EPC Exhibit 137-24.3

March 21, 2014

THE LIBRARY OF CONGRESS

Dewey Section

To: Jonathan Furner, Chair

Decimal Classification Editorial Policy Committee

Cc: Members of the Decimal Classification Editorial Policy Committee

Karl E. Debus-López, Chief, U.S. Programs, Law, and Literature Division

From: Rebecca Green, Assistant Editor

Dewey Decimal Classification

OCLC Online Computer Library Center, Inc.

Via: Michael Panzer, Editor in Chief

Dewey Decimal Classification

OCLC Online Computer Library Center, Inc.

Re: Native American topics discussion paper

Last November EPC member Lyn McKinney forwarded to EPC-L a contribution from Martha Kohl, Historical Specialist, Montana Historical Society, on the Montana History and Heritage Listserv. Her email quotes Broadwater Elementary School Librarian Marla Unruh, who had come across an article by Holly Tomren, currently head of Metadata Services, Drexel University Libraries, who (according to Unruh) “asserts that both the Dewey Decimal and the Library of Congress classification systems do not have adequate categories for Indian literature, marginalizing basic Native concepts by using outdated terms and relegating Indian works to the past, placing them on the history shelves.” Unruh goes on to say, “As I look our school district catalog, I find the overwhelming preponderance of books and resources in 970.004, the history section reserved for all things Native American.”

Later that month the editorial team sent the following message to EPC-L:

Hi Lyn (and other EPC members),

Thank you for bringing the thread on Native American materials to our attention. We have had a chance to look at Tomren’s article “[Classification, Bias, and American Indian Materials](http://ailasacc.pbworks.com/f/BiasClassification2004.pdf)” and would indeed like to share some comments on claims made there. The bottom line is that while there is room for improvement in some of the details, the DDC’s treatment of Native American materials is not guilty of the large-scale bias ascribed to it in the Tomren article.

A significant claim made by Tomren is that the DDC “marginalize[s] American Indian materials by placing them in the past (in the history section) and separate from the whole of human knowledge”:

Most American Indian materials are classed in 970 "General History of North America." Immediately, we can see that according to the DDC, Native people are part of the past. According to Deloria (1988), this is one of the most enduring and troublesome stereotypes about American Indians today. How does a Native student feel when he is looking for information about his tribe and a librarian tells him he must look in the history section? The preferred place in DDC for Native materials is 970.00497, "North American native peoples" . . . since DDC 19, there has only been this one number in 970 (970.00497) for all Native topics.

Here is the entry for the span that includes 970.00497:

**970 History of North America**

970.004 1–.004 9 Specific ethnic and national groups

Add to base number 970.004 notation 1–9 from Table 5, e.g., general history and civilization of North American native peoples in North America 970.00497

(Option: Class North American native peoples in North America in 970.1; class specific native peoples in 970.3)

Class history and civilization of North American native peoples in a specific place before European discovery and conquest with the place, without using notation 00497 from add table under 930–990, e.g., Aztecs before 1519 972.018

A couple of points are in order:

* The number 970.00497 is for general history and civilization of North American native peoples in North America, not for any other disciplinary aspect of North American native peoples.
* Both the history and civilization of specific places are indexed to 930–990. The add table under 930–990 includes the span 0041–0049 with the add instruction to add to 004 notation 1–9 from Table 5 for specific ethnic and national groups. Thus the meaning of 970.00497 is entirely regular. Parallel numbers would be used for any other specific ethnic or national group.

Why then did Marla Unruh “find the overwhelming preponderance of [Native American] books and resources in 970.004,” including *Birthright: Born to Poetry – A Collection of Montana Indian Poetry*? Not because the instructions given in the DDC were being followed in the cataloging of the materials! This collocation of all things Native American appears rather to be consistent with a desire to pull all the materials on a subject together, regardless of disciplinary perspective.

In truth, as recently as DDC 16 (published in 1958), there was a number 970.6 Specific subjects in relation to Indians, with instructions to divide like 000-999; but even then there were exceptions. In DDC 17 (published 1965), 970.6 was bracketed, with instructions to “Class with the subject”; the use of 970.6 was not left even as an option. Thus, it has been almost 50 years since materials on Native Americans with respect to subjects outside of history and civilization would have been placed into a history number by the DDC.

At the same time, the Tomren article brings to light some areas of the DDC where improvement could be sought:

* WebDewey includes entries for a number of “index only” built numbers, for which we had no way in the past to designate an associated caption. When displayed in WebDewey, the heading that appeared first in the alphabetic list of headings was arbitrarily used in lieu of a caption. Tomren points out several built numbers that did not have designated captions and whose first headings presented a distorted picture of the meaning of the number:

[Tomren:]  There are a few particularly offensive locations for native materials in the DDC hierarchy, such as 346.73013, under branches of law, "Disabled persons -- legal status -- United States." WebDewey, the online version of DDC, uses this number for the LC subject heading "Indians of North America -- legal status, laws, etc.," which is a very common subject heading dealing with Native law materials. This problem is repeated in 342.73087 "Disabled persons -- legal status -- Constitutional law -- United States." . . . this adds insult to injury by implying that American Indians as well as other minorities are somehow "disabled."

One of these numbers now has the RI Capacity (Law)—United States designated as its caption, but the other still suffers from the problem mentioned by Tomren.  Fortunately, we are now able to designate which heading should be used as a caption; unfortunately, we have over 13,000 built numbers without designated captions. At some point in the future we will need to undertake a project to designate captions for all numbers that lack them. That said, we wish to make clear that the issue is purely cosmetic, having to do with the display of a heading-in-lieu-of-a-caption: the topic in a heading displayed for “index only” built numbers that are without designated captions may or may not approximate the whole of the number. In WebDewey those with more than one associated index term display with a trailing ellipsis.

