Not Without Our Consent: Lakota Resistance to Termination, 1950–59. By Edward Charles Valandra with a foreword by Vine Deloria Jr. Urbana: University of Illinois Press, 2006. 287 pages. $35.00 cloth.

In the foreword to *Not Without Our Consent,* Vine Deloria Jr. alludes to the Hoover Commission, convened by President Truman after the long and costly World War II as a vehicle by which to study the federal government's size in an effort to promote efficiency by identifying wasteful, redundant, or irrelevant domestic programs. The persistent "Indian problem" qualified as a potential burden the federal government might get out from under by shifting more responsibility for rural Indian populations to the states, terminating "successful" tribes once and for all, and encouraging relocation of some well-prepared members of not-so-successful families to larger urban centers where they might find work. Although the Sioux tribes dodged the bullet of termination, they were affected by relocation policies and states' attempts to extend their laws over tribal authorities. Some families moved to urban centers while those who stayed home found ways to collaborate and cooperate to fight South Dakota's attempts to take bigger and more substantial bites out of Sioux tribal sovereignty.

In the minefield that is the US law that concerns American Indians, texts that provide significant explication of particular cases are often subsumed by vagaries or generalizations that leave researchers little in the way of case-specific guideposts that situate the effects of legislation on individual tribes. For this reason, Valandra's contribution is a model for understanding how the federal government, states, and tribes interpret legislation and negotiate individual solutions that are applicable to lived realities in the complicated and always contested state and tribal relationships.

Not Without Our Consent was inspired by an earnest attempt on the part of Valandra, an enrolled member of the Sicangu Lakota tribe and newly elected member of the Rosebud Sioux tribal council from the St. Francis community in 1985, to understand how Public Law 83-280 (1953), which extended the states' power to impose their criminal and civil laws over tribes that reside within their geographical borders, affected the relationship between the state of South Dakota and the Sicangu Lakota. His personal quest for understanding the termination era's machinations culminated in this book, which is thoroughly researched and especially valuable because of his own stake in trying to make sense of a senseless shift in federal policy. His diligence in scholarship combined with his personal passion to understand the complex legal and social issues has produced a significant text that will be useful to those interested in understanding the way the states and tribes vie for tangible and intangible resources.

This is a complicated topic, but Valandra effectively reveals the problems this federal law posed for the states and the American Indian reservations. In this case, South Dakota was not sure whether it wanted to assume the responsibility without substantial aid from the federal government, but the Lakotas were sure that it would be a breach of the federal government's long-standing trust responsibility with the tribes which, in many instances, was intended to protect the tribes' interests from those of the individual state. In any case,

Lakotas were not willing to sit passively by while decisions about their futures were negotiated without their consent. If the federal government wanted to "get out of the Indian business," it was assumed that Euro-Americans at the state level would pick up the burden of assimilating Indians.

The author divides his work into three sections. The first section is a general discussion of cultural, political, and economic factors that led to the termination era of the 1950s and includes a thorough discussion of then-acting Commissioner of Indian Affairs William Zimmerman Jr.'s 1947 testimony before a Senate Committee on his arbitrarily conceived four criteria based on the vagaries of race, blood quantum, literacy, and land tenure as measures of readiness for individuals to be labeled "assimilated" and for determination of a tribe's fitness for termination of federal trust responsibilities. Not unlike the Dawes Act era, claims of "fitness" were often expedited when deemed expedient. The second section deals with political, legal, and racial implications involved in efforts to terminate the Lakotas' federal trust relationship in South Dakota, which culminated in the federal court's decisions in the *Iron Crow* case (1955) that upheld Lakota sovereignty by affirming the Oglala Sioux tribe's power to tax nontribal members, which caused a significant backlash in South Dakota's non-Indian community and led to a "decade long campaign to invoke PL 83-280 and to try to crush all Lakota governments" (135). At the same time, it significantly reinvigorated Lakota resistance. The third section takes up in great detail that decade-long campaign and illustrates the minefield of "Indian law" in South Dakota that has more to do with race, vestigial colonial attitudes, East River/West River positioning, poverty, and the state's own marginal rural status. Fascinating in its detail, the author concludes the section by alluding to the fact that despite the wins and losses in the courts, the jurisdictional battle between the tribes and South Dakota is one that is in no way concluded, although with each case Lakotas gained experience in representing their claims effectively. As an aid to the reader, the author also provides useful appendices with the full texts of the pertinent House and Senate bills and a chronology of important legal actions from 1830 through the Indian Civil Rights Act (1968), which amended PL 83-280 to require Native American consent.

Not Without Our Consent is timely because of recent talk about—once again—getting out of the "Indian business." This talk is renewed with every federal budget crisis and with every significant American Indian claims case, for example, *Cobell v. Kempthorne* (previously *Cobell v. Norton*, previously *Cobell v. Babbit*), and bodes ill for any hope of uncomplicated Indian–white relations in the near future. The author notes that this matter is unsettled in South Dakota, which undoubtedly will attempt to find abundant opportunities to try to extend its jurisdiction over Lakota tribes. Unfortunately, the underlying colonial assumptions extend far beyond South Dakota, which makes this an indispensible book that should be read by anyone interested in US federal law as it applies to American Indians.

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