

VERMONT LAW REVIEW

VOLUME 21 NUMBER 1

FALL 1996

REFLECTION

Legal Education in Vermont *Maximilian W. Kempner* 1

SYMPOSIUM:

STEWARDS OF THE LAND: INDIAN TRIBES, THE ENVIRONMENT, AND THE LAW

Introduction *N. Bruce Duthu* 3

Tribal Court Jurisprudence:

A Snapshot from the Field *Frank Pommersheim* 7

The Thurgood Marshall Papers and the
Quest for a Principled Theory of Tribal
Sovereignty: Fueling the Fires of

Tribal/State Conflict *N. Bruce Duthu* 47

Treating Tribes as States Under Federal
Statutes in the Environmental Arena: Where

Laws of Nature and Natural Law Collide *Richard A. Monette* 111

Tribal Voices in Historic Preservation:

Sacred Landscapes, Cross-Cultural Bridges,

and Common Ground *Dean B. Suagee* 145

Tribal Environmental Policy in an Era of

Self-Determination: The Role of Ethics,

Economics, and Traditional Ecological

Knowledge *Rebecca Tsosie* 225

NOTES

Aquaculture and the Public Trust Doctrine:

Accommodating Competing Uses of Coastal

Waters in New England *Andrea Marston* 335

Vermont Law Review is published four times each academic year: Fall, Winter, Spring, and Summer. The *Vermont Law Review* mailing address is: Vermont Law School, P.O. Box 96, South Royalton, Vermont 05068.

Subscriptions: Subscriptions are \$28.00 (domestic) and \$32.00 (foreign) per year, payable in advance. All subscriptions will be renewed automatically unless the subscriber provides timely notice of cancellation. Address changes must be made at least one month before the publication date to ensure proper delivery. Please provide the account number, the old address, and the new address (include zip codes). Please address correspondence to the Business Manager regarding address changes or other requests for subscription information.

Single and Back Issues: Current volumes can be purchased for \$9.00 from *Vermont Law Review*. For back issues, contact *Vermont Law Review* or Fred B. Rothman & Co., 10368 West Centennial Road, Littleton, Colorado 80127. For an inclusive index of all prior volumes, please contact *Vermont Law Review*.

Manuscripts: *Vermont Law Review* welcomes the submission of unsolicited articles, comments, essays, and book reviews. Manuscripts cannot be returned unless accompanied by a self-addressed, postage-paid envelope.

Copyright: © Copyright 1996 by Vermont Law School. All rights reserved. Except as otherwise provided, the author of each article in this issue has granted permission for copies of that article to be made for classroom use, provided that (1) copies are distributed at or below cost; (2) the author and *Vermont Law Review* are identified on the copied materials; (3) each copy bears the proper notice of copyright; and (4) *Vermont Law Review* is notified in writing of the use of the material(s).

Production: *Vermont Law Review* is printed in CG Times scalable font. *Vermont Law Review* is printed by Western Newspaper Publishing Co., 537 East Ohio Street, Indianapolis, Indiana 46204.