



Access to Indigenous Law - Or: Decolonizing LC Classification?

A Retrospect into the Future



Jolande Goldberg
Library of Congress

*How It Started/How It's Going Conference
April 2022*

F

Latin America—South America Colombia

F2270.1.A-Z

F2270.1.A47

F2270.1.A58

F2270.1.A7

F2270.1.C4

F2270.1.C44

(F2270.1.C58)

F2270.1.E3

F2270.1.E36

F2270.1.E84

F2270.1.E85

F2270.2.A-Z

F2270.2.A3

F2270.2.A6

F2270.2.A62

F2270.2.A63

F2270.2.A67

F2270.2.B27

Topics (Ancient and modern), A-Z

Agriculture

Anthropometry

Art

Census

Children

Civil rights

see [KHH1-9900](#)

Economic conditions

Education

Ethnic identity

Ethnobiology

Tribes and cultures (Ancient and modern), A-Z

Achagua

Andaqui

Andoque

Anserma

Arawak see [F2230.2.A7](#)

Arhuaco

Aruac see [F2270.2.A67](#)

Baniva see [F2520.1.B35](#)

Barasana

KF8200-8228

Indians

Classification of the Law of Indians in the United States (KF8200+) is being revised and expanded in conjunction with the new subclasses KIA-KIX, Law of Indigenous Peoples of North America. The numbers and captions are subject to change. Do not make proposals for changes to KF8200+. The revisions and expansions are being entered into the database directly and will not appear on monthly lists. An implementation announcement will be made by the Library when KF8200+ is in its final form and approved for use. Normal revision procedures will begin in this area of classification when this note is removed, which is expected in August, 2014.

General. Comparative See [KIE110](#)Federal law

Class here Federal Indian law, i.e., US statutory law and administrative regulations which impact on, or limit, Indian jurisdiction over particular areas of substantive law

For Indian tribal law, see [KIE](#)

General Special topics, A-Z

Acknowledgement of tribes by the Federal government see [KF8210.R32](#)

[Aged. Older Indians](#) Table KF7

Antiquities

see [KF4305](#)

[Arts and crafts](#) Table KF7, modified

Casinos see [KF8210.G35](#)

[Child support](#) Table KF7

KF8201+

KF8210.A-Z

Tribal law

KF8220

[General](#) Table KF6

KF8222

Organic laws

KF8224

Special topics, A-Z

[Courts. Procedure](#) Table KF7

[Land tenure](#) Table KF7

Particular groups or tribes, A-Z

KF8228.A-Z

Under each:

.xA2-.xA3

.xA2-.xA29

.xA3

.xA4-.xA5

.xA4-.xA49

.xA5

.xA6-.xZ

For Cutter numbers see [E99.A-Z](#)

Federal law

Including treaties, statutes, regulations

Serials

Monographs. By date of publication

Tribal law

Including treaties, constitutions, statutes

Serials

Monographs. By date of publication

General works

Why a Classification for Indigenous LAW?

Because law as a snapshot in time informs at a glance better than any story about:

- **Political, social, and economic realities**
- **Human rights**
- **Ethnic identity. Self-identification** and group belonging
- **Cultural identity**
- **Political rights**
- **Constitutional changes due to external challenges and pressures**
- **Recognition of stated objectives and destiny of a People: Self-determination. Sovereignty. Territorial autonomy**

Regions of Class K-KIX: Western Hemisphere

(1st Draft)

America. North America

KDZ	General (Comparative)
KE	Canada
KF	United States of America
KG-KGH	Mexico & Central America
KGJ-KGZ	West Indies. Caribbean

South America

KH	General (Comparative)
KHA-KHW	Jurisdictions

KIA-KIX **Law of Indigenous Peoples in the Americas**

Regions of Class KI-KIX: Western Hemisphere

(Expansion of Draft)

KI	Circumpolar Region (the “seven countries”)
KIA	North America
KIA	Arctic and sub-Arctic
KIB	Canada
KIC	Eastern Canada
KID	Western Canada
KIE	United States
KIF	Northeast Atlantic
KIG	South
KIH	North Central
KIJ	Pacific Northwest
KIK	New Southwest
KIL	Mexico
KIM-KIQ	Latin America. Central & South America

American Indian Jurisdictions. By Region

KIF

South – Continued

All established in name authority form and linked

- 3501-3530 Absentee-Shawnee Tribe of Indians of Oklahoma, see KIF7341+
- 3531-3560 Alabama-Quassarte Tribal Town, Oklahoma Table KIA-KIX1
- Alabama-Coushatta Tribes of Texas Table KIA-KIX1
- Apache, see KIF5221+
- 3591-3620 Catawba Indian Nation of South Carolina Table KIA-KIX1
- Also known as Catawba Tribe
- Cf. E99.C24 Catawba ←
- Cherokee, see KIF5531+
- 3651-3750 Cheyenne-Arapaho Tribes of Oklahoma Table KIA-KIX2
- For Northern Cheyenne, see KIH4201
- Cf. E99.C53 Cheyenne ←
- Chickasaw, see KIF6041
- 3781-3810 Chitimacha Tribe of Louisiana Table KIA-KIX1
- Cf. E99.C7 Chitimacha ←
- 3811-3840 Citizen Potawatomi Nation, Oklahoma Table KIA-KIX1
- For other Potawatomi, see KIG2751+
- Choctaw, see KIF6231+
- 3841-3940 Comanche Nation, Oklahoma Table KIA-KIX2
- Previously Comanche Indian Tribe
- Cf. E99.C85 Comanche ←

Matrix of Class K-KZ: Law of the World

Universal/Global Comparative & Uniform Law

K: Comparative/Private KB: Religious KZ: Comparative/Public

Regional Comparative & Uniform Law

Americas

North America
South America

Indigenous

Europe
Eurasia
Asia
Africa
Pacifica

KDZ; KE-KIX

KD-KKZ
KL-KLZ
KM-KPZ
KQ-KTZ
KU-KWX

International Commons

Oceans KZA
Sea Bottom KZA
Outer Space,
The Moon KZD
Antarctica KWX

Indigenous Human Rights. Civil and Political Rights

KIA Indigenous Law: The Americas

KIA	Constitutional law
KIA4.7	General works
KIA4.72.A-Z	Special topics, A-Z
I	Including indigenous human rights. Civil and political rights and <u>guaranties</u> For the UN Declaration on the Rights of Indigenous Peoples (2007) <u>see KI30 2007</u> <u>Access to information and communication, see KIA4.72.I++</u>
KIA4.72.E+	Environmental human rights
KIA4.72.E++	Ethnic self-identification or group membership, Right to
KIA4.72.F+	Food sovereignty
KIA4.72.H4+	Heritage/Patrimony Including language/linguistics, traditional knowledge, customs/traditions, etc.
KIA4.72.I+	Indigenous spirituality and belief systems. Ritual cycles
KIA4.72.I++	Internet access, Right to Privacy, Right to, see KIA4.3.P+
KIA4.72.S4+	Self-government. Autonomy
KIA4.72.S68	→ Sovereignty. Self-determination. De-colonization For doctrine of discovery and occupation, see KZ3673.3
KIA.4.72.V6+	Voluntary isolation, Right to

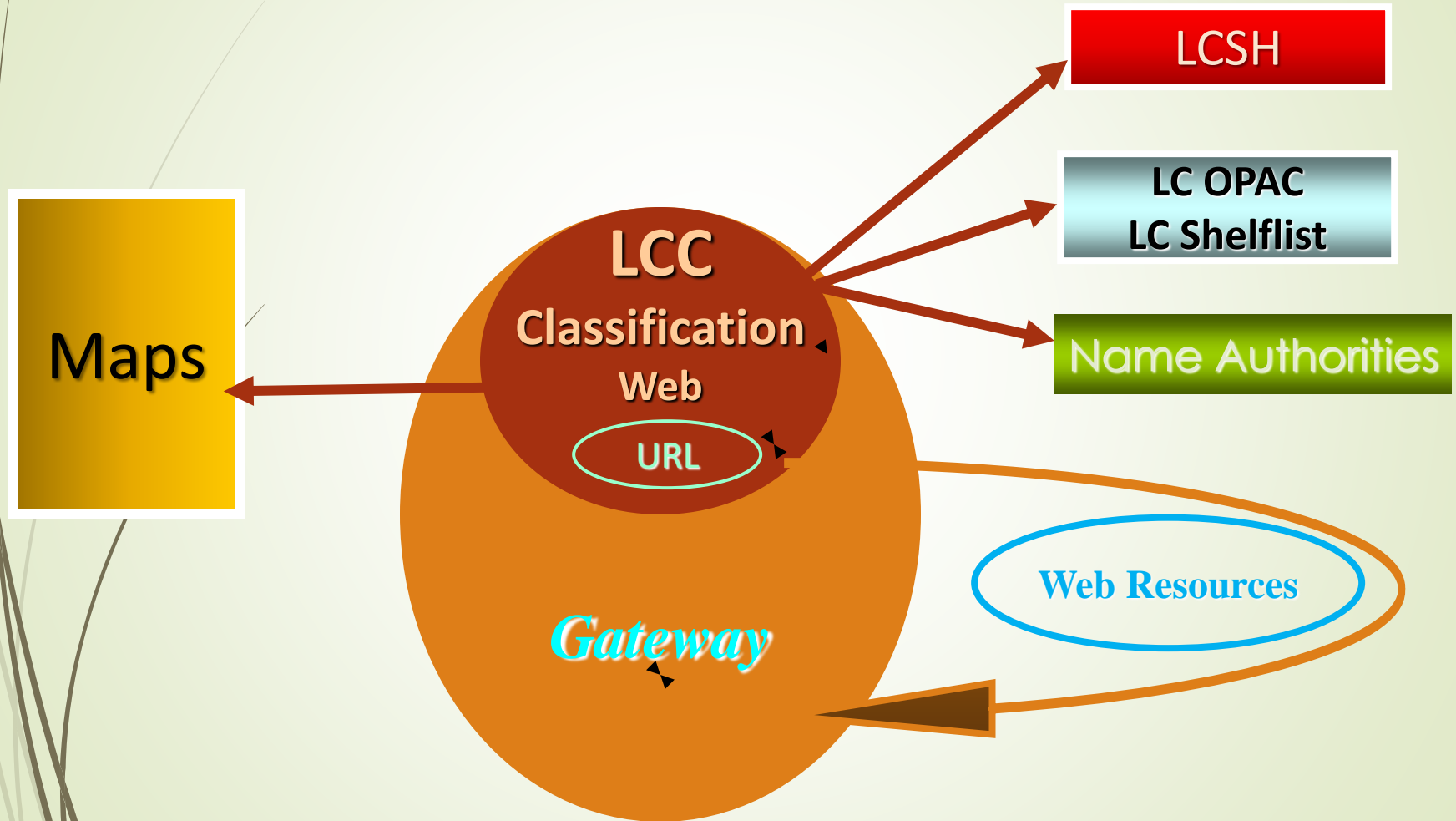
National Indigenous Organizations- Advocacy

