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The Political Geography of Indian Country: An Introduction

IMRE SUTTON

Indian Country denotes a policy of legal and geographical separatism in the evolution of Indian/white relations in the United States. Since the earliest establishment of lines separating the tribes from the settlers, Indian nations from colonies, territories, and states, Indian Country has also connoted the limited sovereignty that tribes hold over members and lands. In time, as policies changed—e.g., treaty negotiations ended, tribal property was individualized (allotted), reservations were opened up and thus diminished—the distinctive nature of separatism became blurred, and lines of demarcation yielded to continuous intrusion in fact and in law. Indian tribes today are neither states nor foreign nations, yet are not fully part of the constitutionally derived federal system. They do not represent a third entity in a tripartite governmental structure. To this extent, their “measured separatism,” to use a phrase coined by law professor Charles Wilkinson, still flourishes within Indian Country, although it is increasingly difficult to delimit the bounds of Indian affairs in the hinterland of this nation.

This symposium is an initial exploration whose premise is that considerably more study of geography than heretofore has been revealed in the literature may well unravel the convoluted nature of Indian Country today. My initial article displays many differing interpretations and definitions of Indian Country and focuses on the interface of law and geography in an effort to bridge the

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differences in approach, thus helping the reader to comprehend the four case studies to follow.

Richmond Clow dissects the complexities of the taxation issue in Indian affairs, demonstrating the role of statutes and case law in the recurring struggle to balance the tribal immunities guaranteed by the federal government with the expectations of the general citizenry. Glenn Phelps takes the analysis beyond taxation to the implications of Indian participation in general elections in Indian Country, where the lines of demarcation and immunity from local taxes suggest to the citizenry that the franchise should be denied or abridged. Holly YoungBear-Tibbetts explores the as-yet unresolved legal confrontation at White Earth Indian Reservation (Minnesota) over the unconscionable acquisition of trust lands. Here, nearly 75 percent of the residents are non-Indians, descendents mostly of those who entered the reservation when it was opened and its borders diminished. Finally, Tom McGuire demonstrates that tribes, after all, do have political clout in Indian Country, as revealed in efforts to negotiate the use of Indian water and tribal lands for the enhancement of non-Indian economic and social pursuits in the greater Tucson, Arizona area.

We could have wished for other case studies that would display a fuller spectrum of the political and legal problems that, from one day to the next, confront the tribes, disturb Indian/white equilibrium, and otherwise threaten to further diminish tribal sovereignty in Indian Country. Not one of us purports to have definitively explicated all issues or to have resolved a disquieting confrontation between Indians and non-Indians in Indian Country. But we hope to have stimulated far more than mere curiosity on the part of readers. Collectively, we thank our referees and editors for their constructive suggestions.