* [Tomren:]  “Another example of an offensive location in WebDewey is Indian Dance and Powwows under 399 Customs of war and diplomacy, rather than in 793.31 Folk and national dancing.”  Because PPT mappings are not currently present in WebDewey, these particular problems get bypassed, but we should give direction on what to do with them, since ample literary warrant exists.
* [Tomren:]  “The use of a facet (—97 ) does not necessarily help collocate Native materials, and in this case this particular facet gives American Indians the same status as other ethnic groups rather than as sovereign nations.”  We don’t yet mention, e.g., Navajo Nation, although again there is ample literary warrant.

We have already identified law of indigenous peoples as an area that needs work; this area includes, but is not limited to, Native American topics. We can additionally see merit in an exhibit (at least a discussion paper) for EPC Meeting 137 to identify and address specific Native American concepts currently missing for the DDC, but for which sufficient literary warrant exists.

In addressing Native American topics, we will restrict ourselves at present to American Indians in the United States. If the proposals below with respect to Native American groups as sovereign nations (issue 3) are accepted, we will then explore how the principles worked out there may apply to other (probably indigenous) peoples of North America, of South America, and other parts of the world. That is, the part of this exhibit addressing part 3 should be considered as a discussion paper. The parts addressing issues 1 and 2 concern indexing and are informational only (unless anyone on EPC would like to suggest different responses).

**Issue 1. Built numbers without designated captions**

The first area we wish to examine are built numbers without designated captions. These are not an issue for Native American topics generally, but are problematic in only a special set of circumstances. Looking at the details of the first example given by Tomren—346.73013—gives us a good idea how limited these circumstances are. This number is built with base number 346, plus T2—73 (following the add instructions at 346.3–346.9), plus 013 (the numbers following 346 in 346.013, following the instructions at 346.3–346.9:01–09):

346.3–.9 Specific jurisdictions and areas

Add to base number 346 notation 3–9 from Table 2, e.g., private law of Australia 346.94, of New South Wales 346.944, of African states 346.6; then to the result add as follows:

001–009 Standard subdivisions

Notation from Table 1 as modified under 342–347

01–09 Topics of private law

Add the numbers following 346 in 346.01–346.09, e.g., family law of Australia 346.94015, of New South Wales 346.944014, of African states 346.6015, cases involving family law of Australia 346.940150264

*. . .*

346.013 \*Capacity and status of persons

Capacity: the attribute of persons (personal or corporate) which enables them to perform civil or juristic acts

Including capacity and status of aliens; of people in late adulthood; of people with disabilities; of ethnic, national, economic groups; of slaves

Subdivisions are added for either or both topics in heading

. . .

346[.013 08] Groups of people

Do not use; class in 346.013

346.013 4 \*Women

346.013 5 \*Minors

Including age of majority

346.013 8 \*People with mental illness and disabilities

The linchpin here is the bracketing of 346.01308, which means all groups of people under 346.013, except for women, minors, and people with mental illness and disabilities are classed in the same number; a caption based on any one group of people will misrepresent any other group of people. Exhibit 137-16.2 proposes regularizing the treatment of T1—08 here, which would make the issue moot.

Tomren’s second example—342.73087—is similar. This number is built with base number 342, plus T2—73 (following the add instructions at 342.3–342.9), plus 087 (the numbers following 342 in 342.087, following the instructions at 342.3–342.9:01–09):

342.3–.9 Specific jurisdictions and areas

Add to base number 342 notation 3–9 from Table 2, e.g., constitutional and administrative law of Australia 342.94, of New South Wales 342.944, of African states 342.6; then to the result add as follows:

001–009 Standard subdivisions

Notation from Table 1 as modified under 342–347

01–09 Topics of constitutional and administrative law

Add the numbers following 342 in 342.01–342.09, e.g., election law of Australia 342.9407, of New South Wales 342.94407, of African states 342.607, administrative regulations for elections in Australia 342.940702636

*. . .*

342.087 \*Groups of people

Including slaves

Class here affirmative action, legal status

*For aliens, displaced persons, refugees, see 342.083*

*See also 342.085 for rights and activities of individuals*

342 [.087 08] Groups of people

Do not use; class in 342.087

342.087 2 \*Indigenous and aboriginal peoples

Subdivisions are added for either or both topics in heading

Class women in 342.0878

342.087 3 \*Ethnic and national groups

Class indigenous and aboriginal peoples of specific ethnic and national groups in 342.0872; class women of specific ethnic and national groups in 342.0878

342.087 7 \*Age groups

Class women regardless of age group in 342.0878

342.087 72 \*Young people

Class here children

342.087 74 \*People in late adulthood

342.087 8 \*Women

Including abortion rights

Class comprehensive works on abortion in 342.084

Here again a partial T1—08 development is found. However, this time ethnic and national groups, and more particularly, indigenous and aboriginal peoples of specific ethnic and national groups, are *not* classed in 342.087. Tomren’s example therefore does not apply to Native Americans, but does apply to groups of people other than indigenous and aboriginal peoples, ethnic and national groups, age groups, and women. We should therefore still address it. This would include a future investigation into whether the use of T1—08 should be regularized here.

In the meantime—as it turns out—these are the only two contexts in the DDC where T1—08 concepts are classed in notation that does not ultimately permit differentiation among those concepts. And 346.73013 and 342.73087 are the only two built numbers for which captions need to be designated. As noted, the RI Capacity (Law)—United States has already been designated as the caption for 346.73013. Either of the following RIs could reasonably be designated as the caption for 342.73087:

Social groups—legal status—constitutional law—United States

Social groups—civil and human rights—law—United States

(Yes, that was a lot of material to go through for the designation of a single caption for a built number, but the principle was important, and the exercise of determining if additional contexts of the same nature exist elsewhere was needful.)

