

CONTENTS

Acknowledgments		ix
Introduction	ANGELA R. RILEY	xi
Chapter 1	LAWRENCE R. BACA, <i>Reflections on the Role of the United States Department of Justice in Enforcing the Indian Civil Rights Act</i>	1
PART I – Equal Protection		
Chapter 2	CATHARINE A. MACKINNON, <i>Martinez Revisited</i>	27
Chapter 3	GLORIA VALENCIA-WEBER, RINA SWENTZELL, and EVA PETOSKEY, <i>40 Years of the Indian Civil Rights Act: Indigenous Women's Reflections</i>	39
Chapter 4	ANN E. TWEEDY, <i>Sex Discrimination under Tribal Law</i>	53
Chapter 5	KEVIN NOBLE MAILLARD, <i>Redwashing History: Tribal Anachronisms in the Seminole Nation Cases</i>	87
Part II – Tribal Courts and Due Process		
Chapter 6	FRANK POMMERSHEIM, <i>Due Process and the Legitimacy of Tribal Courts</i>	105
Chapter 7	PAUL SPRUHAN, <i>The Meaning of Due Process in the Navajo Nation</i>	119
Part III – Speech and Religion		
Chapter 8	MATTHEW L. M. FLETCHER, <i>Resisting Congress: Free Speech and Tribal Law</i>	133
Chapter 9	KRISTEN A. CARPENTER, <i>Individual Religious Freedoms in American Indian Tribal Constitutional Law</i>	159

CONTENTS

Part IV – Criminal Law in Indian Country

Chapter 10	ELIZABETH A. KRONK, <i>Tightening the Perceived “Loophole”: Reexamining ICRA’s Limitation on Tribal Court Punishment Authority</i>	211
Chapter 11	CAROLE GOLDBERG and DUANE CHAMPAGNE, <i>Searching for an Exit: The Indian Civil Rights Act and Public Law 280</i>	247

Part V – The Power and Limits of the Indian Civil Rights Act

Chapter 12	MARK D. ROSEN, <i>Evaluating Tribal Courts’ Interpretations of the Indian Civil Rights Act</i>	275
About the Contributors		339
Index		343