KIV Indigenous Law: Peru

5006.2.A-Z		Individual. By name, A-Z
5006.2.A+	n 2018041101	<u>Asociación para la Investigación y el Desarrollo Integral</u>
5006.2.C6+	no2007047794	<u>Confederación de Nacionalidades Amazónicas del Perú</u>
5006.2.C6+	n 2018038490	<u>Confederación de Nacionalidades Indígenas del Perú</u>
5006.2.C6+	n 83132062	<u>Confederación Nacional Agraria</u>
5006.2.C6+	n 2009023696	<u>Confederación Nacional de Comunidades del Perú</u> <u>Afectadas por la Minería</u>
5006.2.C6+	no2021029007	<u>Coordinadora Nacional de Comunidades Campesinas</u> <u>Indígenas del Perú</u>
5006.2.F4+	n 2018038474	<u>Federación Nacional de Mujeres Campesinas,</u> <u>Artesanas, Indígenas, Nativas y Asalariadas del Perú</u>
5006.2.O+	n 2018038151	<u>Organización Nacional de Mujeres Indígenas Andinas y</u> <u>Amazónicas del Perú</u>
5006.32.A-Z		Other organizations. By name, A-Z
5006.32.A+	n 83179139	<u>Asociación Interétnica de Desarrollo de la Selva</u> <u>Peruana AIDSESP</u> For its subordinate 9 regional organizations and other <u>affiliated regional organizations, see the sub-region</u>
5006.32.A+	no2021028986	<u>Asociación Nacional de Ejecutores de Contrato de</u> <u>Administración des las Reservas Comunales del Perú</u>
5006.32.C3+	n 2018056154	<u>Cámara de Comercio de los Pueblos Indígenas del Perú</u>
5006.32.C4+	n 2018038487	<u>Central Única Nacional de Rondas Campesinas del Perú</u>

ClassWeb: Discovery and Learning Tool

A new bibliographic Implement?



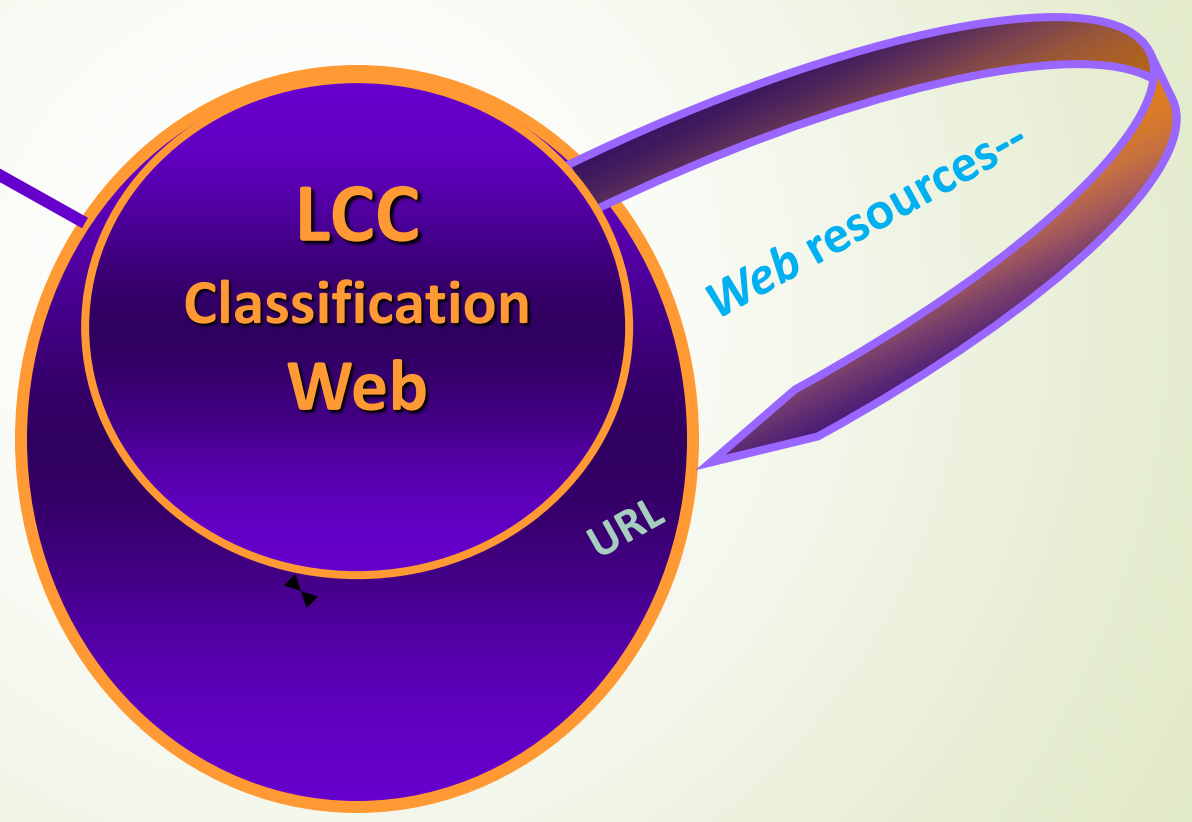
ClassWeb: Classification Portal

LC OPAC
LC Shelflist

LCC
Classification
Web

URL

Web resources--



**KIA-KIX Law of Indigenous Peoples in the Americas
United States
North Central Region. The Old Northwest**

Oneida Tribe of Indians of Wisconsin

		Cf.	Cf. E 99.O45 Indians of North America
ns 871-970	nsin		General Tribal statutes. Codes. Tribal council resolutions. Regulations. By date
872 2003	★		<u>Oneida Code of Laws 2003</u> Constitutional law Constitutions. By date
874 1969	★ ★		<u>Oneida Constitution 1936</u> <u>Oneida Constitution 1969</u>
875 1937	★		Sources other than constitutions. Corporate charters. By-laws. By date <u>Corporate Charter, 1937</u>