**Issue 2. Native American topics with literary warrant**

Using the structure of Library of Congress Subject Headings and the classified content of WorldCat, we have identified a set of Native American topics that warrant inclusion in the DDC by way of editorially mapped LCSHs. The table in Appendix A gives the topic, any current treatment in the DDC, and the proposed treatment.

**Issue 3. Native American groups as sovereign nations**

The relationship between Native American tribes and the federal government of the United States is complex and has shifted over time, depending on the emphasis given to “two competing theories of tribal sovereignty: first, the tribes have inherent powers of sovereignty that predate the ‘discovery’ of America by Columbus; and second, the tribes have only those attributes of sovereignty that Congress gives them” (Philip J. Prygoski, “[From Marshall to Marshall: The Supreme Court's changing stance on tribal sovereignty](http://www.americanbar.org/newsletter/publications/gp_solo_magazine_home/gp_solo_magazine_index/marshall.html)).”

As described on the Wisconsin Historical Society website:

In the United States, the federal government recognizes Indian tribes as independent and sovereign powers. Sovereignty is the right of a nation or group of people to be self-governing. Indians are United States citizens and also citizens of their tribes. Like other Americans, Indians are subject to federal laws, but they are not always subject to state laws because Indian reservations are held in trust by the federal government. A government-to-government relationship exists between each sovereign tribe and the U.S. government. . . .

The U.S. Constitution guaranteed the tribes' sovereignty, yet throughout history the actual status of Indian tribes has been contested. In the early nineteenth century, as waves of white settlers moved west, Indians found it increasingly more difficult to maintain their status as independent nations because the U.S. did little to protect their rights. In 1832, Chief Justice John Marshall defined the limits of Indian sovereignty in the case of Worcester v. Georgia. Marshall maintained that Indian tribes had been treated as independent and sovereign nations since the arrival of Europeans, but that the various treaties that put tribes under the protection of the United States terminated their status as independent nations. Instead, Marshall termed them “domestic dependent nations” which meant that the tribes retained the right to regulate internal tribal affairs but they could not make agreements with any nation other than the United States.

In the DDC are Native American tribes/nations “independent and sovereign powers,” as in the first paragraph above, or are they “domestic dependent nations,” as in the second paragraph? The Manual note at 340.52 Law and indigenous peoples currently reads as follows:

Use 340.52 for laws of indigenous peoples that had legal systems of their own prior to their incorporation into the national systems of other groups, e.g., laws of North American native peoples before becoming a part of the United States 340.5273. Use 342–347, plus notation 089 from Table 1, for the laws of such groups on a specific subject, e.g., family law of North American native peoples 346.01508997.

Use 341 for the relations between indigenous peoples and a nation established in their territory before their incorporation into the nation, e.g., treaties between the United States and native American peoples on territorial matters 341.42026673008997.

Use the numbers of the specific jurisdiction in 342–349 for the relations between an indigenous people and a nation established in its territory after its incorporation into the nation, e.g., law regulating nursing services for Aboriginal Australians 344.9404140899915, legal status of Aboriginal Australians 346.94013.

Here the perspective is that Native American tribes/nations are, first and foremost, North American native *peoples* and are represented by T1—089, plus T5—97\* notation.

What can we do that would also recognize, for example, the Navajo Nation? But first, what *is* the Navajo Nation? From the History page of its own website: “The Navajo Nation extends into the states of Utah, Arizona and New Mexico, covering over 27,000 square miles of unparalleled beauty. Diné Bikéyah, or Navajoland, is larger than 10 of the 50 states in America.” According to this description, the Navajo Nation is a geographic area, a T2 concept. This accords with the official list of federally recognized tribes in which the name of many tribes/nations indicates a geographic location and also accords with the pattern throughout the DDC of designating jurisdictions and countries using T2 notation. Moreover, the LCSHs for Native American tribal entities are given as 151s. All of these observations support treating federally recognized Native American tribes/nations as T2 concepts.

We do not mean thereby to suggest a change in how treaties between Native American indigenous peoples and the United States are shown in the 340s, however. The establishment of Native American reservations roughly corresponds to the time when the making of additional treaties with Native American tribes was prohibited. Thus, if the association of Native American tribes/nations with T2 notation were based on territorial sovereignty as circumscribed by the geographical boundaries of reservations,[[1]](#footnote-1) the Manual instructions for treaties between the United States and native American peoples would not be abrogated by such an editorial move.

Before proceeding further, we should identify the kinds of works on Native American tribes/nations that need to be classified. We consider works to which the following LCSHs have been assigned:

* Blackfeet Tribe of the Blackfeet Indian Reservation of Montana
* Cherokee Nation, Oklahoma
* Chickasaw Nation, Oklahoma
* Choctaw Nation of Oklahoma
* Navajo Nation, Arizona, New Mexico & Utah
* Ute Indian Tribe

|  |  |  |
| --- | --- | --- |
| **DDC**  **classes** | **Hits retrieved** | **Relevant table** |
| 07\* | 4 | Table 2 at 071.3–071.9 |
| 30\* | 3 (+ 2) | Table 5 with 305, 306 (else not specified) |
| 32\* | 2 | Table 5 at 323.111–323.119; Table 2 at 323.13–323.19 |
| 34\* | 20 | Table 2 at 340.524–340.529; Table 2 at 34*x*.3–34*x*.9 (for *x* = 2-7), plus 0089 + Table 5 |
| 35\* | 1 | Table 2 at 351.3–351.9 |
| 36\* | (1) | (Not specified) |
| 37\* | (1) | (Not specified) |
| 49\* | 3 | Table 6 |
| 70\* | (1) | (Not specified) |
| 78\* | 2 (+ 2) | Table 2 at 781.620093–781.620099, Table 5 at 781.621–781.629 (else not specified) |
| 79\* | (5) | (Not specified) |
| 81\* | 14 | (Table 3B –08 +) Table 5 at T3C --81–89, Table 2 at T3C --91 |
| 91\* | 4 | Table 2 at 913–919 |
| 929\* | 11 (+ 1) | Table 2 at 929.33–929.39, at 929.107204–929.107209 (else not specified) |
| 97\* | 104 | Table 2 |

