

# OBITER DICTUM

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## LIBRARY HOURS



During intersession, the library will be open from 8:00 A.M. until 8:00 P.M. seven days a week. Starting on Monday, June 7, the library will be open from 8:00 A.M. until 10:00 P.M. seven days a week.

For details, check the Legal Research Center web site at <http://www.sandiego.edu/lrc/hours.html>.

## LEGAL RESEARCH SUMMER CAMP



“LRC Summer Camp” is now open for faculty research assistants; students and teachers of summer law classes; participants in clinic and internship programs; law review authors and cite checkers; and independent research writers and advisers. “Camp counselors,” otherwise known as reference librarians, offer personalized research “camp activities,” such as the “arts and crafts” of specialized research and “hiking tours” of specific areas of the library collection. There are even “Internet camp sessions” for those who prefer electronic surfing lessons to the more physically strenuous research activities.

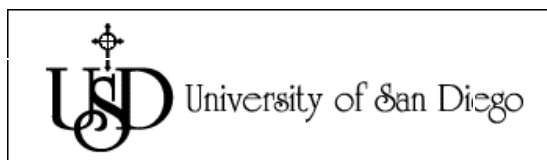
To get your research assistant trained in your area of specialization; to schedule a research lecture or library tour for your class; or for individualized assistance with a research problem or with electronic resources, simply contact Associate Director Ruth Levor at [rlevor@SanDiego.edu](mailto:rlevor@SanDiego.edu) or by phone at extension 4604. *Please give us two weeks advance notice of any class presentations or tours.*

## RESEARCH THE LEGALITY OF THE GUANTANAMO DETENTIONS



In April 2004, the U.S. Supreme Court heard oral arguments in appeals involving foreign nationals held at the U.S. Navy prison camp in Guantanamo Bay, Cuba. It also heard oral arguments in a related case determining the rights of an American citizen designated an enemy combatant. In AMERICAN LAW REPORTS, you can go beyond mere headlines to a deeper understanding of the issues. Using the two articles below, you can see these cases in the context of an entire body of jurisprudence.

The newsletter section of OBITER DICTUM may be found at <http://www.SanDiego.edu/lrc/obiter.html>



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**GUANTANAMO  
DETENTIONS  
(cont.)**



- Jill M. Marks, Annotation, *Jurisdiction of Federal Court to Grant Writ of Habeas Corpus in Proceeding Concerning Alien Detainees Held Outside the United States*, 192 A.L.R. FED. 595 (2004).
- Jason Binimow, Annotation, *Designation as Unlawful or Enemy Combatant*, 185 A.L.R. FED. 475 (2003).

The articles can be found in hard copy in the LRC Reading Room at KF132 .A55 or electronically on Westlaw© or LexisNexis© by citation, using the "Find a citation" or "Lexsee" function.

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**CELEBRATING  
NATIVE  
AMERICAN  
CITIZENSHIP**



Eighty years ago this month, Congress enacted the Indian Citizenship Act, Pub. L. No. 68-175, 43 Stat. 253 (1924) (codified as amended at 8 U.S.C. § 1401(a)(2)), which granted citizenship to all Native Americans born in the U.S. and provided that "the granting of such citizenship shall not in any manner impair or otherwise affect the right of any Indian to tribal or other property." Previously, various allotment laws conferred citizenship upon individual Indians who received allotments or who resided away from their tribes and "adopted the habits of civilized life." See, e.g., General Allotment (Dawes) Act, ch. 119, § 6, 24 Stat. 388, 390 (1887) (codified as amended at 25 U.S.C. § 331), *repealed by* Indian Land Consolidation Act Amendments Of 2000, § 106(a)(1), 114 Stat. 1991, 2007. In 1928, however, a report of the Meriam Commission, created by Congress to assess the impact of the Dawes Act, described how government policy oppressed Native Americans and destroyed their culture and society. Furthermore, until 1948 some states still barred Native Americans from voting.

Relations between the U.S. government and the Indian tribes continue to flounder, as projects intended to improve the quality of tribal life fall prey to mismanagement. This state of affairs is most currently evident in massive litigation over the Dept. of Interior's handling of the Indian Trust Program in *Cobell v. Norton*, No. 1:96CV01285 (D.D.C. 2001).

The LRC collects extensively in the field of Native American law and in related fields dealing with the rights of indigenous peoples. Soon to be added to the collection is MARK E. MILLER, *FORGOTTEN TRIBES: UNRECOGNIZED INDIANS AND THE FEDERAL ACKNOWLEDGEMENT PROCESS* (2004), dealing with procedures for the U.S. to establish relationships with tribes, bands, groups, or communities of Indians. The procedures traditionally include legislation and recognition by judicial determination or by the executive, formerly by Executive Order and now by the Secretary of Interior. A recent addition to the collection is EVA M. GARROUETTE, *REAL INDIANS: IDENTITY AND THE SURVIVAL OF NATIVE AMERICA/E98 .E85 G37* 2003.

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