

## Eroding Indian Sovereignty

The new US government took three avenues that changed the nature of Indian sovereignty and eroded the powers of sovereign peoples.

1. The US Constitution under **Article I, Section 8, Clause 2**, recognized the sovereignty of Indian tribes by stating that “The Congress shall have power...to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.” In this article, the Constitution specifically created two distinct sovereigns - the federal and tribal governments.
2. The **Indian Trade and Intercourse Act (1790)** gave the federal government - not the states - exclusive power to deal with Indians. Consequently, all relations between the federal government and Indian nations were carried out on a **government-to-government basis**.
3. Three important U.S. Supreme Court decisions known as **The Marshall Trilogy** limited Indian sovereignty.