Of the almost 1,000 records retrieved *in toto*, 180 have associated DDC numbers. The DDC numbers assigned most commonly are in the 970s (7 of the infamous 970.00497 variety). The only other DDC numbers assigned with semi-significant frequency are in the 340s, the 810s, and the 920s (specifically, under 929); other works on Native American tribes/nations are scattered across the schedules. Many of these schedules (notably the 340s and 970s) are largely structured by Table 2, some by Table 5. Where geographic treatment and/or groups of people have not been displaced to special provisions, it is, of course, still possible to represent groups of people or geographic treatment by using T1—089 + Table 5 notation or T1—09 + Table 2 notation. T1—08 appears higher than T1—093–099 in the table of preference for Table 1.

These results tell us that it would be useful to designate DDC numbers (i.e., Table 2 notation) for specific Native American tribes/nations. They also tell us that clear guidance should be given on when it is appropriate to use Table 2 notation in connection with a Native American tribe/nation vs. when it is appropriate to use Table 5 notation in connection with a Native American people.

What options are there for designating Table 2 notation for Native American tribes/nations? We have examined three theoretical possibilities:

1. Add Native American tribes/nations as class-here concepts to the notes for existing classes T2—74–79 classes. The tribes/nations would be associated with the region or county containing the largest portion of the tribe’s reservation or in which the headquarters of the tribe is located. This option would lead to the classing of works on a county and on a Native American tribe/nation in the same number. Perhaps the two kinds of works could be differentiated by the addition of T1—08997\* notation to indicate group of people. However, such a pattern would fly in the face of the preference order dictated for Table 1, which calls for the reverse citation order.
2. Develop for Native American tribes/nations in unused notation within Table 2. At first glance, a large swath of unused notation appears to exist under T2—73. However, special developments for the United States exist under 347.73 and 348.73 that would be difficult to reconcile with any kind of development under T2—73 for Native American tribes/nations. More importantly, the period notation development under 973.1–973.9 makes any other use of this notation unfathomable. The only free notation in T2 is at T2—91–92, the use of which is geographically impossible to justify.
3. Expand for Native American tribes/nations under the current classes for the region or county containing the largest portion of the tribe’s reservation or in which the headquarters of the tribe is located. For example, the headquarters of the Cherokee Nation is in Tahlequah, Oklahoma, a city located in T2—76688 Cherokee County, Oklahoma. An expansion at T2—766889 Cherokee Nation would have the advantage of differentiating between county and tribe without greatly increasing the length of the notation.

Options 1 and 3 share a disadvantage, which is that they would make a Native American tribe/nation appear to be directly subordinate to a U.S. county, as if the tribe were related to the county as the county is related to the state. Such a premise is patently false. However, as the Manual note at T2—4 –9 indicates, “the general arrangement of Table 2 is geographic rather than by political units.” So we shouldn’t automatically assume that notational subordination in Table 2 corresponds to political subordination. We should typically be able to assume, however, that notational subordination in Table 2 corresponds to geographic inclusion. (The appeal of option 2 is that it largely avoids these notational subordination difficulties. But option 2 has no workable implementation.)

It is generally not the case that the area associated with a Native American tribe/nation is wholly included within the confines of any single U.S. county. We could address this difficulty in option 3 by expanding under classes for groups of counties or even under states. While the notation for individual U.S. counties generally allows for expansion through adding 9 to the notation, the notation for larger geographic areas sometimes does and sometime doesn’t. And expanding under states wouldn’t always be broad enough: the area associated with some tribes crosses state or even country boundaries.

At the same time, it isn’t always the case—just generally the case—that notational subordination in Table 2 corresponds to geographic inclusion. For example, T2—7433 White Mountains is notationally subordinate to T2—742 New Hampshire, but part of the White Mountains is in Maine; T2—74738 Catskill Mountains is in the downward hierarchy of T2—7473 Other southeastern counties of New York, but includes area in T2—74745 Schoharie County, which is in the downward hierarchy of T2—7474 Middle eastern counties of New York.

We propose to address the first point above, that of designating T2 notation for Native American tribes/nations, by adopting option 3. This option calls for expanding for Native American tribes/nations under the current classes for the region or county containing the largest portion of the tribe’s reservation or in which the headquarters of the tribe is located (for Oklahoma Tribal Statistical Areas). This effort will be limited to those tribes/nations that are federally recognized, exercise tribal sovereignty within the context of one or more reservations[[2]](#footnote-2) or Oklahoma Tribal Statistical Area,[[3]](#footnote-3) approximate the whole of a number in T5, and have sufficient literary warrant.[[4]](#footnote-4) Appendix B gives the results of this investigation.

