

Worksheet - 8

1. Early cases in the U.S. The Supreme Court involving the Native American Tribes was concerned with whether the state government(s) or the federal government had power over the tribes.

(a) How was this question decided ?

(b) What political considerations were relevant to the decision ?

2. The U.S. The Supreme Court decided that the Native American Tribes were "domestic dependent nations."

(a) Did this give the tribes the rights of a foreign sovereign nation ?

(b) How did the Court describe the relationship created between these "nations" and the U.S. government ?

3.

(a) How did the Marshall Court address the ownership of land by Native Americans?

(b) How is this doctrine related to the idea of federal "guardianship" over Native Americans?

4. (a) What was the “Major Crimes Act?”

(b) What underlying principle did this legislation reflect in regard to the view of Congress regarding tribal authority?

(c) What impact did this legislation have on tribal authority?

5.

(a) Has the relationship between the Native tribes, Congress and the Courts changed in the modern era ?

(b) Is the guardian/ward concept still applied ?

(c) How have the Courts modified that concept ?

6. Review the Dred Scott decision. Compare

(a) the evolution of citizenship status of African Americans with that of Native Americans, and

(b) the effort to thwart each of these groups from exercising the right to vote