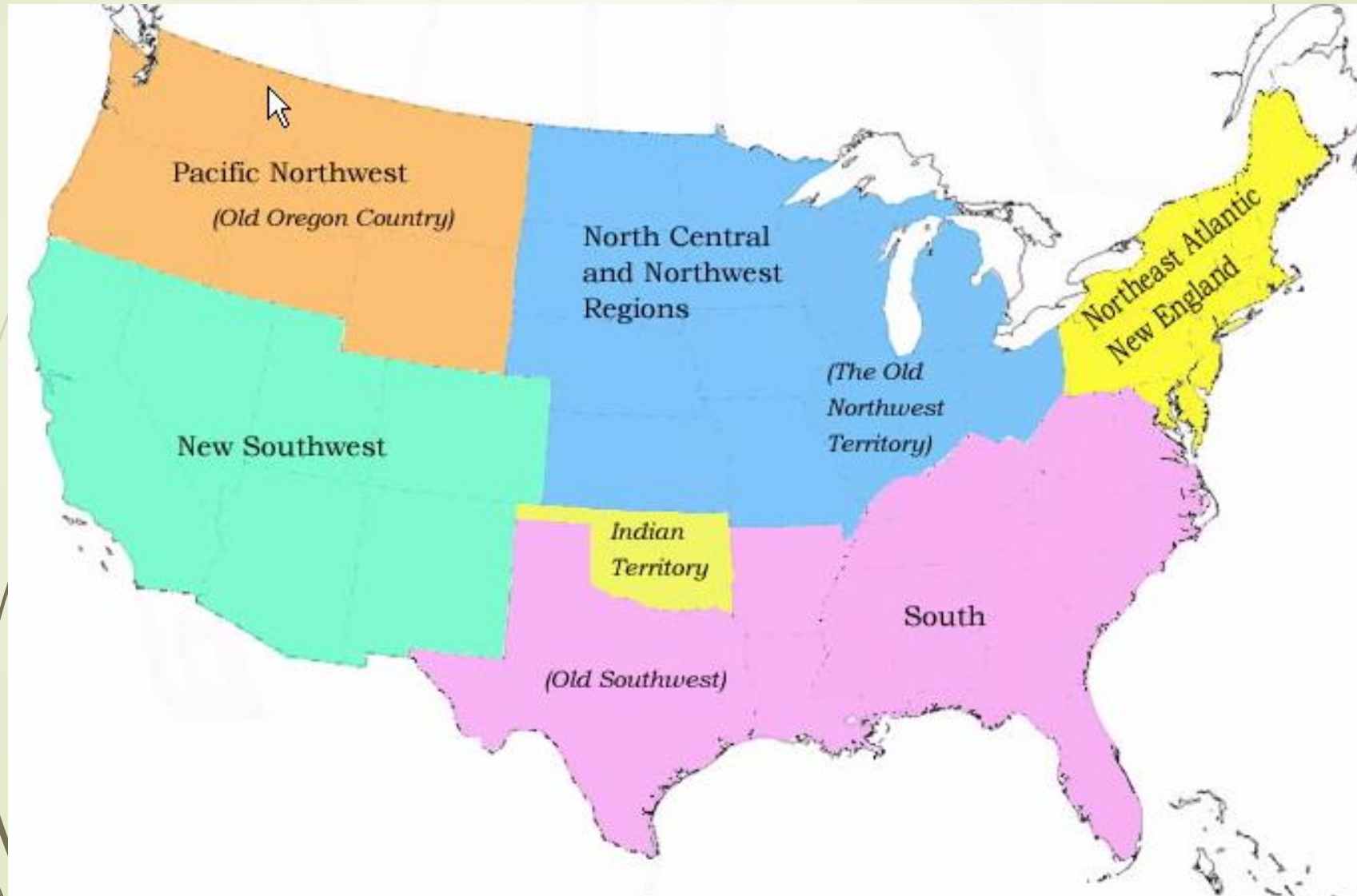
Classification Portal to Indigenous Law

Next Stage: Law Library's Guide to Law Online

A Cooperative/Interdepartmental Project –Dateline 2012-2018:

- **2011** *Sovereigns within a Sovereign* Washington meeting between NCIA, LLC, and AALL
- **2012** LC Linked Data Service ([//id.loc.gov](http://id.loc.gov)) converted Class K to linked data
- **2012** *THOMAS* and *Congress.gov* added to Class K
- **2013** - K schedules freely available for download from [//id.loc.gov](http://id.loc.gov)
- **2013** – Class KVJ Hawaii (to 1900) converted to *ClassWeb*
- **2014** February - LC/OSI pushed the first interactive map to the Law Library site
- **2014** March - agreement with law Library to use its *Guide to Law Online* as platform for the Portal on **Tribes in the US**
- **2014** between March and June - the Portal was populated with information inclusive of **North America**, using the structure and functionality of the *Guide*
- **2014** June - the Portal was released to the Public
- **2014** July - the Portal was demonstrated during the AALL Conference
- **2014** late Fall - KIB-KIC Canada was added
- **2015** – Expansion to jurisdictions **beyond** North America
- **2018** late Fall – Transfer of Portal to LLMC-Digital was prepared

The first “Prototype” Diagram



The first "Prototype" Diagram modified

Peoples

LCC



Wisconsin

Go

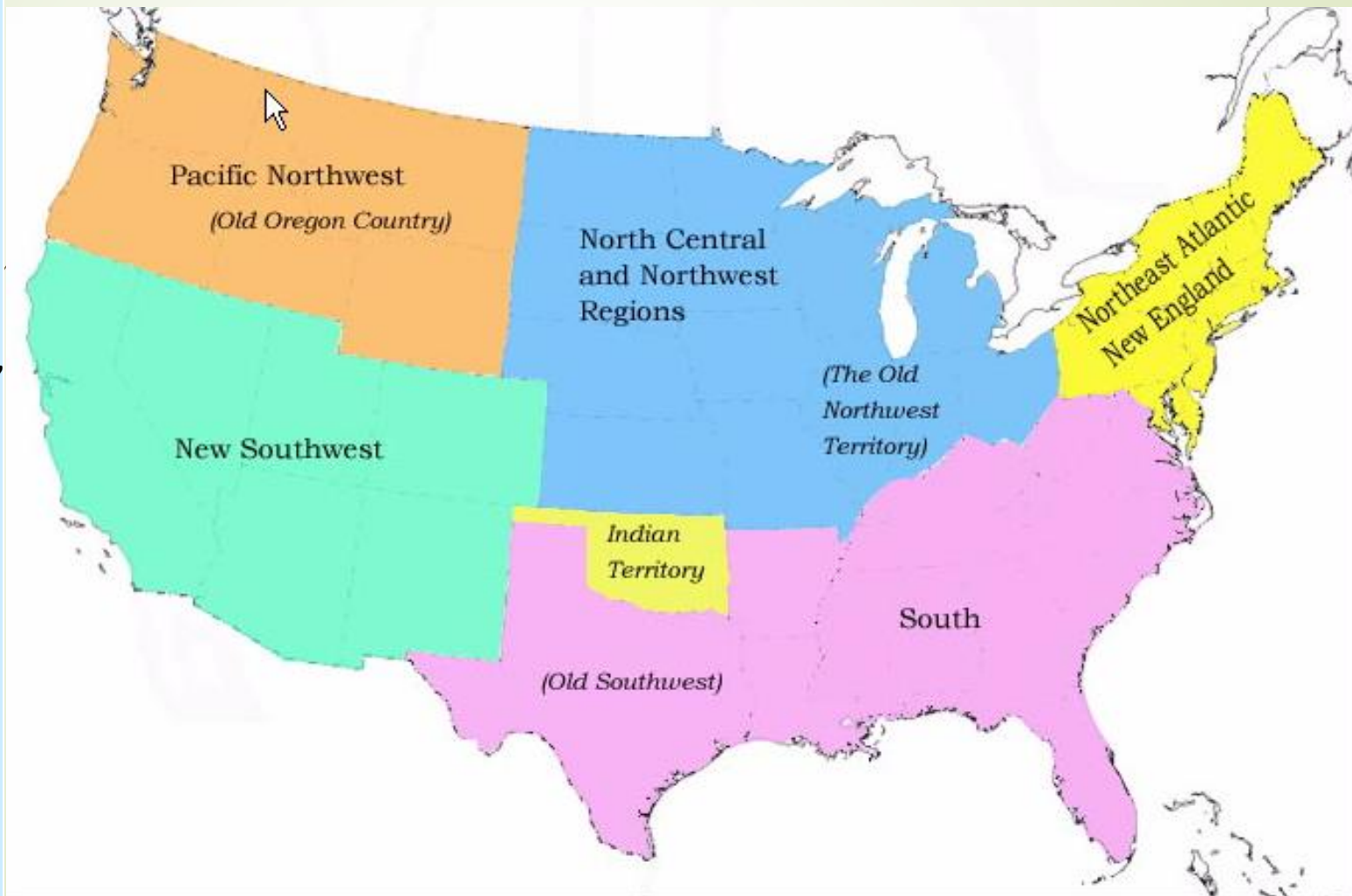
advanced search

States/Territories,
A-Z

Wisconsin

Peoples, A-Z

Oneida



Laws and Policies

[Legislative Operating Committee](#)

[Oneida Code of Laws](#)

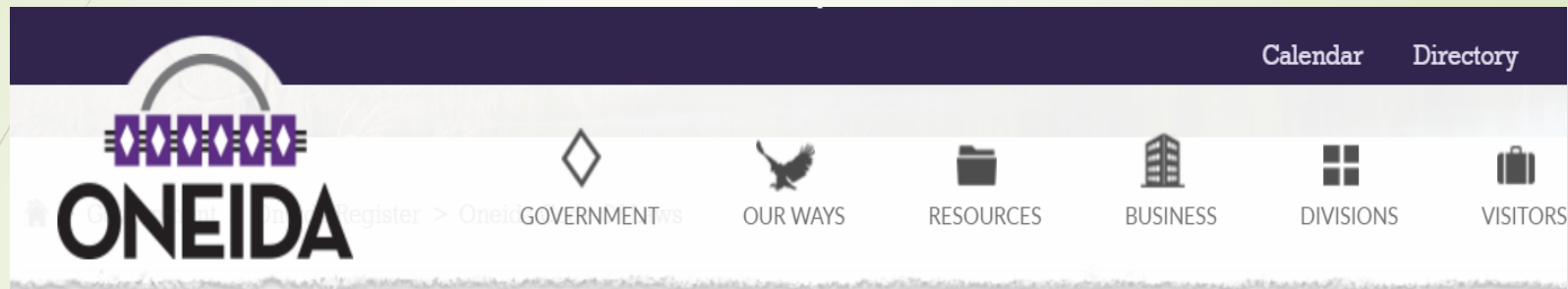
► [Policies](#)

[Tribal Justice](#)

-Judicial Code

Law Library of Congress

Guide to Law Online-Indigenous Law Portal



In This Section

Welcome to the Oneida Register

Public Meetings

Oneida Code of Laws

Administrative Rulemaking

Featured Legislation

Oneida Code of Laws

The citation to the right of each law refers to the Oneida Business Committee (BC) or General Tribal Council (GTC) resolution that adopted or amended the law or rule.