We assume the appropriateness of adding see-also references between the Table 5 class for a Native American people and the T2 class for its federally recognized tribe counterpart. Addition of the footnote “For a specific part of this jurisdiction, region, or feature, see the part and follow instructions under –4–9” would also be appropriate generally. For example:

2—756 9 Southern Appalachian region

2—756 96 Swain County and Eastern Band of Cherokee Indians

Class here \*Great Smoky Mountains in North Carolina

Subdivisions are added for Swain County and Eastern Band of Cherokee Indians together, for Swain County alone

2—756 969 \*Eastern Band of Cherokee Indians

*See also T5—97557 for Cherokee Indians as an ethnic group*

*See Manual at T1—08997 vs. T2—74–79*

2—766 8 Northeast central counties of Oklahoma and Cherokee Nation

Class here \*Ozark Plateau in Oklahoma; \*Boston Mountains in Oklahoma; \*Arkansas River in Oklahoma

Subdivisions are added for northeast central counties of Oklahoma and Cherokee Nation together, for northeast central counties of Oklahoma alone

2—766 88 Cherokee County and Cherokee Nation

Subdivisions are added for Cherokee County and Cherokee Nation together, for Cherokee County alone

2—766 889 \*Cherokee Nation

*See also T5—97557 for Cherokee Indians as an ethnic group*

*See Manual at T1—08997 vs. T2—74–79*

\* For a specific part of this jurisdiction, region, or feature, see the part and follow instructions under –4–9

5—975 57 Cherokee

*See also T2—756969 for Eastern Band of Cherokee Indian as a sovereign nation, also T2—766889 for Cherokee Nation as a sovereign nation*

Alternatively, the caption at T2—7668 could be refashioned as Northeast central region of Oklahoma, obviating the need for a subdivisions-are-added note. Using “region” rather than “counties” is cleaner and mirrors what is already done under some other states (e.g., Virginia, Utah, Alaska). Since more than half of the classes immediately subordinate to T2—766 Oklahoma would be affected, we believe the best action would be to divide the entire state of Oklahoma into regions, which would then give us the following at T2—7668:

2—766 8 Northeast central region of Oklahoma

Class here \*Ozark Plateau in Oklahoma; \*Boston Mountains in Oklahoma; \*Arkansas River in Oklahoma

Where a reservation occupies more or less the entirety of a county, the federally recognized tribe is treated as a class-here topic in the existing class for the county (note, relative to T2—76625, that Osage Nation is co-terminous with Osage County and therefore has no corresponding asterisk):

2—766 25 Osage County

Class here Osage Nation

*See also T5—975254 for Osage Indians as an ethnic group*

2—776 94 Mahnomen County

Class here \*White Earth Indian Reservation

*See also T5—97333 for White Earth Band of Chippewa Indians as an ethnic group*

2—783 66 Shannon County

Class here \*Oglala Sioux Tribe

*See also T5—975244 for Oglala Indians as an ethnic group*

5—973 33 Ojibwa

Class here Chippewa

*See also T2—776949 for White Earth Indian Reservation as a sovereign nation*

5—975 244 Lakota (Teton)

Class here Oglala

*See also T2—78366 for Oglala Sioux Tribe as a sovereign nation*

5—975 254 Osage

*See also T2—76625 for Osage Nation as a sovereign nation*

In response to the second point, we recognize that supplying Table 2 notation for Native American nations/tribes may be confusing. Some classifiers may wonder if the Table 2 notation supplants T1—08997. Other classifiers may realize that it does not, but wonder when to use the one and when to use the other. We therefore propose to add a Manual note something like the following (the eventual inclusion of Canadian First Nations and similar associations between peoples and jurisdictions throughout the world will result in the note’s becoming, in its final form, much less U.S.-centric; alternatively, the eventual note may need subsections for different areas; in any case, the final note would be broader in scope):

T1—08997 vs. T2—74–79

North American native peoples

The United States recognizes the sovereignty of specific groups of North American native peoples in two ways: (1) by designating groups that meet established criteria as federally recognized tribes and (2) by designating specific land areas as reservations. The tribal sovereignty of federally recognized tribes is manifest as territorial sovereignty on their reservations. The relationship between federally recognized tribes and reservations is complex: some tribes have more than one reservation; some tribes have no reservation; some reservations are home to more than one tribe.

Use T1—08997 and its subdivisions for North American native peoples as social or ethnic groups. A single ethnic group (e.g., the Cherokee) may be part of more than one federally recognized tribe.

Use subdivisions of T2—74–79 (e.g., T2—79139 Navajo Nation, Arizona, New Mexico & Utah) for North American native peoples as federally recognized tribes or sovereign nations with identifiable territorial sovereignty, but only in contexts (e.g., law, history) where jurisdiction is important. (The Bureau of Indian Affairs maintains a current list of federally recognized tribes.) Examples of land areas with identifiable territorial sovereignty include reservations and Oklahoma’s tribal statistical areas (OTSAs). Use subdivisions of

T1—08997 for North American native peoples as sovereign nations for tribes that are not recognized by the federal government, for federally recognized tribes prior to their achieving federally recognized status, or for federally recognized tribes outside the context of their identifiable territorial sovereignty or where jurisdiction is not important. If in doubt, use T1—08997.

The proposals here also call for changes in the numbers in the second paragraph of the Geographic treatment section and third paragraph of the Comprehensive works section of the Manual note at 340.52 proposed in EPC Exhibit 137-16.1:

For works about indigenous law that is officially recognized and linked to a specific

area where the indigenous group and its law are sovereign, use the notation for the

specific area. Also use notation 089 from Table 1, unless it is redundant. For laws of a

specific United States federally recognized (sovereign) tribe, use the area notation for

the region or county containing the largest portion of the tribe’s reservation or in which

the headquarters of the tribe is located, e.g., family law of Navajo Nation, Arizona, New

Mexico & Utah 346.79139015. Use that same approach for issues arising from

differences between indigenous law and the dominant legal system, e.g., dispute about

land tenure of Oneida Nation of New York 346.7476290432.

. . .

Use 348–349 for comprehensive collections of and treatises on indigenous law that is

officially recognized and linked to a specific area where the indigenous group and its

law are sovereign, e.g., collected laws, regulations, cases of Navajo Nation, Arizona,

New Mexico & Utah 348.79139, comprehensive treatise on law of Blackfeet

Tribe of the Blackfeet Indian Reservation of Montana 349.786529.

