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**Review of *Indian Territory and the United States, 1866- 1906: Courts, Government, and the Movement for Oklahoma Statehood*
By Jeffrey Burton**

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Indian Territory and the United States, 1866-1906: Courts, Government, and the Movement for Oklahoma Statehood. By Jeffrey Burton. Norman: University of Oklahoma Press, 1995. Maps, notes, bibliography, index. xix + 314 pp. \$28.95 cloth, \$13.95 paper.

Attempts by state governments and the federal government to undermine Indian tribal sovereignty remain one of the major challenges Indian tribes face today. One of the best known attacks against Indian political and economic authority was the abolition of the tribal institutions of the Five Tribes in Indian Territory, which resulted in Oklahoma statehood.

Indian Territory and the United States, 1866-1906, the first volume in the University of Oklahoma Press's Legal History of North America Series, is a detailed and fresh examination of the destruction of the Five Tribes' governments in Indian Territory resulting from federal judicial reforms enacted by the United States Congress. Jeffrey Burton challenges previous interpretations by such historians as Roy Gittinger in *The Formation of the State of Oklahoma, 1803-1906* (1917) and H. Craig Miner in *The Corporation and the Indian: Tribal Sovereignty and Industrial Civilization in Indian Territory, 1865-1907* (1976) who failed to recognize the key role played by the federal government "acting not for homestead or commercial interests but for itself as a political organism and engine of political change . . . in the destruction of the institutional autonomy of the Five Tribes."

Burton provides sound evidence to support his thesis, beginning with the post-Civil War Reconstruction treaties, which punished all

the Five Tribes, regardless of their loyalty to the Union, and concluding with the Enabling Act of 1906 that granted statehood to Oklahoma Territory (created in 1890). He examines and evaluates such topics as federal law in Indian Territory, the Five Tribes' constitutions, laws, and administration of justice, problems of jurisdiction, judicial reforms, and the demise of tribal self-governments. In addition, Burton analyzes the actions of Isaac C. Parker, a controversial federal judge in the region for over twenty years.

Burton has written a fine, well-documented political and administrative study. Some readers may find fault with his use of "conservative" and "progressive" to describe tribal divisions; others may wish he had included more Indian reactions to the destruction of their governments. Nevertheless, Burton has broken new ground in describing the judicial and political turmoil that led to the destruction of self-rule for the Five Tribes.

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