TITLE I. GOVERNMENT & FINANCES

TITLE 2. EMPLOYMENT

TITLE 3. HEALTH & PUBLIC SAFETY

TITLE 4. ENVIRONMENT & NATURAL RESOURCES

TITLE 5. BUSINESS

TITLE 6. PROPERTY & LAND

TITLE 7. CHILDREN, ELDERS & FAMILY

TITLE 8. JUDICIAL SYSTEM

TITLE 9. EDUCATION

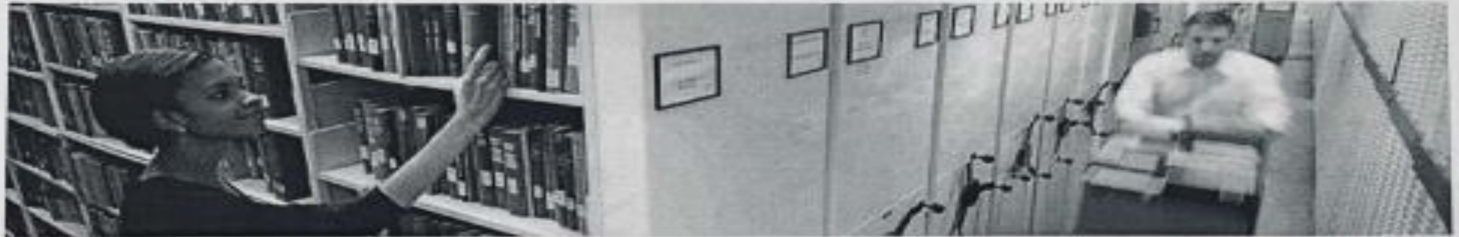
TITLE 10. GENERAL WELFARE EXCLUSION

ONEIDA NATION CONSTITUTION

TITLE I. GOVERNMENT & FINANCES

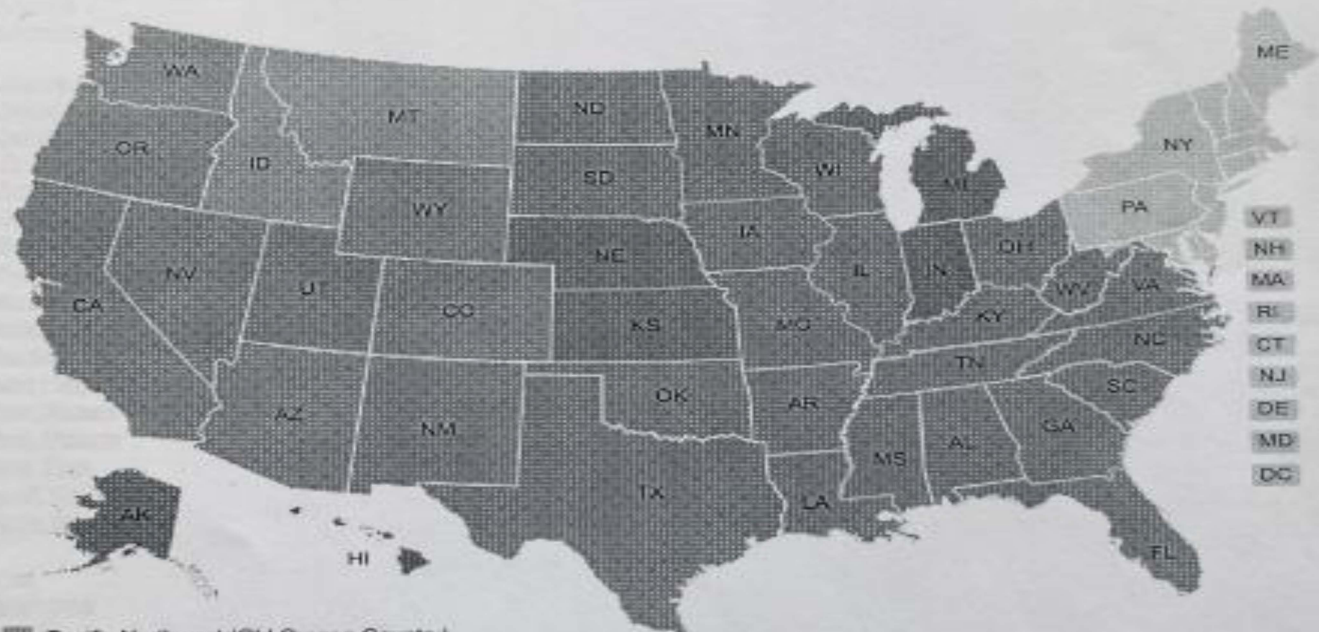
Chapter **Administrative Procedures Act** BC 02-24-16-B





Indigenous Law Portal



[Research & Reports](#) | [Congressional Reports](#) | [Guide to Law Online](#) | [Legal Research Guides](#) | [Legal Topics](#) | [Guides to Our Collections](#)

Mapping American Indian Constitutions and Legal Materials



-  Pacific Northwest (Old Oregon Country)
-  North Central & Northwest Regions (Old Northwest Territory)
-  Northeast Atlantic (New England)
-  New Southwest
-  South (Old Southwest) & Former Indian Territory
-  Arctic



Classification Portal to Indigenous Law: Intelligent Access to Information

22

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Tina Gheen
Law Library of Congress

Jennifer Gonzalez
Law Library of Congress

The Library of Congress
July 2014


The Indigenous Law Portal/LLC in 2016

The Library of Congress > Law Library > Research & Reports > Guide to Law Online > Indigenous Law Portal

LAW.gov


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Indigenous Law Portal



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 **In Custodia Legis**
Official blog from the Law Library of Congress

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Please select a region below to begin:



United States Alaska Canada Mexico North America

Global Resources

- > [Center for the World Indigenous Studies](#)
- > [Cultural Survival](#)
- > [Earth Rights International](#)
- > [Indigenous Law Journal](#)
- > [Minority Rights Group](#)
- > [Native Web/Law Resources Directory](#)
- > [TEBTEBBA](#)

The Portal is continuously under development. Please check back for more updates!

Last Updated: 06/10/2016

Territorial Evolution of Indian Territory to Oklahoma

Historic Maps <Timeline>

- ▶ <http://hdl.loc.gov/loc.gmd/g4021e.ct000225> 1889 (before Division Oklahoma & IT)
- ▶ <http://hdl.loc.gov/loc.gmd/g4021e.ct000224> IT 1892
- ▶ <http://hdl.loc.gov/loc.gmd/g4021e.ct000225> IT 1892
- ▶ <http://hdl.loc.gov/loc.gmd/g4020.ct002099> IT 1898
- ▶ <http://hdl.loc.gov/loc.gmd/g4020.ct002102> IT 1898 (Sub-Divisions)
- ▶ <http://hdl.loc.gov/loc.gmd/g4022c.ct002106> Creek Nation 1899 (Allotments)
- ▶ <http://hdl.loc.gov/loc.gmd/g4021g.ct002104> IT 1902 (Townships)
- ▶ <http://hdl.loc.gov/loc.gmd/g4021p.ct002110> IT 1903 (Railroads)
- ▶ <http://hdl.loc.gov/loc.gmd/g4022c.ct002107> Cherokee Nation 1903 (Allotments)



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CONGRESS

INDIGENOUS LAW PORTAL:

Sovereigns within a Sovereign

Concept proposal

- Provide authoritative research, analysis, and information to the Congress; offer research and legal services to the U.S. Federal Courts and Executive Agencies; and provide reference services to the public and special audiences.
- Acquire, preserve, and provide access to a universal and unique collection of legal knowledge.
- Work collaboratively with internal and external communities (see below) to advance knowledge and creativity, meet common goals, and provide leadership and expertise.

The Suyu/Incan Empire Territory: The Case of Mother Earth



https://commons.wikimedia.org/wiki/File:Inca_Empire_South_America.png

Andean Country Group/Bolivia

Ley de la Madre Tierra. Ley No. 300 (2012)

- Rather than treating environment as property under the law,
- Rights of nature acknowledges that nature in all its life forms has the right to exist, persist, maintain and regenerate its vital cycles.
- It is the *holistic recognition (cosmovisión)* that all life, all ecosystems on our planet are deeply intertwined.
- It is the recognition that our *ecosystems – including trees, oceans, animals, mountains – have rights just as human beings have rights-*
- guaranteeing the continued *capacity of Mother Earth to regenerate natural systems*, recuperating local and ancestral practices.
- The law outlines the state's vision on **climate change**, and commits to '**climate justice**' with focus on vulnerable populations.