**APPENDIX A**

|  |  |  |  |
| --- | --- | --- | --- |
| **LCSHs** | **Scope note / definition / synonyms, etc.** | **Current treatment** | **Proposed treatment** |
| Buffalo jump | Wikipedia: A buffalo jump is a cliff formation which North American Indians historically used in order to hunt and kill plains bison in mass quantities. |  | Editorially map LCSH to 639.11643 Hunting bison |
| Calumets | Also peace-pipe, war pipe | RI “Peace pipe” at 399 Customs of war and diplomacy | Editorially map LCSH to (1) 299.7138 Religions of North American native origin – rites and ceremonies; and to (2) 394.14 General customs of using drugs (including tobacco) |
| Indian councils | 550 ## $a Indians of North America $x Politics and government $w g  Wikipedia: A Tribal Council is either: (1) a First Nations government in Canada or, an association of Native American bands in the United States; or, (2) the governing body for certain tribes within the United States or elsewhere (since ancient times). In both countries they are generally formed along regional, ethnic or linguistic lines. |  | Editorially map LCSH to 328.7008997 Legislative process/bodies -- North America – North American native peoples |
| Indian dance |  | LCSH editorially mapped to 299.7138 Religions of North American native origin – rites and ceremonies 394.3 Recreational customs | Editorially map LCSH to 793.3108997 Folk and national dancing – North American native peoples; keep previous mappings to 299.7138 and 394.3 |
| Indian dance lodges | HABS/HAER Image Gallery WWW Site, May 11, 2001 $b (Indian dance lodge, 13-sided ritual dance building) | LCSH editorially mapped to 726.9 Other buildings for religious and related purposes | Editorially map LCSH to 725.8 Recreation buildings ; keep previous mapping to 726.9 |
| Indian Removal, 1813–1903 | Wikipedia: Indian removal was a 19th-century policy of ethnic cleansing[1][2][3][4] by the government of the United States to relocate Native American tribes living east of the Mississippi River to lands west of the river. The Indian Removal Act was signed into law by President Andrew Jackson on May 26, 1830. |  | Editorially map LCSH to (1) 304.808997 Movement of people -- North American native peoples and (2) 973.508997 United States -- 19th century -- North American native peoples |
| Indian reservations | Wikipedia: An American Indian reservation is an area of land managed by a Native American tribe under the United States Department of the Interior's Bureau of Indian Affairs. | LCSH editorially mapped to 333.2 Ownership of land by nongovernmental groups | OK |
| Indian termination policy | Here are entered works on the cessation of the special relationship between the United States federal government and American Indian tribes that occurred during the 1950s and 1960s. |  | Editorially map LCSH to (1) 323.1197097309045 Civil and political rights -- North American native peoples -- United States -- 1950–1959 and (2) 973.9208997 1953–2001 -- North American native peoples |
| Indians of North America—cultural assimilation | The cultural assimilation of Native Americans was an assimilation effort by the United States to transform Native American culture to European–American culture between the years of 1790–1920.[ |  | Editorially map LCSH to (1) 303.48273008997 Contact between cultures – United States and North American native peoples and to (2) 306.44908997 Language planning and policy -- North American native peoples |
| Medicine bundles | Here are entered works on covered or wrapped parcels containing sacred items of personal or tribal significance, used by some groups of Indians. |  | Editorially map LCSH to 299.7121 Religions of North American native origin – objects of worship and veneration |
| Medicine wheels | Wikipedia: Medicine wheels, or sacred hoops, are either a symbol of indigenous North American culture and religion, or stone monuments related to this symbol. The monuments were constructed by laying stones in a particular pattern on the ground oriented to the four directions. Most medicine wheels follow the basic pattern of having a center of stone(s), and surrounding that is an outer ring of stones with "spokes", or lines of rocks radiating from the center with the spokes facing East, South, West and North following the cardinal directions. Some ancient types of sacred architecture were built by laying stones on the surface of the ground in particular patterns common to aboriginal people.  Originally, medicine wheels were stone structures constructed by a large number of the tribes or nations of indigenous peoples of America for religious, ritual, healing, and teaching purposes. |  | Editorially map LCSH to 726.908997Other buildings for religious and related purposes – North American native peoples |
| Peyotism | Wikipedia: Peyotism, or the Peyote Religion, originated in the U.S. state of Oklahoma and is the most widespread indigenous religion among Native Americans in the United States. Peyote has a long history of ritualistic and medicinal use by indigenous Americans. | RI at 299.7 Religions of North American native origin | OK |
| Potlatch | Amer. Heritage dict. $b (potlatch: a ceremonial feast among certain Native American peoples of the northwest Pacific coast, as in celebration of a marriage or an accession, at which the host distributes gifts according to each guest's rank or status) |  | Editorially map LCSH to 394.2 General customs, special occasions |
| Powwows | Waldman, C. Atlas of the No. Am. Ind.: $b pp. 206, 210 (powwows as expressions of Indian pride and identity) |  | Editorially map LCSH to 394.3 Recreational customs |
| Sweatbaths | Here are entered works on the sweatbath as an Indian social and religious institution as well as works on the structure where the sweatbath takes place. |  | Editorially map LCSH to  299.7138 Religions of North American native origin – rites and ceremonies; 726.9 Other buildings for religious and related purposes; and 613.41 Bathing |
| Wampum belts | Wikipedia: A typically large belt of six feet (2 m) in length might contain 6000 beads or more. Wampum belts were used as a memory aid in Oral tradition, where writing could be encoded in wampum strings. Such a belt would be very sacred, as it contained so many memories. Belts were also sometimes used as badges of office or as ceremonial devices of indigenous culture, such as the Iroquois.  The American William James Sidis wrote in his 1935 history; "The weaving of wampum belts is a sort of writing by means of belts of colored beads, in which the various designs of beads denoted different ideas according to a definitely accepted system, which could be read by anyone acquainted with wampum language, irrespective of what the spoken language is. Records and treaties are kept in this manner, and individuals could write letters to one another in this way." |  | Editorially map LCSH to 302.222 Nonverbal communication |

