

American Indian Law Review

Volume 18 | Number 1

1-1-1993

Front Matter (Administration & Faculty Listing, Masthead, 1992-1993 Indian Law Writing Competition Winners, and Table of Contents)

Follow this and additional works at: <https://digitalcommons.law.ou.edu/ailr>



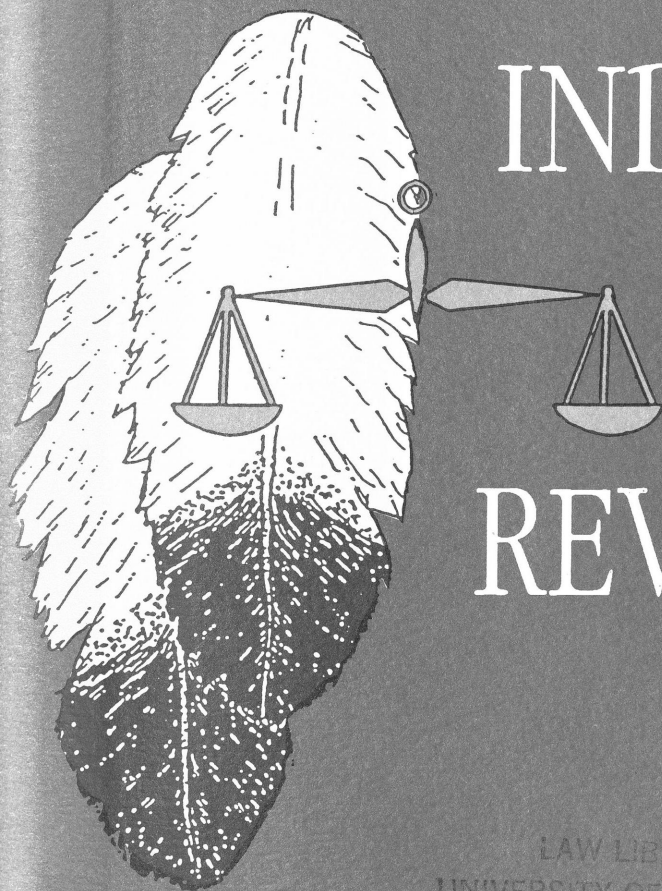
Part of the [Indigenous, Indian, and Aboriginal Law Commons](#)

Recommended Citation

Front Matter (Administration & Faculty Listing, Masthead, 1992-1993 Indian Law Writing Competition Winners, and Table of Contents), 18 AM. INDIAN L. REV. (1993), <https://digitalcommons.law.ou.edu/ailr/vol18/iss1/1>

This Front Matter is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian Law Review by an authorized editor of University of Oklahoma College of Law Digital Commons. For more information, please contact Law-LibraryDigitalCommons@ou.edu.

AMERICAN
INDIAN
LAW
REVIEW



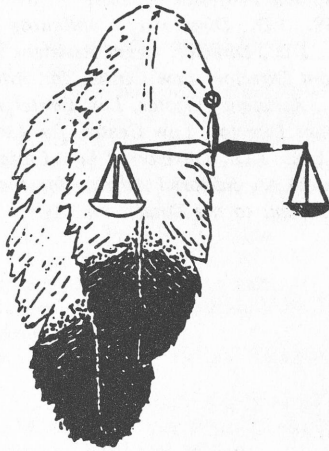
LAW LIBRARY
UNIVERSITY OF OKLAHOMA

The University of Oklahoma College of Law

Published by University of Oklahoma College of Law Digital Commons, 1993

Volume XVIII, Number 1

AMERICAN INDIAN LAW REVIEW



THE UNIVERSITY OF OKLAHOMA
COLLEGE OF LAW
ADMINISTRATION

David Swank, B.A., J.D., *Dean of the College of Law, Director of the Law Center, and Professor of Law.*