Indigenous Jurisprudence

KIQ Indigenous Law: Bolivia

	Indigenous jurisprudence. Philosophy
6044	General works
6045.A-Z	Principles and concepts of law, A-Z
	Ayllu. Clan based Andean communal governance concept (Altiplano), see KIQ6183.3
6045.C6+	Cosmovisión indígena. Cosmovisiones de las naciones y pueblos indígena originario campesinos. Cosmos-oriented perception and observation of laws of nature (environment and life cycles) for living well in harmony with Mother Earth Including Autoridad plurinacional de la Madre Tierra For the Mother Earth laws, see KIQ6122 (Environmental law)
045.C8+	Cultural identity. Identidad cultural Including cultural recovery For planes de salvaguarda de patrimonio cultural (fortalecimiento cultural) see KIQ6185 Cultural self-identification. Auto reconocimiento cultural, see KIQ6045.C8+
6045.E+	Decolonization and indigenous resurgence, see KIQ 6164.S4+ Ethnicity. Ethnic identity. Multiethnicity Ethnic self-identification or group membership. Autoidentificación étnica, see KIQ6172.E+
6045.I+	Indigeneity. Indigenism Right of indigenous peoples to voluntary isolation (Pueblos en aislamiento y en contacto inicial), see KIQ6172.V6+ Self-determination. Sovereignty, see KIQ 6164.S4+
6045.S6+	Sources of law. Custom. Oral traditions. Indigenous knowledge. Usos, costumbres y tradiciones

Agricultural Law

KIQ Indigenous law: Bolivia

Agriculture. Forestry

For the laws of nature (Mother Earth laws), see KIQ6122

For agricultural land property rights, see KIQ 6060+

Comprehensive land reform, see KIQ6194+

Sustainable/ecological management of comunitarian lands

6080

General works

6082

Agricultural syndicate system

6082.2

Cooperative agricultural work. Trabajo Comunitario.
Mink'a. Ayni

6083

Food production. Food security. Seguridad alimentaria
Including traditional/sustainable food systems

6083.3

Bio-security (Life stock). Bioseguridad

6084

Conservation of agricultural and forest land. Control of
soil erosion and degradation (contamination)

For deforestation and desertification, see

KIQ6130.D4+


Environmental law

KIQ Indigenous Law: Bolivia

	Environmental law
	Including traditional ecology/ecosystems (Cosmovisión)
6120	General works
6122	Environmental justice
6122	Sustainability/preservation and regeneration of the earth and vegetation. Ethno-environmental protection
	n 2013067727 Including works on Ley marco de la madre tierra y desarrollo integral para vivir bien. Ley no. 300 (2012). Mother Earth Law;
	no2022044279 Ley de derechos de la Madre Tierra (2010)
6123	Preservation of biodiversity Including genetic-biological resources
	Global warming. Climatic changes
6124	General works
6125	Impact of climate change on indigenous populations and food production/food security. Climate justice
6126	Environmental pollution Soil contamination, see KIQ6084
6128	Wilderness preservation. Wildlife conservation Including rainforests, parques, and other protected areas, and fragile environs (áreas protegidas y sitios sagrados)
6130.A-Z	Special topics, A-Z
6130.D4+	Deforestation
6130.D4++	Desertification

Indigenous Jurisprudence. Philosophy

KIS Indigenous Law: Colombia

KIS	Indigenous jurisprudence. Philosophy
5044	Including Leyes Mayores (ley natural, ley de origen y cosmovisión), General works
5045.A-Z	Principles and concepts of the law, A-Z
5045.C6+	Cosmovisión indígena Class here works on Cosmos- oriented worldview (Concepción de la vision cósmica de los Andes), and observation of life cycles (Relación profunda con la Madre Naturaleza, o Pachamama) Including Law of Origin (Ley de Origen. Ciencia tradicional para el manejo de lo material y lo espiritual) and Law of Be (Ley de Sé. Ley de conocimiento de las leyes que mantienen el universo) Cf. KIS5255.M3+ Violence against Madre Tierra
5045.C8+	Cultural identity. Identidad cultural Including cultural recovery For salvaguarda de patrimonio cultural (fortalecimiento cultural) see KIS5185 Cultural self-identification. Auto reconocimiento cultural, see KIS5045.C8+
5045.E+	 Decolonization and indigenous resurgence, see KIS5169.S4+ Derecho mayor. Ley de origen, see KIS5045.C6+ Ethnicity. Ethnic identity. Pluri-ethnicity

Recently proposed LCSH

- *Data sovereignty (approved)*
- *NT Indigenous data sovereignty (approved)*
- *Cosmovision*
 - *UT Earth jurisprudence*
- *Cultural justice*
- *Climate justice*
- *Doctrine of discovery (International law)*
- *Ecocide*
- *Right to isolation*
- *Land grabbing (International law)*
- *Rights of Nature (LCSH)*
 - *UT Earth jurisprudence*

Notes on Panel Discussion

AALL Conference: *How it started/How it's going of April 26, 2022:*

Access to Indigenous Law – Or: Decolonizing LC Classification?

A retrospect into the Future

Ppt. 1 Theme slide

A. Work on exploration and development of Indigenous law in the Western Hemisphere and Historic Kingdom of Hawaii is – after more than 15 years - drawing to a close.

Here is how it began: a project which dealt throughout with sensitive issues and was not always tidy, just as history itself - which is not always tidy.

- **Beginning of these Indigenous law classifications KI-KIX was triggered by mounting and vocal criticism on LC by all sorts of folks, for “inappropriate, discriminating subject headings and categories,” ... “the marginalizing, stereotyping of the Indigenous –classified in history as so they do not really exist....,”**
- **The ”Euro-Americentric roots bias” in classifications and subject headings –**
- **Crowned of late by the spreading notion that a number of collections and their classifications are “colonial” in character, and need to being de-colonized?**

Ppt. 2 and 3 (Class E/F)

Question: These collections which I have studied long and hard, are they colonial in character “*because their classification is colonial, mostly because of what it leaves*”

out or eschews?” Or: “Is indigeneity sufficiently built into the intellectual organization of these collections?” And is adjustment of the classification the key to “de-colonizing collections”? We have to think harder. We deal with (#1) The physical aspect of E/F collections/items, meaning, their provenance and acquisitioning/ownership at a particular period of history that could make them “colonial, post-colonial,” whatever; and (#2) with the follow-up of the organization-the description of the collections, cataloging/classification that deals with the professional truth and intellectual justice—even touching on human rights concerning use of indigenous data.

The first Law Classification Specialist (Werner Ellinger) introduced the first-ever law classification KF (Law of the United States. 1967) with the statement that to be truthful in dealing with Indian, i.e., tribal law for the first time, “...it was rather a subject for which any location in this or other classifications would have to be arbitrary...”

Ppt. 4 and 5 (KF8200+)

It is true, the then provided meager 28 numbers (Classes KF8200-8228) for FEDERAL INDIAN LAW and TRIBAL LAW, did not take issue with the sovereign status and autonomy, claimed by modern Indian nations residing on US soil, nor did it reflect current Indian law making and government.

Did this make the KF classification “colonial?” I do not think so: It was rather the dilemma stemming from the duality of legal systems, the Federal and the Indian, a juristic problem that eventually needed to be resolved.

1. A very critical, thoroughly researched and analytical article in the 2002 AALL Law Library Journal - an appeal to law libraries written by a noted law professor (Nancy Carol Carter) - caught my full attention and prompted me to propose to management that

- **The Library of Congress take the lead with a new classification for Indigenous law in response to the clamor, the plea to all law libraries -**
- **Not to treat Indigenous law as sort of "subject matter" or "boutique" law, but as a valid branch of law-not promoted and very little known-**
- **That suffered from the gap between *availability* and *accessibility* of correct information.**
- **So, we would start out with the American-Indian law in the US, but eventually work our way up North and South through the Americas.**
- **And, also just eventually, we would include *Kingdom of Hawaii* (to 1900) - a proposal that, initially, was not well received.**

2. Once I got the green light, I did a thorough review of the collections under control of Classes E-F. What a tour through 18th and 19th century writing, and then: collecting!

I also reviewed memos on classification policies, for example the older policy to keep materials "on all things Indian" together in one all- inclusive collection - bolstered by the instruction in other classes:

“in case of doubt prefer Classes E-F”

I invite you for a moment into these “legacy” collections and their classification at the end of the 19th century as they are, indeed, historic manifests of

- (a) the struggle for colonial independence on one end,**
- (b) and on the other end --**
 - the records of U.S. westward expansion and territorial dominance over the Indian country; the treaties with the Indians; and the Indian wars;**
 - geography and (very importantly) mapping;**
 - boundary questions and treaties, both relating to the subject of State’s territory and sovereignty;**
 - local accounts and papers of new historical societies, newspapers, diaries and correspondence;**
 - private stories on wars and peace in the Americas,**
 - including the Civil War .**

(c) Each step during the formation of the nation state was recorded and *interpreted* by historians, guided by the desire to see the US acquire *American character*.

