

10.4 Expanding Rights

In what ways did the protest movements of the 1960s and 1970s achieve their goals?

Explore

Legal Changes for Native Americans

How did life on reservations change after the Indian Civil Rights Act?

The Indian Civil Rights Act

In the struggle for greater autonomy, one important problem that arose was the conflict between tribal sovereignty and individual rights. Although Native Americans living on reservations were considered U.S. citizens, tribal governments were not required to respect the Bill of Rights. The U.S. government attempted to solve this problem with the Indian Civil Rights Act of 1968. The act guarantees residents of Native American reservations many of the protections in the Bill of Rights, including freedom of speech, protections against unreasonable search and seizure, and rights of due process, including trial by jury. The law required nations to allow individual free exercise of religion but did not prohibit them from establishing or favoring a religion. This enabled tribal laws to protect and preserve Native American nations' heritages and traditional religions. The nations were also excused from providing a republican form of government and allowed to keep their traditional governing structures.

Growth and Development of Reservations

In the years since the 1960s, Native American groups have used litigation to win increased water and property rights for reservations. For example, in 1975 the Indian Self-Determination Act and Education Assistance Act gave Native American nations the right to operate their own programs, control their own resources, and receive funds to train workers. In addition, the act gave Native American groups greater control over education. In a speech about the act, President [Gerald Ford](#) said:

Title II, the Indian Education Assistance Act, amends the Johnson-O'Malley Act to give the Indian community a stronger role in approving or disapproving the use of funds for children in public schools. It also provides for better planning in the use of these funds to meet the educational needs of the Indian students.

The enactment of this legislation marks a milestone for

Indian people. It will enable this Administration to work more closely and effectively with the tribes for the betterment of all the Indian people by assisting them in meeting goals they themselves have set.

—President Gerald Ford, January 4, 1975

In addition, many Native Americans have developed their reservations by opening businesses such as tourist centers, mining operations, and gaming casinos. These businesses generate both income and employment opportunities for those living on the reservations. Yet, these steps have not helped all Native Americans and do not address all their challenges, including high rates of poverty and health problems.