Jerry R. Parkinson, B.S., J.D., M.P.A., *Associate Dean, College of Law, Associate Director of the Law Center, and Associate Professor of Law.*

Keith N. Bystrom, B.S., J.D., *Director of Clinical Legal Education, and Professor of Law.*

Rennard Strickland, B.A., M.A., J.D., S.J.D., *Director, Center for the Study of American Indian Law and Policy, and Professor of Law.*

William R. Watson, B.G.S., J.D., *Director of Continuing Legal Education.*

Annette H. Prince, B.A., J.D., *Director, Legal Assistant Education.*

Cathy M. Moore, *Assistant Director, Law Center, for Administrative Services.*

Sue T. Velie, A.B., M.A., *Assistant Director, Law Center Placement & Public Affairs.*

Debra Case, B.S., *Assistant Director, Law Center, for Law Student Services.*

Scott B. Pagel, A.B., M.L.S., J.D., *Director of Law Library and Associate Professor.*

Michael F. Waters, B.A., M.A., *Editorial Advisor for the Law Reviews.*

Ovetta R. Vermillion, *Assistant to the Dean.*

FACULTY

- Owen Anderson, B.A., J.D., *Eugene Kuntz Professor of Law.*
- Keith Bystrom, B.S., J.D., *Director of Clinical Legal Education, and Professor of Law.*
- Daniela Caruso, J.D., LL.M., Ph.D., *Crowe-Dunlevy International Visiting Adjunct Professor of Law.*
- Randall T.E. Coyne, B.Music Educ., J.D., *Associate Professor of Law.*
- Frank Elkouri, B.A., LL.B., LL.M., S.J.D., *George Lynn Cross Research Professor of Law Emeritus.*
- Jonathan B. Forman, B.A., M.A., J.D., *Professor of Law.*
- Teree E. Foster, B.A., J.D., *Professor of Law.*
- George B. Fraser, A.B., J.D., LL.M., *David Ross Boyd Professor of Law Emeritus.*
- Daniel G. Gibbens, B.A., J.D., LL.M., *Regents' Professor of Law.*
- Mark R. Gillett, B.A., J.D., LL.M., *Associate Professor of Law.*
- Peter E. Graves, B.A., J.D., *Associate Professor of Law.*
- William A. Grimes, B.S., LL.B., LL.D., LL.D., LL.D., *Visiting Distinguished Professor of Law.*
- Richard W. Hemingway, B.S., J.D., LL.M., *Eugene Kuntz Professor of Law Emeritus.*
- Anita F. Hill, B.S., J.D., *Professor of Law.*
- Drew L. Kersten, B.A., J.D., LL.M., *Earl Sneed Centennial Professor of Law.*
- F. Stephen Knippenberg, B.A., J.D., LL.M., *Professor of Law.*
- Peter F. Krug, B.A., M.S., M.A., Ph.D., J.D., *Associate Professor of Law.*
- Eugene O. Kuntz, A.B., J.D., LL.M., *Dean Emeritus, George Lynn Cross Research Professor of Law Emeritus and Alfred P. Murrah Professor of Law Emeritus.*
- Peter B. Kutner, B.A., J.D., *Professor of Law.*
- Joseph C. Long, A.B., J.D., LL.M., *Professor of Law.*
- William J. McNichols, A.B., J.D., *Professor of Law.*
- Judith L. Maute, A.B., J.D., LL.M., *Professor of Law.*
- Fred H. Miller, A.B., J.D., *Kenneth E. McAfee Centennial Professor of Law, and George Lynn Cross Research Professor of Law.*
- Scott B. Pagel, A.B., M.L.S., J.D., *Director of Law Library and Associate Professor of Law.*
- Joyce D. Palomar, B.S., M.A., J.D., *Associate Professor of Law.*
- Jerry R. Parkinson, B.S., J.D., M.P.A., *Associate Dean, College of Law, Associate Director of the Law Center and Associate Professor of Law.*
- Osborne M. Reynolds, B.A., J.D., LL.M., S.J.D., *Maurice H. Merrill Distinguished Scholar and Professor of Law.*
- Robert E.L. Richardson, B.A., J.D., LL.M., *Professor of Law.*
- Theodore P. Roberts, B.S., J.D., *Professor of Law.*
- Kevin W. Saunders, A.B., M.S., M.A., Ph.D., J.D., *Professor of Law.*
- Michael A. Scaperlanda, B.A., J.D., *Associate Professor of Law.*
- Leisha A. Self, B.S., J.D., *Associate Professor of Law.*
- Beverly McQueary Smith, B.A., J.D., LL.M., *Visiting Associate Professor of Law.*
- Robert B. Smith, A.B., J.D., *Director, Legal Research and Writing, and Professor of Law.*
- Robert G. Spector, B.S., J.D., *Professor of Law.*
- Rennard Strickland, B.A., M.A., J.D., S.J.D., *Director, Center for the Study of American Indian Law and Policy, and Professor of Law.*
- David Swank, B.A., J.D., *Dean of the College of Law, Director of the Law Center, and Professor of Law.*
- William Murray Tabb, B.A., J.D., LL.M., *Professor of Law.*
- Harry F. Tepker, Jr., B.A., J.D., *Professor of Law.*
- John TeSelle, B.S.M.E., J.D., LL.M., *Professor of Law Emeritus.*
- Rodney J. Uphoff, B.A., M.S., J.D., *Associate Professor of Law and Associate Director of Clinical Legal Education.*
- Rollin Dale Vliet, A.B., LL.B., LL.M., S.J.D., *David Ross Boyd Professor of Law Emeritus.*
- Leo Howard Whinery, A.B., LL.B., LL.M., *Alfred P. Murrah Professor of Law.*
- Shirley A. Wiegand, B.A., M.A., J.D., *Associate Professor of Law.*
- Kenneth Williams, B.A., J.D., *Visiting Associate Professor of Law.*