(4) It shows up in Librarian of Congress John Russell Young Annual Report of 1898, to “... bring it [the Library] home to the people as belonging to them - as part of their heritage - to make it *American*, ... seeking ...whatever illustrates *American History*... *American Growth*, ...[and] *Commonwealth*”- which was also his successor’s, Herbert Putnam’s, vision of the Library of Congress as a *clearing house for Americana*.

This was the American Side of the LC collection story.

**But Yes, there was the European side-story as well-
the confluence of the cultural/academic and
political/social story of the US:**

- **American scholars, trained at German universities, had in the 18 hundreds brought back to the US the scientific or analytical method of historic study as “record of social evolution.” This, paired with the inflow of German immigrants since 1848 - bringing along advanced education - stimulated in return lots of interest in education;**
- **The new industrial wealth that laid the foundation for *public collections*, notably libraries and museums;**
- **And when America's new moneyed upper-class had their agents in Europe for acquisitioning, so did the Library of Congress.**
- **Important observation: With collections flowing into LC, the patterns of organization applied by major institutions in Europe, made their entry as well - and were carefully studied for possible adoption.**

3. The first phase of LC Classification for collections of about 1 million, was initiated in the early 1890s and set in motion in 1897 by Librarian John Russell Young.

The political and intellectual atmosphere of this moment in time determined the course of development. Thus, the principal classifications were for the most extensive, splendid collections of the day – all applied in draft form already between 1901-1910:

(First) the notorious twin pair Classes E - F (America: History. Geography. Local history),

(Second) Classes J-JX (Government. Constitutional history. International relations and law), and

(Third) Class D – (the Old World, majorly Europe)

Isn't the thought arresting, though, that the early beginnings of this intellectual endeavor of institutions on the East Coast coincided with the Dakota Indian or Sioux War (1890-1891), including such events as the Wounded Knee Massacre and death of Chief Sitting Bull (1890) in the West? Where did the Indian realities fit in the picture? Of course, these events were destined for Classes E/F as part of the "Great American Story."

But did Indigenous People really vanish in the shadows of History?

There we were- with our complex Library history:

Here, I felt, we had to pick up and do justice to the future -

Possibly with:

B. An Indigenous Law Classification

But why a LAW classification ?

Ppt. 6 Why a Law Classification?

There was a definitive catalog of reasons and expectations:

(#1) that such a classification would provide for the first time a geopolitical and substantive arrangement for Indigenous Peoples in the Americas, their organizations, and

(#2) for the unique duality of the law: the Federal and the Indigenous. And (#3) a stand for de-colonization?

1. The first stages of the project KIA-KIX: Law of the Indigenous Peoples in the Americas were conceived between 2003 and *UN Declaration on Rights of Indigenous Peoples in 2007*- but where are beyond the historic, the current primary and secondary sources? The researcher will have found that the critical mass of information was largely to be discovered on the Web – dispersed, unorganized, and for that: obscure. Only a select group of institutions, both tribal and academic, offered courses on indigenous law, or created electronic gateways and portals, or have open *access-to-information* projects under way for display of hard to find materials on Indigenous law.

2. It was also a period of

- **inter-institutional collection developments that aimed at higher visibility of the Indigenous and Indigenous law - to promote, encourage and undertake digital projects, such as LC's digitization of the American Indian Constitutions and by-Laws and some other 400 items of high historical interest. David Selden, Director of the then little known *National Indian Law Library (NILL)* with a trove of indigenous codes - revived during 2003 AALL Conference|the *Native Peoples Law Caucus* as a forum for indigenous peoples law - which populated itself with law library directors, who would become very supportive of the law classification.**

- **In 2005, the first OUTLINES were developed for discussion:**

Ppt. 7 First outline

Ppt. 8 Expanded outline

And work on the first schedule KIE-KIK (Indigenous law: US) began.

- **In 2006 at the LC/Cataloging Policy and Support Office, established the new policy for North American tribes as legal entities:**
- **in name authority records, the MARC field will henceforth be the 151 (*Geographic name*) field instead the previously used 110 (*Corporate name*) field, meaning: that tribes recognized by the US are independent autonomous entities exercising self-government and possess sovereignty.**
- **This was the most important act for acknowledging the tribal entities as jurisdictions - an essential quality for the geopolitical arrangement in law classification – and for the coming Name authority development for several thousands of tribes and organizations (Amelung and Prager)**

Ppt. 9 Tribal arrangement

Ppt. 10 The finite outline of Class K. Matrix

3. In 2007, the *UN Declaration on the Rights of Indigenous Peoples* was the major event for my classification effort

Ppt. 11 Human rights/Americas

since it set down a definitive catalog & terminology on *Human Rights for the Indigenous* – now fully incorporated in the classification.

It was also a tribute to the efforts of both the Indigenous and the international advocacy, and raised the awareness of these sovereign nations on the national level as well.

Ppt. 12 Introductory page with Indigenous orgs/NAR

It also shows the extensive use of original/vernacular language.

4. In July 2011, the fuller draft of schedules *KIE-KIK: Law of the Indigenous Peoples in the US*, accompanied by an *Introduction to the Application* was posted on the LC/ABA/ Homepage for review.

5. In 2012, *KIE: Indigenous Law: US General*, was converted to Class Web. It was conceived as “a distinct regional comparative and uniform law component of Class KI in the larger frame of the LC Law Classification (Class K). Thus, as all law classifications, the structure is based on the geo-political information of Class G (Geography). KIE should set the patterns for the rest of the comparative Indigenous Law schedules of North America and Latin America (Western Hemisphere).

6. It was the first time that Web resources - that is: digital primary and secondary sources, including “grey literature”- were

used in a major way for subject content of the schedules - delivering terminology and original language – all important for Web searches.

C. This all gave cause for a renewed investigation of the enormous potential of the LC online Classification system, *ClassWeb*. The function of Classification schedules was always to provide for physical materials a place, grouping like- things with like for easy retrieval on a shelf. Now - the effort is to keep Indigenous Law schedules consistent with the other 10 or so LC Law schedules. But the design of class KIA-KIX took from the beginning exceptions for the digital resources. Ideally, organizations, maps, etc., etc., should be able to be hot linked from the new classification to our own digital AI collections or to the web.

1. It was an exploration of *ClassWeb* itself as Classification Portal. I had provided a demonstration with diagrams of the concept to management:

Ppt. 13 Classification Portal 1

retooling/repurposing for discovery and education-

Ppt. 14 Classification Portal 2

In the draft KIE, electronic access-points to digital content were embedded usually by creation of a link from caption to the source.

Ppt. 15 Classification Page

The look of the pages is not much different, except for the little symbol that indicates that an electronic resource is available.

However, after initial excitement, the idea was abandoned because of *URL maintenance fears*.

2. Other concepts were explored. In an initial meeting, the Law Library agreed to have php pages added to its *Guide to Law Online* on the Law Libraries website, but only using the Guide's existing structure for a limited pilot (as example: the Oneida Tribe) to test viability

Ppt. 16 The project and players. Time line

Two specialist of the Law Library's *Digital Resources Division* (DRD) and myself teamed up to prepare a detailed proposal to management with dateline and estimated resources. We also studied maps of other organizations used for their websites, such as the EPA or US Census Bureau. After it was decided to introduce maps as visual access to information, LC Geography and Map Division designed the first conceptual diagram

Ppt. 17 1st diagram exploration

That shows the cartographic established regions of the US. All pertinent information on peoples and indigenous organizations, the legal record of sovereign tribal governments, is organized and presented *first*, by region, and *second*, within the region, by tribal entities on the local level. Modern geo-political divisions and borders are of little meaning. Indigenous sovereign tribes residing in the particular region, are in a one-to-one relationship with the Federal government and independent from states.

Based on the original diagram, *OSI/Webservices* Staff designed the first interactive maps for my demonstration of “proof of concept Oneida Pilot” to management:

Ppt. 18 The Oneida

Ppt. 19 The Oneida

Ppt. 20 The Oneida

From then on, the content of the Portal grew exponentially.

3. In June 2014, this version of the portal was launched

Ppt. 21 Portal landing page

now with Alaska and Hawaii.

(Information can be linked by state or by region).

In the same year,

Ppt. 22 AALL Conference 2014

the portal was demonstrated to the law Library Community

Ppt. 23 2016 LLC Home page of portal

Homepage of the Portal with growing number of regional maps that show also the spatial complexity and territorial range of indigenous peoples in North America.

Ppt.24 Historic maps of the Indian Territory

demonstrate digital support by G&M.

The Portal now opens with general and global information on Indigenous Peoples and organizations in support of their rights and concerns worldwide (Class KI). Information on all Indigenous peoples of the regions of North America, including US/Alaska, Canada, Mexico and Hawaii, was already available.

4. The development of both portal and classification for Central America (KIM-KIP) coincided with the adoption of the *American Declaration on the Rights of Indigenous Peoples* in 2016. All

schedules were completed in 2017 using extensively topics and original terminology of the Declaration.

Despite all the technical shortcomings, the portal – a Library of Congress open access resource - had outgrown in a short time its “conceptual vision state”. With this quite large body of information and thousands of visits from over 170 countries, the portal had shown its potential as a systematic and sophisticated electronic tool. Time seemed to be right to convert it into a stable, independent stand alone database – expecting also a massive indigenous data dump from Latin America: Independent from the portal, the development work on South America, Regions and States, that was already underway, gave us an idea of the coming complexities.