**APPENDIX B**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **T5 topic** | **Federally recognized tribe(s)**  **(\*[has] associated reservation)** | **T2 scope (†class-here)** | **LCSH** (N.B.: This is the 151 for the federally recognized tribe, not the associated 110) | **Literary warrant** |
| Apache | \*Apache Tribe of Oklahoma | **T2—766419** | Apache Tribe of Oklahoma  (nne Apache Nation) | 14  (55) |
| Arapaho | \*Cheyenne and Arapaho Tribes, Oklahoma (previously listed as the Cheyenne-Arapaho Tribes of Oklahoma) | **T2—766399** | Cheyenne-Arapaho Tribes of Oklahoma | 33 |
| Arikara | \*Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota | **T2—784759** | Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota [Mandan, Hidatsa, & Arikara Nation] | 66 |
| Bannock | \*Shoshone-Bannock Tribes of the Fort Hall Reservation | **T2—796519** | Shoshone-Bannock Tribes of the Fort Hall Reservation of Idaho | 40 |
| Blackfoot | \*Blackfeet Tribe of the Blackfeet Indian Reservation of Montana | **T2—786529** | Blackfeet Tribe of the Blackfeet Indian Reservation of Montana | 248 |
| Cherokee | (\*)Eastern Band of Cherokee Indians | **T2—756969** | Eastern Band of Cherokee Indians | 249 |
| Cherokee | \*Cherokee Nation | **T2—766889** | Cherokee Nation, Oklahoma | 271 |
| Cheyenne (*see also* Arapaho) | \*Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana | **T2—786329** | Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana | 30 |
| Chickasaw | \*Chickasaw Nation | **T2—766699** | Chickasaw Nation, Oklahoma | 112 |
| Chippewa | Minnesota Chippewa Tribe, Minnesota  (\*White Earth Indian Reservation) | **†T2—77694** | White Earth Band of Chippewa Indians | 21 |
| Chippewa | \*Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin | **T2—775239** | Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation in Wisconsin | 22 |
| Chippewa | Minnesota Chippewa Tribe, Minnesota  (\*Mille Lacs Indian Reservation) | **T2—776689** | Mille Lacs Band of Chippewa Indians | 53 |
| Chippewa | Minnesota Chippewa Tribe, Minnesota  (\*Fond du Lac Indian Reservation) | **T2—776739** | Fond du Lac Band of Chippewa Indians | 22 |
| Chippewa | \*Red Lake Band of Chippewa Indians, Minnesota | **T2—776829** | Red Lake Band of Chippewa Indians, Minnesota | 20 |
| Chippewa | \*Turtle Mountain Band of Chippewa Indians of North Dakota | **T2—7845929** | Turtle Mountain Band of Chippewa Indians of North Dakota | 60 |
| Chippewa | \*Chippewa-Cree Indians of the Rocky Boy’s Reservation, Montana | **T2—786149** | Chippewa-Cree Indians of the Rocky Boy's Reservation, Montana | 53 |
| Chiricahua Apache | \*San Carlos Apache Tribe of the San Carlos Reservation, Arizona | **T2—791549** | San Carlos Apache Tribe of the San Carlos Reservation, Arizona | 33 |
| Choctaw | \*Choctaw Nation of Oklahoma | **T2—766629** | Choctaw Nation of Oklahoma | 166 |
| Crow | \*Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota | **T2—783319** | Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota | 25 |
| Crow | \*Crow Tribe of Montana | **T2—786389** | Crow Tribe of Montana | 44 |
| Hopi | \*Hopi Tribe of Arizona | **T2—791359** | Hopi Tribe of Arizona | 37 |
| Isleta | \*Pueblo of Isleta, New Mexico | **T2—789619** | Pueblo of Isleta, New Mexico | 20 |
| Kickapoo | \*Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas | **T2—781349** | Kickapoo Tribe of Indians | 31 |
| Kutenai | \*Confederated Salish and Kootenai Tribes of the Flathead Reservation | **T2—7868329** | Confederated Salish & Kootenai Tribes of the Flathead Reservation, Montana | 49 |
| Makah | \*Makah Indian Tribe of the Makah Indian  Reservation | **T2—797999** | Makah Indian Tribe of the Makah Indian Reservation, Washington | 29 |
| Menomini | \*Menominee Indian Tribe of Wisconsin | **T2—7753569** | Menominee Indian Tribe of Wisconsin | 27 |
| Mescalero Apache | \*Mescalero Apache Tribe of the  Mescalero Reservation, New Mexico | **T2—789659** | Mescalero Apache Tribe of the Mescalero Reservation, New Mexico | 37 |
| Miami | \*Miami Tribe of Oklahoma | **T2—7669991** | Miami Tribe | 53 |
| Muskogee (Creek) | \*The Muscogee (Creek) Nation | **T2—766839** | Muscogee (Creek) Nation, Oklahoma | 93 |
| Navajo (Diné) | \*Navajo Nation, Arizona, New Mexico & Utah | **T2—79139** | Navajo Nation, Arizona, New Mexico & Utah | 202 |
| Nez Percé | \*Nez Perce Tribe (previously listed as Nez Perce Tribe of Idaho) | **T2—796859** | Nez Perce Tribe of Idaho | 35 |
| Oglala | \*Oglala Sioux Tribe (previously listed as the Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota) | **†T2—78366** | Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota | 43 |
| Omaha | \*Omaha Tribe of Nebraska | **T2—78222791** | Omaha Tribe of Nebraska | 26 |
| Oneida | \*Oneida Nation of New York | **T2—747629** | Oneida Nation of New York | 34 |
| Oneida | \*Oneida Tribe of Indians of Wisconsin | **T2—775399** | Oneida Tribe of Indians of Wisconsin | 63 |
| Osage | \*The Osage Nation (previously listed as the Osage Tribe) | **†T2—76625** | Osage Tribe, Oklahoma | 28 |
| Ottawa | \*Ottawa Tribe of Oklahoma | **T2—7669992** | Ottawa Tribe | 29 |
| Pequot | \*Mashantucket Pequot Indian Tribe (previously listed as the Mashantucket Pequot Tribe of Connecticut) | **T2—74659** | Mashantucket Pequot Tribe of Connecticut | 59 |
| Sauk (Sac) | \*Sac & Fox Nation of Missouri in Kansas and Nebraska | **T2—7822829** | Sac & Fox Nation of Missouri in Kansas and Nebraska | 22 |
| Seminole | Seminole Tribe of Florida (previously listed as the Seminole Tribe of Florida (Dania, \*Big Cypress, \*Brighton, \*Hollywood & Tampa Reservations) | **T2—759469** | Seminole nation | 58 |
| Seminole | \*The Seminole Nation of Oklahoma | **T2—766719** | Seminole Nation of Oklahoma | 39 |
| Seneca | Seneca Nation of Indians (previously listed as the Seneca Nation of New York) (\*Allegany Indian Reservation, \*Cattaraugus Reservation) | **T2—747949** | Seneca Nation of New York | 50 |
| Shoshoni | Shoshone Tribe of the \*Wind River Reservation, Wyoming | **T2—787639** | Shoshone Tribe of the Wind River Reservation, Wyoming | 25 |
| Shoshoni | \*Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada | **T2—793169** | Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada | 26 |
| Tohono O'odham | \*Tohono O’odham Nation of Arizona | **T2—7917791** | Tohono O'odham Nation of Arizona | 29 |
| Ute | \*Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado | **T2—788299** | Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado | 62 |
| Ute | \*Ute Indian Tribe of the Uintah & Ouray Reservation, Utah | **T2—79229** | Ute Indian Tribe of the Uintah & Ouray Reservation, Utah | 109 |
| Washo | \*Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodfords Community, Stewart Community, & Washoe Ranches) | **T2—793599** | Washoe Tribe of Nevada & California | 23 |
| Winnebago | \*Winnebago Tribe of Nebraska | **T2—78222792** | Winnebago Tribe of Nebraska | 21 |
| Yakama | \*Confederated Tribes and Bands of the Yakama Nation, Washington | **T2—797559** | Confederated Tribes and Bands of the Yakama Nation, Washington | 28 |
| Yaqui | \*Pascua Yaqui Tribe of Arizona | **T2—79177 92** | Pascua Yaqui Tribe of Arizona | 20 |
| Yavapai | \*Fort McDowell Yavapai Nation, Arizona | **T2—79173 9** | Fort McDowell Yavapai Nation, Arizona | 31 |

