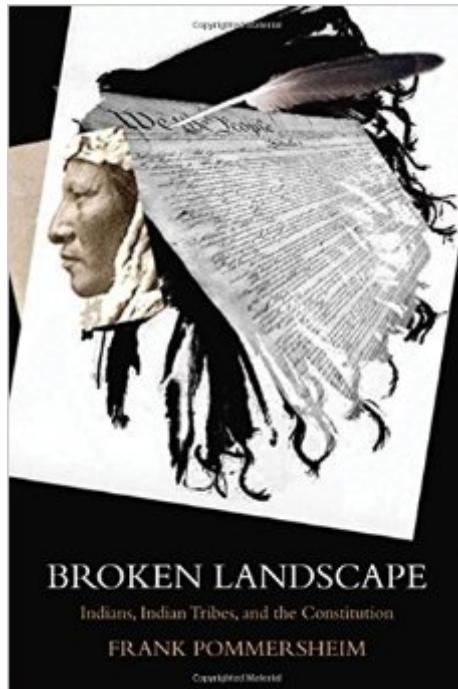


The book was found

Broken Landscape: Indians, Indian Tribes, And The Constitution



Synopsis

Broken Landscape is a sweeping chronicle of Indian tribal sovereignty under the United States Constitution and the way that legislators have interpreted and misinterpreted tribal sovereignty since the nation's founding. Frank Pommersheim, one of America's leading scholars in Indian tribal law, offers a novel and deeply researched synthesis of this legal history from colonial times to the present, confronting the failures of constitutional analysis in contemporary Indian law jurisprudence. He demonstrates that the federal government has repeatedly failed to respect the Constitution's recognition of tribal sovereignty. Instead, it has favored excessive, unaccountable authority in its dealings with tribes. Pommersheim argues that the Supreme Court has strayed from its Constitutional roots as well, consistently issuing decisions over two centuries that have bolstered federal power over the tribes. Closing with a proposal for a Constitutional amendment that would reaffirm tribal sovereignty, Broken Landscape challenges us to finally accord Indian tribes and Indian people the respect and dignity that are their due.

Book Information

Paperback: 424 pages

Publisher: Oxford University Press; Reprint edition (March 1, 2012)

Language: English

ISBN-10: 0199915733

ISBN-13: 978-0199915736

Product Dimensions: 9.2 x 1.1 x 6.1 inches

Shipping Weight: 1.4 pounds (View shipping rates and policies)

Average Customer Review: 4.0 out of 5 starsÂ See all reviewsÂ (1 customer review)

Best Sellers Rank: #674,564 in Books (See Top 100 in Books) #46 inÂ Books > Law > Administrative Law > Indigenous Peoples #99 inÂ Books > Law > Business > Arbitration, Negotiation & Mediation #465 inÂ Books > Textbooks > Law > Constitutional Law

Customer Reviews

In Gutzman's and Woods's "Who Killed the Constitution," they describe numerous events and court decisions in our history that marked the end of the Constitution's power over our government. In essence the Constitution is dead. Frank Pommersheim in his book on the Native-Americans' treatment by our government, states that they had been given a raw deal and that the courts and Congress have totally broke away from any Constitutional moorings with regards to Indian law. In essence, the Constitution is dead to this group of people as well. Pommersheim summarized that

the Constitution grants the Executive Branch with power to negotiate treaties with Indian Tribes with the Senate concurring while the Legislative Branch is given the power to regulate trade with the Indian Tribes. Other than that, there is very little in the Constitution that deals with Native-American affairs. Pommersheim goes into the early dealings with Indians from before the founding of this country to the disastrous decision of *Lone Wolf v. Hitchcock* which gave Congress unconstitutional "plenary" power to abrogate treaties with the Indians. The author goes into the "Marshall Trilogy." This trilogy is a set of cases that affected the Indians' right to the land that they occupied including *Johnson v. M'Intosh*. The second portion of the book deals with the citizenship issue and First Amendment rights of Native Americans, material that included the denial of Indians to perform certain acts according to their beliefs like gathering eagle feathers for ceremonies and using peyote. The final portion of the book deals with how modern courts have dealt with Indian issues and proposes solutions to restore tribal sovereignty for these people. A few observations.

[Download to continue reading...](#)

Broken Landscape: Indians, Indian Tribes, and the Constitution Indian Cooking: for Beginners - Indian Recipes Cookbook 101 - Indian Cuisine - Indian Culinary Traditions (Indian Food Recipes - Indian Food Cookbook for Beginners) The US Constitution: A Pocket Reference w/Constitution, Bill of Rights, Amendments, Declaration of Independence, History of the Constitution, Questions ... Quotes, and Free Download for 10 works American Indians and the Law: The Penguin Library of American Indian History (Penguin's Library of American Indian History) Broken Images Broken Selves: Dissociative Narratives In Clinical Practice The Book of Indian Crafts and Indian Lore: The Perfect Guide to Creating Your Own Indian-Style Artifacts The Constitution and the Declaration of Independence: A Pocket Constitution Prakriti: Your Ayurvedic Constitution (Your Ayurvedic Constitution Revised Enlarged Second Edition) The Constitution of the State of Colorado (Us Constitution) Indian Creek. Arawak site on Antigua, West Indians. 1973 excavation by Yale University and the Antigua Archeological Society Challenges and Achievements: The History of Indians in Grenada: Understanding the Indian Experience in a Small Colonial State, 1857-1950 Captives among the Indians: Firsthand Narratives of Indian Wars, Customs, Tortures, and Habits of Life in Colonial Times American Indians and the Law (The Penguin Library of American Indian History) Lost White Tribes: The End of Privilege and the Last Colonials in Sri Lanka, Jamaica, Brazil, Haiti, Namibia, and Guadeloupe First Nations and Native American Cookbook: Recipes from North American Tribes (Historical Cookbooks) (Volume 1) The Making of Jordan: Tribes, Colonialism and the Modern State (Library of Modern Middle East Studies) Claiming Tribal Identity: The Five Tribes and the Politics of Federal Acknowledgment Litany of the Tribes Volume 3: Red

Talons - Shadow Lords - Silent Striders; Werewolf: The Apocalypse and Werewolf: The Wild West
Litany of the Tribes, Vol. 1: A Tribebook Compilation for Werewolf: The Apocalypse and Werewolf:
The Wild West Tribal rugs: An introduction to the weaving of the tribes of Iran

[Dmca](#)