Ppt. 25 Proposals

5. For the Portal under the fancy working title *Sovereigns within a Sovereign*, several technical proposals concerning workflow and automated processing were from 2015 on under management review.

It is expected that this portal development by the Library of Congress will attract strategic partnerships with academic institutions, non-profit organizations, etc., with similar interests for this project, as well as funding opportunities of such a partnership endeavor by other organizations (e.g., NSF, CRL)

Although proposals were on the Law Library of Congress Strategic Plan (2011-2016), they never made it past staff shortage and budgetary constraints, leaving the Portal without technical support.

Thus, in 2018, Library of Congress and LLMC reached an agreement that LLMC could assume further development of the Indigenous Law Portal with the proviso that it would be available to

the public on LLMC-Digital Website at no charge (open access). The late Jane Sánchez, Law Librarian of Congress at that time, said, *“We are proud to have developed this substantial resource.... It is now time to responsibly transition this service to LLMC, committed to expanding coverage while maintaining and growing its potential.”*

6. Of course, the development of classifications is still evolving with focus on the Andean country group.

Ppt. 26 Suyu and Andean country group

This map shows at a glance the historic roots of the Andean country group: the Inca Empire, making at once aware of the historic concepts on which the 21th century laws are firmly grounded, or are the core of philosophical explorations, in particular the concepts of Earth jurisprudence and cosmovisión.

Ppt. 27 Bolivia Environmental legislation

(a) Bolivia pioneered two major acts on environmental law, the state’s fundamental commitment to preserve the environment (Mother Earth), including all citizens; still, the stated principle of “climate justice” focuses on those who are most vulnerable to climate change, especially the indigenous population.

Ppt. 28 ppt.29 ppt.30 Classification pages

Very important is the state’s commitment and encouragement for the recuperation of traditional indigenous practices that allowed for the sustainable regeneration of natural resources (Mother Earth Laws)

Law 300 defines 'Living Well:' Rights of Nature are balancing what is good for human beings against what is good for other species - what is good for the planet as a world.

The state's legal obligations in relation to climate change are the development of policies, strategies and legal techniques to mitigate the effects of climate change.

(b) In Colombia,

Ppt. 31

the Indigenous rely on their Ley Major (ancestral traditional wisdom and knowledge laws) expressed as Ley de Sé (Law of Be) and Ley de Origin (Law of Origin), the prescription of management of everything material and spiritual that guarantees the order of life and the balance and harmony of nature.

(c) Ecuador's approach was to incorporate rights of *Pachamama* (Mother Earth) in its Constitution of 2008 affirming: her existence, regeneration of cycles, structure, and functions, thus giving Nature the highest grade of legal protection.

And several of Ecuador's Constitutional Court rulings reaffirm the *Rights of Mother Earth*.

(d) At the end, the current short list of approved or proposed subject headings on important subjects covered by the classification

Ppt. 32 Proposed or approved LCSH

This is WHERE I am

LLMC INDIGENOUS LAW PORTAL

HOW IT STARTED / HOW IT'S GOING

RICHARD AMELUNG

PROFESSOR EMERITUS OF LEGAL RESEARCH

SAINT LOUIS UNIVERSITY

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LLMC Showcase during AALL Conference: 'Global Equity and Social Justice' (July 19th)

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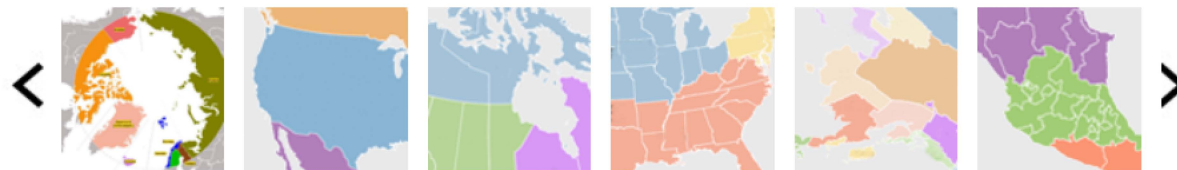
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Indigenous Law Portal - Global



Circumpolar North America Canada United States Alaska Mexico

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General Resources

- [The Conversation](#)
Links to multiple country editions. Section on Politics & Society
- [Indigenous, Indian, and Aboriginal Law Commons](#)
- [Indigenous Law Journal](#)
- [Indigenous Peoples' Center for Documentation, Research and Information \(docip\)](#)
- [Pulitzer Center - Indigenous Communities](#)
- [Settler Colonial Studies Blog](#)
- [Whose Land](#)

Law Gateways

- [Territorio Indígena y Gobernanza](#)

Official Gazettes

None at this time

Intergovernmental Congresses & Conferences

- [Indigenous Conference Services \(Australia\)](#)

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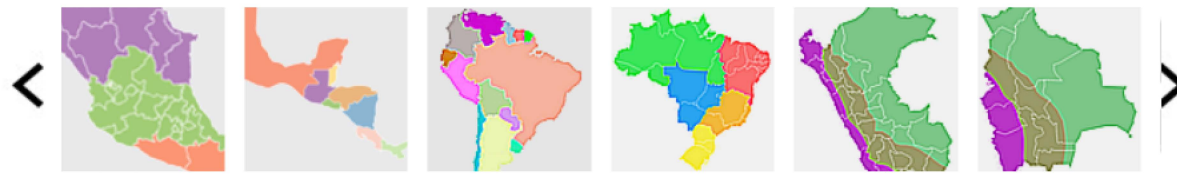
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Mexico Central America South America Brazil Peru Bolivia

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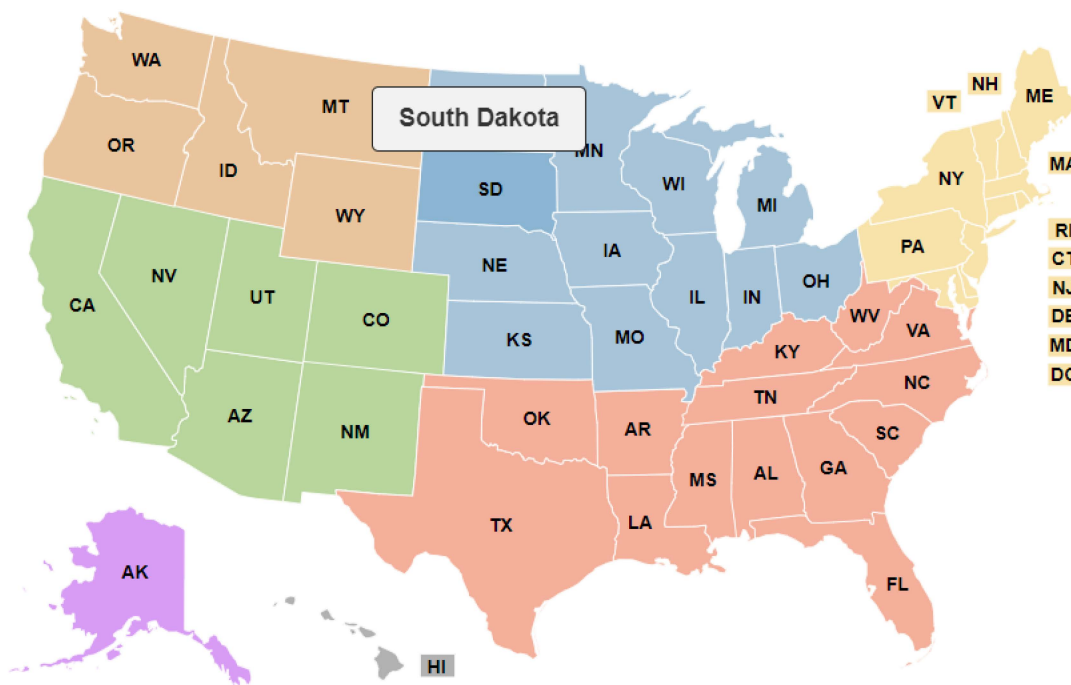
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Indigenous Law Portal - United States



- Pacific Northwest (Old Oregon Country)
- North Central & Northwest Regions (Old Northwest Territory)
- Northeast Atlantic (New England)
- New Southwest
- South (Old Southwest) & Former Indian Territory

Law Gateways

[American Indian Treaties \(National Archives\)](#)

[Federal Websites: Native Americans](#)

[National Indian Justice Center](#)

[National Indian Law Library](#)

[Native American Constitution and Law Digitization Project \(University of Oklahoma Law Library\)](#)

[Tribal Court Clearing House/Decisions](#)

[Tribal Law Exchange \(TLEX\)](#)

[USA.gov Tribal Government Sites](#)

Treaties. Collections, Compilations

[Indigenous Digital Archive Treaties Explorer \(Museum of Indian Arts and Culture & US National Archives\)](#)

Intergovernmental Congresses/Conferences

[Tribal Public Health Conference](#)

Non-governmental Organizations (NGO)

None at this time

Inter-governmental Organizations (IGO)

