LC Class KIA-KIX for the Third Sovereign:
A new Classification Approach for the 21st Century

AALL Annual Convention, Boston, MA 2012  (Program J5)

Nobody else summarized the topic of my presentation better than Justice Day-O’Connor:

Ppt 2  Day-O’Connor quote

Because of time constraints, we can today only concentrate on the most important points of this new classification, but a Guide and bibliography of electronic resources is posted on the LC Web site

Ppt 3  Link ABA/PSD Web site (News)

A. GENERAL OBSERVATIONS

1. The purpose of the new classification schedule is to provide for the first time a geographical and substantive arrangement for Indigenous Peoples in the Americas, their organization, and the unique and complex body of legal sources which is not common knowledge, although the Indigenous peoples gained more visibility over the last decades as their pursuit for recognition of autonomy, for recovery of ancestral lands and natural resources, and preservation of their cultural heritage grew more robust and emerged in the media.

Only as recently as 2007 the UN Declaration on the Rights of Indigenous Peoples established a catalog of Indigenous rights to be respected by the international community. And today, the substantial increase of studies on Indigenous cultural heritage and government, are testimony to the growing interest and appreciation of the subject, together with strong collection developments for an unprecedented amount of materials which the political contest over the past decades has produced – and continues to produce.

2. The charge for this classification was two fold:
   • first to provide a structural outline for the more than thousand Indigenous entities in North America; and
   • second, to create and the organization and access to critical mass of resources, in particular primary sources together with the secondary literature, which are mainly on the Web
   • Only a select group of institutions both tribal and academic have created electronic gateways or portals to Indigenous law, or have open access-to-information projects under way for display of significant amounts of the varied and hard to find materials.

3. Younger tradition has cast laws relating to Indigenous Peoples in North America into two categories. Termed as
   • Federal Indian law (or Indian law) refers to federal statutory law and administrative regulations, which are both deeply impacting on, or setting limitations for, Indian jurisdiction over broad areas of substantive law and
   • Indigenous, Aboriginal, or Tribal law referring to the customary law of Indigenous peoples, integral to the distinct Aboriginal or Tribal culture.
   • The new class is only concerned with the latter.
4. This new class KIA-KIX, is, as all other Law classification schedules, governed by the geographical principle, including regions in which jurisdictions - countries, or here: sovereign Native entities, i.e., federally recognized self-governing tribal jurisdictions, are settled.

Ppt 4 Regional outline

- **What is a region in law classification?** It is a geographically defined area in which historical, ethnic, and prevailing socio-economic similarities are reflected in a wide range of customs and laws found in the area, and where cultural, political, and economic interests of Indigenous groups have led to formation of intergovernmental or inter-Tribal organization.

- Therefore, The federal states in the US and provinces in Canada – in both countries the 1st order subdivisions – are absent from the new development since the Indigenous peoples are, or will be, recognized on a one-to-one level with their respective federal governments similar to states. **The full outline of regions in which Indigenous sovereign governments are seated** is described in the provided handout.

- Instead of one alphabetical list of jurisdictions for the entire region of the United States and Canada, all Indigenous groups are integrated region by region in which they currently reside. Worth mentioning that all tribal jurisdictions are entered in Name authority form.

Ppt 5 Detail

5. **Comparative investigations have identified and secured many concepts** and patterns that were found to be common to the largest number of Indigenous groups in a particular region, and were applied in the design of the overall outline of

  - those regions; and utilized for the
  - Indigenous comparative law of a region (or subregion), e.g. Arctic, US and Canada;

Ppt 6 Symmetry. Uniformity

- Such comparative law arrangements were consequently used for further **refined uniform tables**, applied to each jurisdiction which is assigned a unique number or number span with instructions as to how such jurisdictions are to be further subarranged and are

Ppt 7 Symmetry. Uniformity

applicable to a multitude of jurisdictions in such regions or subregions, generating - as the diagram shows - across the board the same number structure (which is very important for comparative studies).

B. **THE ARRANGEMENT OF THE SCHEDULE KIE (COMPARATIVE INDIGENOUS LAW IN THE US)**

The following ppt shows the opening page of KIE (US, Comparative Indian law)

Ppt 8 KIE United States

1. Since this classification relied for structure of content predominantly on Web resources, for the first time, a **Bibliography** of all used or available Web resources was created in classification number order as a companion document
We are currently exploring whether this bibliography should be included in ClassificationWeb or added to the documents in Catalogers Desk top (or both), thus providing direct and broad access to information.

2. The bibliography provides also the URLs for Web sites of the American Indian and Alaska Natives jurisdictions as far as available, which are presented either as linear A-Z arrangement, or arrangements by subregions and states.

C. LANGUAGE and fine nuances of language was carefully observed (see red highlighted lines)

This is very important since the classification provides the Metadata for a further development.

D. MAPS AS SOURCES AND VISUAL AIDS

This classification explores also the use of maps and cartographic reviews, which are introduced as an enhancement of information for the user to visualize the context, such as the historical territorial evolution of Indian country, for:

- land tenure changes by major events, such as removal and relocation of the Indian population, or
- land cessions (either by treaty or deed), or as a consequence of allotment legislation.

The following slides show the functionality of such maps.

E. LINKED DATA SERVICES AT LC AND THE LAW PORTAL

So far, we have only described the traditional development and application of classification. Let’s take a look now at classification as Linked Data.

1. Since June 2012,
   • Four LC Classes (B, M, N, and Z) were converted to RDF and added to LC Linked Data Services as a BETA release to provide Classification online as authoritative resource in the id.loc.gov service.
   • Please go to the site and experiment with it! We like to hear from you.

2. These 4 Classes have been chosen b/c of their small size (e.g., Class N = 5 Megabites) for proof of concept.
3. Recently, collaboration is under way between PSD, Law Library/Virtual Services Division, supported by Network Development and MARC Standards Office, to add Class K to the id.loc.gov service, and to transfer it eventually to the Law Library site law.gov as an open-for-all Law Portal, part of which is the “Sovereigns within a Sovereign” Portal.

4. It is expected that in the id.loc.gov version, the
   • classification numbers link to identified URLs, but more importantly,
   • classification Meta data hopefully can link directly to Web resources.

_________________________Ppt 20-22 Screen shots of id.loc.gov Web pages

Jolande E.Goldberg
Library of Congress