1. We acknowledge that the strict equivalence of tribal sovereignty and territorial sovereignty is not absolute (see Alex Tallchief Skibine, “Tribal Sovereign Interests beyond the Reservation Borders,” *Lewis & Clark Law Review*, 12/4 [2008]: 1003–1046). [↑](#footnote-ref-1)
2. The Eastern Cherokee Indian Reservation of the Eastern Band of Cherokee Indians (officially the “Qualla Boundary”) is not technically a reservation, but a land trust. The main point for our purposes is that it is an officially defined area over which the band exercises tribal jurisdiction. [↑](#footnote-ref-2)
3. “Oklahoma Tribal Statistical Area (OTSA): Statistical entities identified and delineated by the Census Bureau in consultation with federally recognized American Indian tribes that formerly had a reservation in Oklahoma. The boundary of an OTSA is the former reservation in Oklahoma, except where modified by agreements with neighboring tribes for statistical data presentation purposes. They may cross the boundary of Oklahoma and include territory in a neighboring state but not territory in any reservation.” ([http://factfinder2.census.gov/help/en/ glossary/o/oklahoma\_tribal\_statistical\_area\_otsa.htm](http://factfinder2.census.gov/help/en/glossary/o/oklahoma_tribal_statistical_area_otsa.htm)) [↑](#footnote-ref-3)
4. To forestall questions that are likely to arise concerning Alaska Native tribal entities:

   Similar to the separately defined status of the Canadian Inuit and First Nations in Canada, which are recognized as distinct peoples, in the United States, Alaska Natives are in some respects treated separately by the government from other Native Americans in the United States. This is in part related to their interactions with the US government in a different historic period than indigenous peoples in the colonies and early federal period.

   Europeans and Americans did not have sustained encounters with the Alaska Natives until the late nineteenth and early twentieth centuries, when many were attracted to the region in gold rushes. The Alaska Natives were not allotted individual title in severalty to land under the Dawes Act of 1887 but were instead treated under the Alaska Native Allotment Act of 1906. It was repealed in 1971, following ANSCA, at which time reservations were ended. Another characteristic difference is that Alaska Native tribal governments do not have the power to collect taxes for business transacted on tribal land, per the United States Supreme Court decision in Alaska v. Native Village of Venetie Tribal Government (1998). Except for the Tsimshian, Alaska Natives no longer hold reservations but do control some lands. (http://en.wikipedia.org/wiki/Alaska\_Natives) [↑](#footnote-ref-4)