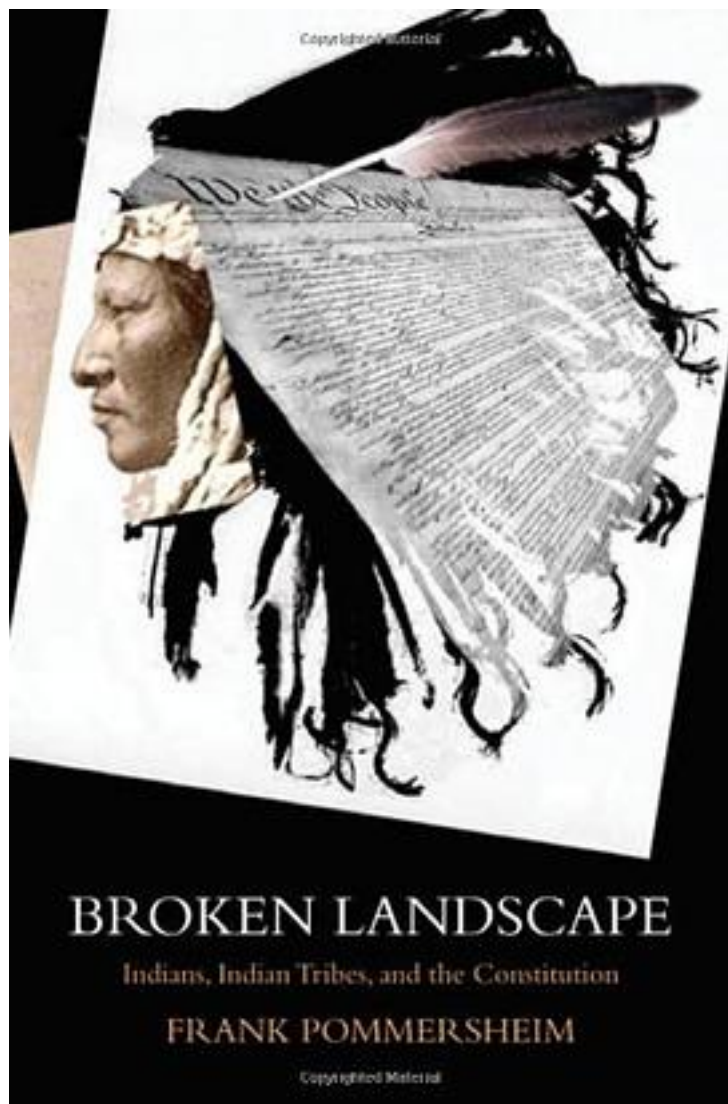


Broken Landscape



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IBroken Landscape is a sweeping chronicle of the ways that Indian tribal sovereignty is recognized within the Constitution and as it has been interpreted and misinterpreted through legal analysis and practice over the intervening decades. Built on a history of war and usurpation of land, the relationship between Indian tribes and the United States government was formally inscribed within federal structure--a structure not mirrored in the traditions of tribal governance. Although the Constitution recognized the sovereignty of Indian nations, it did not safeguard tribes against the tides of national expansion and exploitation. As Broken Landscape demonstrates, the federal government has repeatedly failed to respect the tribal sovereignty recognized in the Constitution, instead favoring excessive, unaccountable authority in its dealings with tribes. The resulting legal thought regarding tribal rights, as interpreted by the United States Supreme Court and throughout contemporary Indian policymaking, has devolved from its constitutional roots, causing great harm to tribal culture and sovereignty. 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. Proposing an amendment to the Constitution to reestablish tribal sovereignty, Broken Landscape stands as a challenge to create and foster a living constitution that provides dignity, respect, and inclusion to Indian tribes and Indian people.

作者介绍:

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