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Tribal Voices: Speech by Chief Harry Wallace (Summary)

Harry Wallace, Chief of Unkechaug Nation

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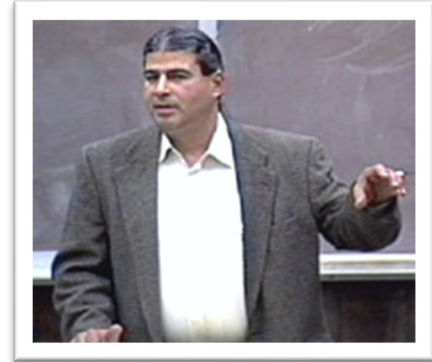
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TRIBAL VOICES

Speech by Chief Harry Wallace

This speech includes four video excerpts from a speech given by the current Chief of the Unkechaug Nation located on the Poospatuck Indian Reservation on Long Island, New York.



The speech was given at the University of New Mexico School of Law on November 1, 2001 as part of the Southwest Indian Law Clinic Lecture Series and each excerpt discusses either a historical or contemporary aspect of Unkechaug tribal law. Chief Wallace is also a licensed practicing attorney in the state of New York.

Segment #1: In this segment, Chief Wallace relates the early jurisprudential history of his tribe by describing the first codification of law regarding his people which was known as the Duke's Laws. In addition, Chief Wallace discusses *Mohegan Indians v. Connecticut* which established the historical court system utilized by his tribe to litigate disputes between two sovereigns. Chief Wallace also describes the egalitarian relationship between his people and the colonial government which formed the basis for this early jurisprudence.

Segment #2: In this segment, Chief Wallace explains why colonial history is still relevant to his people. According to Chief Wallace, both the Duke's Laws and the case of *Mohegan Indians v. Connecticut* were historically solemnized based upon the notion of "incorporation by reference" of colonial laws into the New York state constitution.

Segment #3: In this segment, Chief Wallace explains the structure of his tribal government and how the tribe has managed to blend both old and new into an effective modern government. Chief Wallace further explains how the tribe codified its existing traditions and customs, as well as how the New York state legislature acknowledges this codification as the law of the land on Unkechaug territory whenever a dispute arises.

Segment #4: In this segment, Chief Wallace distinguishes between the notions of self-administration and self-government. Chief Wallace notes that self-government relies upon a tribe using its own body of law as opposed to mere management of another's body of law. Chief Wallace goes further in stating that the extent of tribal survival is predicated upon a tribe's willingness to resist imposition of another's body of law upon itself.

Editor's Note: *Mohegan Indians, By Their Guardians v. The Governor and Company of Connecticut (1705-73)*. "This case, and its several judgments, are unreported." Mark D. Walters, *Mohegan Indians v. Connecticut (1705-1773) and the Legal Status of Aboriginal Customary Laws and Government in British North America*, 33 *Osgoode Hall L.J.* 785, 785 (1995).