

Periods of Federal Indian Law and Policy

Discovery and Conquest (1400s on)

Treaty-making/Reservations (1770s - 1871)

Removal/Assimilation (1800s)

Allotment (Dawes Act) (1887-1934)

Indian Reorganization Act 1934

Termination (1950s)

Self-Determination (1970 on)

Foundational Principles of Federal Indian Law

Johnson v. McIntosh

Discovery Doctrine

Right of Occupancy

Cherokee Nation

Domestic Dependant Nation

Guardian-Ward/Trust Relationship

Worcester v. Georgia

Inherent sovereignty

Federal preemption (state law subservient)

Kagama

Plenary Power

Authority premised on dependency relationship

Sandoval

Congress determines extent of trust relationship

Lone Wolf

Treaty abrogation

Morton

Tribes are sui generis

Political status supports favorable legislation

Tribal individual civil rights protected (Equal Protection Clause)(implicit)