Except as otherwise expressly provided, the author of each article in this volume has granted permission for copies of that article to be made for classroom or similar educational usage, provided that (1) copies are distributed at or below cost, (2) author, journal, date, and page are identified, (3) proper notice of copyright is affixed to each copy, and (4) *American Indian Law Review* is notified of intended usage. In all other cases of proposed reproduction, the *American Indian Law Review* must be contacted for procedural requirements.

The *American Indian Law Review* ISSN 0030-1752 is edited and compiled at the College of Law, University of Oklahoma, Norman, Oklahoma 73019. Published semiannually, it is printed by Western Newspaper Publishing Co., Inc., Copyright 1993 by the *American Indian Law Review*. Member, National Conference of Law Reviews.

Subscription rate is \$20.00 per year. Subscriptions are continued unless notice of discontinuance is received. All prices are subject to change without notice. Address subscriptions and requests for advertising rates to Agent, *American Indian Law Review*, Room 335, College of Law, 300 Timberdell Road, Norman, Oklahoma 73019.

Correspondence concerning contributions, books for review, and all editorial matters should be address to the Editor-in-Chief, *American Indian Law Review*, College of Law, 300 Timberdell Road, Norman, Oklahoma 73019.

Contributors are asked to submit articles on 8-1/2" x 11" white bond paper. Lines should be double-spaced throughout. Any quote of more than 50 words should be indented at both margins. Footnotes should be placed together in consecutive order at the end of the text.

Submissions by computer diskette are welcome, and the *Review* requests all articles accepted for publication to be provided on diskette. WordPerfect software, in versions 4.2, 5.0, or 5.1, is preferred, although most major software programs are acceptable.

Please follow *The Bluebook: A Uniform System of Citation* (15th ed.) for legal sources and the *Chicago Manual of Style* (13th ed.) for text.

