, Quannah, 121–22, 195–97
 Peabody Coal Company, 162–65
 Pequot, 34–35, 278
 Pequot War, 34–35
 Block Island, 34
 Mistick Fort, 35
*Plains Commerce Bank v. Long Family
 Land & Cattle Company*, 256
 plenary power, 116, 127, 263, 307
 political structure, 49
 Ponca Tribe, 297–300
 Ponce de León, Juan, 27
 Pontiac, Chief, 55–57
 Pontiac's Rebellion, 55–57
 pope, 24–25, 27, 32
 papal bull, 26
 papal decree, 24
 Portugal, 24–25, 32
 Potawatomic, 62
 Poverty Point, 10–11
 Powhatan, 30–31
 Pratt, Richard, 127–28
 Praying Indian, 36
 Proclamation of 1763, 57–58
 property
 lease, 122, 139, 163–65, 174, 176,
 179–80, 182, 186, 216–17, 219,
 221, 243, 251–52, 275
 personal, 19
 private property rights, 20, 118–19, 253
 Public Law 83–280, 142, 146, 207–8
 Pueblo, 15, 17, 27, 29, 44–45, 127,
 156–57, 212, 290, 306
 Acoma Pueblo, 29
 Nambé Pueblo, 290
 Taos Pueblo, 137, 156–57
 Blue Lake, 155–57
 Pueblo Indians, 17, 27, 127, 157, 306
- Revolutionary War, 59, 61, 64–65, 101
 Rickard, Clinton, 135–36
 Roanoke, 30
 Rogers, William, 105–7, 198, 205, 306
 role of Women
 matrilineal, 50
 treatment, 50
 Ross, John, 93, 96–97

- self-determination, 2–3, 146, 152–54, 158, 161, 171, 173–74, 180, 186, 192, 197, 199, 229, 234, 244, 254–55, 284, 287, 294
- Seminole, 80, 89, 150–51, 188, 284, 302
- Seneca, 4, 59, 62, 69
- Sequoia, 81
- Shawnee, 62
- Sherman, William Tecumseh, 100–1
- Sickey, Ernest, 47, 239–41, 244
- Sioux, 21, 104, 108–11, 146, 199, 227, 250, 297
- Smith, John, 31–32
- Spain, 3, 25–32, 38, 44–45, 49, 52, 54–55, 59–60, 62–63, 67, 69–71, 73, 80, 85, 147, 150, 156, 242
- Spiro, 16
- Spotted Tail, 108–10
- Stickball, 19
- Suquamish Indian Tribe, 192–95, 198, 259, 264
- Susquehannock, 42
- Taney, Roger, 106–7, 205
- tax
 state taxation, 120, 142, 221–22, 224, 256, 284, 288
 taxation, 57, 66, 120, 136, 142, 164, 193, 210, 221–22, 224–25, 243, 256, 260, 284–86, 288–89, 309
 tax-exempt bonds, 172
- Tee-Hit-Ton Indians v. United States*, 144–45, 198, 306
- Thorpe, Jim, 131–33, 141, 154, 236, 239, 243
- Tiger, Mostaki, 127, 149–51
- Tiger, Mostaki Buffalo, 127, 149–51
- Trade and Intercourse Act of 1790, 71, 181
- Trail of Tears, 97, 105, 303
- treaties
 The Creek Treaty, 69
 Treaty of Dancing Rabbit Creek, 88–89, 194–95
 Treaty of Fort Laramie, 104, 109, 297
 Treaty of Fort Stanwix, 62
 Treaty of New Echota, 96–97
 Treaty of Paris, 55, 60
 Treaty of Payne's Landing, 89
 Treaty of Point Elliott, 193
 Treaty of San Ildefonso, 242
 Treaty With France for the Cession of Louisiana, 242
- tribal courts, 112, 192, 194–95, 197–99, 202–4, 212, 216–20, 226–27, 260, 262–63, 265–67, 271–78, 280
- business courts, 279
- intertribal, 280
- CFR courts, 271
- Courts of Indian Offenses, 112, 119, 212
- peacemaker courts, 271
- tribal judges, 268, 271–73
- Tribal Energy Resource Agreement, 186
- tribal law, 2, 18, 20, 107–8, 110, 112, 114–15, 118, 179, 185, 198, 201, 211–12, 216, 218, 225–27, 249, 265–68, 270, 273, 276–78, 281–82, 284, 287
- traditional, 267
- Tribal Law and Order Act, 201–2
- tribal tax sovereignty, 283
- tribal termination era
 House Concurrent Resolution, 141
- tribal termination, 55, 141–46, 149–50, 153–54, 156–57, 197, 234, 239, 241, 250, 301
- tribes as states, 225, 253, 288
- trust relationship, 166, 170
- the Tulalip Tribes, 221–22, 288
- Tunica-Biloxi Tribe of Louisiana, 241, 272–73
- Tuscarora, 62, 135
- Twichtwee, 62
- United Houma Nation, 18, 49, 59, 205, 234, 236, 241–48, 296
- United Indian Nations, 62–63
- United States Constitution
 Apportionment Clause, 67
 Bill of Rights, 153–54, 192, 203, 261
 Commerce Clause, 68, 91, 114–15, 284, 307
 Equal Protection Clause, 231, 262
 Establishment Clause, 154
 Fourteenth Amendment, 298
 Fourth Amendment, 261
 Treaty Clause, 68
- United States v. Kagama*, 113–15, 198, 283, 306–7
- United States v. Rogers*, 105–7, 198, 205, 306
- United States v. Sandoval*, 27, 30, 127, 306
- United States v. Sioux Nation*, 199
- United States v. Vaello Madero*, 308

- Vázquez de Coronado, Francisco, 29
 Violence Against Women Act, 202–4, 261, 263, 268
 Act of 2013, 202, 204, 263
 Reauthorization Act of 2022, 204
- Wampanoag, 33, 36
 Wamsutta, 36
 War of 1812, 73, 83
 Washington, George, 52–53, 58–59, 62, 64–65, 69, 71–72, 76, 304
 Watson Brake, 9–10
White Mountain Apache Tribe v. Bracker, 185, 220–21
- Williams, Paul and Lorena, 146–49
 Williams, Roger, 32–33, 146–49, 212
Williams v. Lee, 32–33, 146–49, 212
 Wirt, William, 90
Worcester v. Georgia, 43, 94, 96, 148–49, 198, 304
 World War I, 134–35, 139–41, 143–44, 214, 264, 291
 World War II, 139–41, 143–44, 214, 264, 291
- Yurok, 21, 113–14
 Zah, Peterson, 164