None at this time

National Indigenous Organizations

[American Indian Development Associates](#)

[Association on American Indian Affairs](#)

Formerly American Association on Indian Affairs

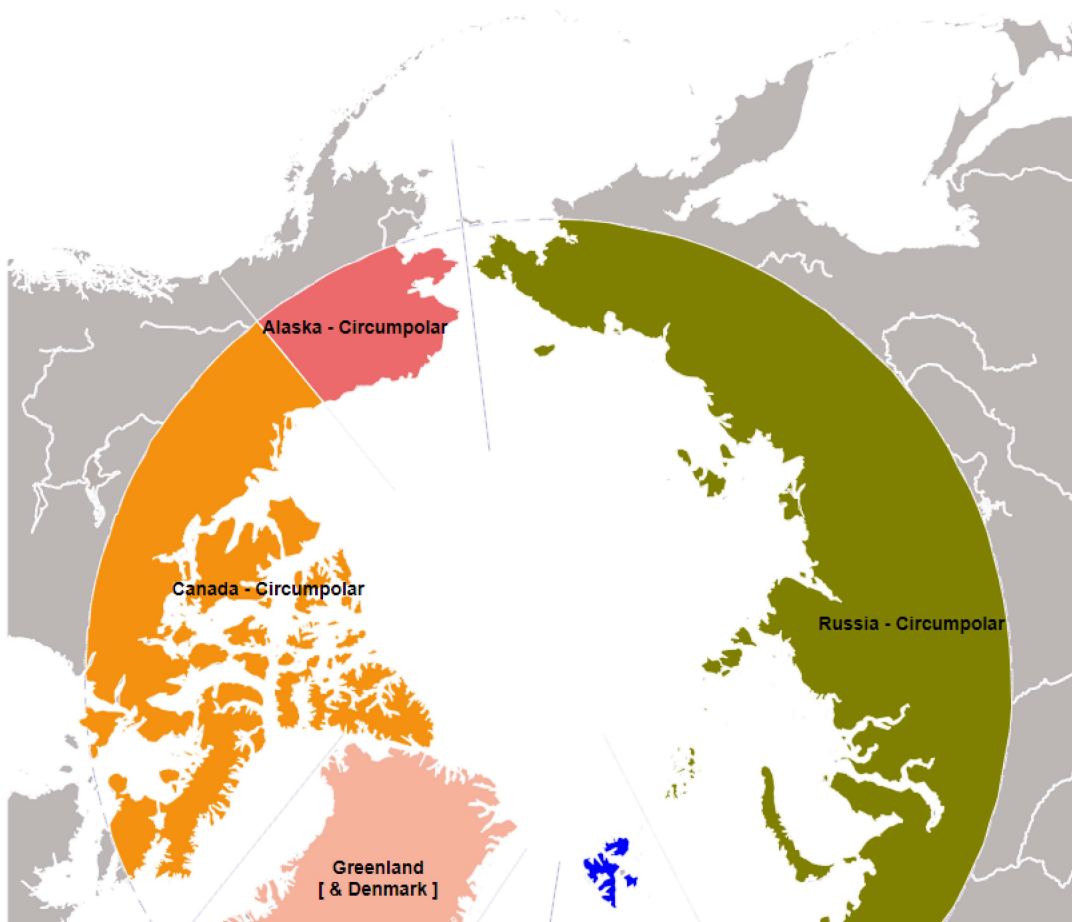
[National Congress of American Indians](#)

Circumpolar

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Brazil ▾
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Indigenous Law Portal - Brazil



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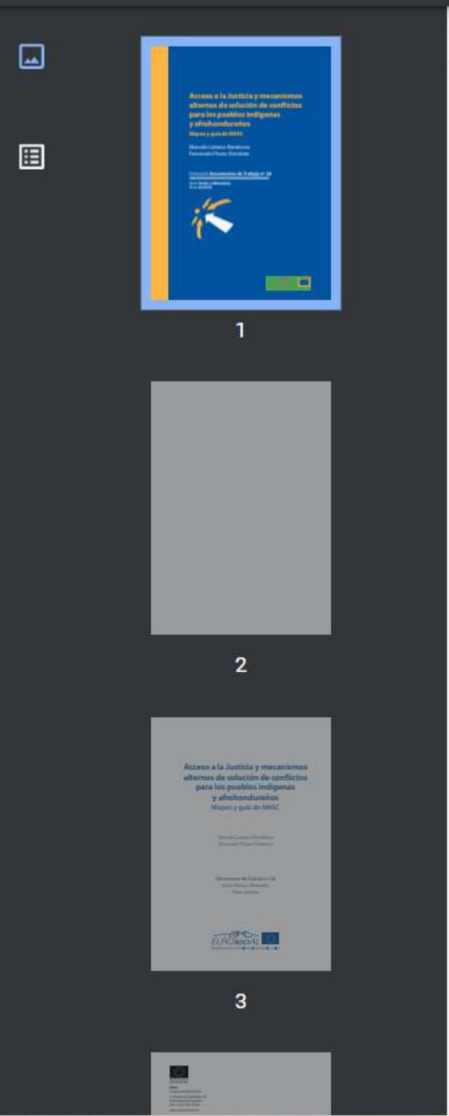
- [Povos Indígenas no Brasil \(Website\)](#)
- [Terras Indígenas no Brasil \(Website\)](#)
- [Territorio Indígena y Gobernanza](#)

Intergovernmental Congresses & Conferences

None at this time

Intergovernmental Organizations (IGO)

None at this time




Acceso a la Justicia y mecanismos alternos de solución de conflictos para los pueblos indígenas y afrohondureños

Mapeo y guía de MASC

Marcela Laitano Barahona
Fernando Flores Giménez

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Civil and Human Rights Law Portal - Global



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RIGHTS! during COVID-19: targeted resources

- [COVID-19 Vaccine Equity Project](#)
- [Malala Fund: COVID-19 Initiative](#)

Gateways

- [Asia-Pacific Human Rights Information Center \(HURIGHTS OSAKA\)](#)
- [CCBE Human Rights Portal Council of Bars and Law Societies of Europe\)](#)
- [Fundamental Rights Agency's gateway](#)
- [General Human Rights Library](#)
- [HRBA Portal \(UN Practitioners' Portal on Human Rights Based Approaches to Programming\)](#)
- [NYU Libraries' gateway](#)
- [Race, Research & Policy Portal \(Institutional Antiracism and Accountability Project\)](#)
- [UN Human Rights Resolutions Portal](#)
- [UN News](#)

Governmental Organizations

- [African Commission on Human and Peoples' Rights](#)

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ARTICLE X.

Goods to be distributed.

The Commissioners of the United States, in pursuance of the humane and liberal views of Congress, upon this treaty's being signed, will direct goods to be distributed among the different tribes for their use and comfort.

SEPARATE ARTICLE.

Provision for certain Indians.

It is agreed that the Delaware chiefs, Kelelamand or lieutenant-colonel Henry, Hengue Pushees or the Big Cat, Wicocalind or Captain White Eyes, who took up the hatchet for the United States, and their families, shall be received into the Delaware nation, in the same situation and rank as before the war, and enjoy their due portions of the lands given to the Wiandot and Delaware nations in this treaty, as fully as if they had not taken part with America, or as any other person or persons in the said nations.

Geo. Clark,
 Richard Butler,
 Arthur Lee,
 Daunghquat,
 Abraham Kuhn,
 Ottawerreri,
 Hobocan,
 Wulendightun,

Talapoxie,
 Wingenum,
 Packelant,
 Gingewanno,
 Waanoos,
 Konalawassee,
 Shawnaqum,
 Quecookkia.

Witnesses: Saml. J. Atlee, Francis Johnston, Commissioners. Alexander Campbell, Jos. Harmer, Lieut. Col. Com't. Alexander Lowrey. Joseph Nicholas, interpreter. I. Bradford. George Slaughter. Van Swearingen. John Boggs. G. Evans. D. Luckett.

To the Indian names are subjoined a mark and seal.

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LCCN Permalink: <https://lccn.loc.gov/no2021138948>

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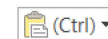
400 0_ |a [Dunquad](#)

400 0_ |a [Dunquat](#)

400 0_ |a [Pomoacan](#)

670 __ |a United States Statutes at large, 1846: |b volume 7, page 18
([Daunghquat](#))

670 __ |a Hodge. Handbook of America Indians north of Mexico, 1907-1910 |b (Half-King ([Petawontakas](#), [Dunquad](#), [Dunquat](#), [Daunghquat](#); Delaware name, [Pomoacan](#)). A Huron chief of Sandusky, Ohio; Under the name [Daunghquat](#), he signed the treaty of Ft. McIntosh; Jan. 21, 1785; The treaties of Greenville, Ohio, Aug. 3, 1795; Ft. McIntosh, July 4, 1805; Greenville, July 22, 1814, and Spring Wells, Sept. 8, 1815, were signed by [Haroenyou](#) ([Harowenyou](#)), his son, not by himself; but the name "[Dunquad](#) or Half King" is appended to the treaty of Miami Rapids, Ohio, Sept. 29, 1817)



MANY THANKS,

Questions?
email me at:

richard.amelung@slu.edu