AMERICAN INDIAN LAW REVIEW

Dena L. Silliman
Editor-in-Chief

Denise M. Fletcher
Managing Editor

June Camille Bush Raines
Articles Editor

Kenneth E. Adair
*Federal Recent
Developments Editor*

Peter D'Alessandro
Sherry L. Shepherd
Associate Editors

Jeff Grotta
Technical Editor

Kathryn Zynda
*Assistant
Managing Editor*

Julie M. Reding
Note Editor

Jon K. Parsley
Assistant Note Editor

Mike McBride III
*Writing Competition
Editor*

Edward Janecek III
Special Features Editor

MEMBERS

Kevin Anderson
Bradley P. Bonsall
Eb Bright
Cammie Caskey
Laurel Christianson
John T. Eck
Nora Hadding
Lisa R. Frazier
George Gialketsis
Jeffery Graefe
Michael Hammer
Don Harvey
Christopher Kenney
Daniel R. Ketchum II

Gretchen Loard
Dan Loeliger
Charles A. Mallard
Lisa McDonnell
Lisa Monsour
Charles Morris
Kathryn Morton
Marsha Phillips
Earl Price
Rod Ramsey
Michael W. Ridgeway
Susan Rogers
Lori Ann Sharpe
Ann Thu Tran
Anna May Wyatt

CANDIDATES FOR MEMBERSHIP

John R. Briscoe
Randy Brogdon
Patrick Ehlers
Mai Lan Fogal
Carla Haddox
James F. Lea
Steve McCaleb
Melissa McLawhorn

Laura Ort-Presley
Don Patterson
Patricia Reilly
Douglas A. Rice
Mark Smith
Lee Sparks
Lisa Sperow
Marisha Steward
Brett Williams

1992-1993 INDIAN LAW WRITING COMPETITION WINNERS

First Place:

Daniel L. Lowery
(University of Cincinnati
College of Law)

Second Place:

Noel Symons
(Catholic University
of America)

Third Place:

Gene Bergman
(Vermont Law School)

The *American Indian Law Review* would also like to thank the judges of the 1992-93 writing competition:

C. Steven Hager, Attorney, Oklahoma Indian Legal Services, Oklahoma City, Oklahoma.

Honorable Phillip Lujan, Tribal Supreme Court Justice and Professor, University of Oklahoma, Norman, Oklahoma.

Honorable Arvo Q. Mikkanen, Justice, Court of Indian Appeals, President, Oklahoma Indian Bar Association, Norman, Oklahoma.

Steven Moore, Attorney, Native American Rights Fund, Boulder, Colorado.

Professor Richard Monette, University of Wisconsin Law School.

Professor Alex Skibine, University of Minnesota Law School.

CONTENTS

ARTICLES

Navajo Dispute Resolution and Promissory Obligations:
Continuity and Change in the Largest Native American Nation
Michael D. Lieder 1

Pathfinder: Tribal, Federal, and State Court Subject Matter
Jurisdictional Bounds: Suits Involving Native American
Interests
John W. Gillingham 73

American Indian Influence on the United States Constitution
and Its Framers
Robert J. Miller 133

COMMENT

Controlling Blue Skies in Indian Country: Who Is the Air
Quality Posse—Tribes or States? The Applicability
of the Clean Air Act in Indian Country and on Oklahoma
Tribal Lands 161

NOTE

Native American Inmates and Prison Grooming Regulations:
Today's Justified Scalps: *Iron Eyes v. Henry* 191

FEDERAL RECENT DEVELOPMENTS 227

SPECIAL FEATURES

Recognizing and Enforcing State and Tribal Judgments: A
Roundtable Discussion of Law, Policy, and Practice
*Richard E. Ransom, Christine Zuni, P.S. Deloria,
Robert N. Clinton, Robert Laurence,
Nell Jessup Newton, M.E. Occhialino, Jr.* 239

Winning Appellate Brief in the First Annual Native American
Law Student Association Moot Court Competition 285