

Highlighting Indigenous Continuity through the Library of Congress' Indigenous Law Portal

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Abstract:

Indigenous legal systems are at once ancient and vibrant, continuous though challenged for centuries. A new and evolving classification system ("Law of the Indigenous Peoples in the Americas" Classes KIA-KIX) increases visibility and access to indigenous communities' legal systems of the Western Hemisphere. This classification schedule demonstrates support for, or solidarity with, tribal groups by including traditional and historical names, creating name authority records for communities, councils, advocacy organizations, and places, as well as categorizing indigenous communities as jurisdictions within a global context. Launching the open access Indigenous Law Portal (<http://www.loc.gov/law/help/indigenous-law-guide/index.php>), a collaborative project between the Library of Congress' Policy & Standards Division and the Law Library, connects researchers and libraries to tribal websites, digitized content, and other digital materials that highlight the legal pluralism of the Americas. The Portal includes many local, regional, and international indigenous advocacy organizations that show solidarity through action, research, and funding. In countries where indigenous groups cannot legally operate as governments, they often create nonprofits as an expression of indigenous autonomy and legal continuity. Solidarity also means being open to comments and suggestions regarding content and access. Central America is now available and plans to add South America make the classification and the Portal tools for a global public, as usage statistics attest. These library tools can be used to create a community unified by its awareness and respect for indigenous law.

Keywords: indigenous peoples, law, open access, online research.

1 INTRODUCTION

This paper will outline how the Indigenous Law Portal highlights indigenous legal continuity, or how indigenous law persists and adapts in the twenty-first century, based on the evolving Library of Congress' indigenous law classification schedule. Hundreds of new authority records shape the classification, which in turn is used to structure the open access webpage of the Portal. The Portal links to indigenous legal material in cyberspace but also highlights print collections that have been digitized. Usage statistics suggest what international users value about the Portal and future goals are shared.

2 LIBRARY OF CONGRESS INDIGENOUS LAW CLASSIFICATION

The global collections and legal analyses of the Law Library of Congress promote peace and democracy, according to the Law Librarian of Congress Jane Sanchez. Indigenous legal systems are at once ancient and vibrant, continuous though separate from the Western legal tradition. Through multi-faceted, collaborative work the Library of Congress demonstrates democratic solidarity by creating space for indigenous law among various legal systems.

In order to situate indigenous law in relation to yet apart from the national law of current nation states, Dr. Jolande Goldberg of the Policy and Standards Division of the Library of Congress, devised a new classification system called *Law of the Indigenous Peoples in the Americas Classes KIA-KIX*. Its scheme geographically parallels Western legal classification while creating a separate schedule to name and organize indigenous law. In solidarity with the Western Hemisphere's indigenous peoples, the Library of Congress has created a space for indigenous law that was missing from the original law classification.

The classification tackles indigenous groups, their councils or governments, centers or academies of research, and advocacy organizations within each nation state. To determine the content of the classification, researchers conduct detailed, in-depth studies regarding who lives in each country, how they govern themselves, and what organizations are providing legal aid and training in support of indigenous rights. The following examples are from Nicaragua:

1. **Mayangna**—Also called Sumo-Mayangna, Sumu or Sumo, this community of 10,000¹-to over 20,000² (depending on the source) lives in Honduras and Nicaragua.
2. **Mayangna Sauni Arungka**—Also known as Matumbak, this indigenous territory in the Northern Atlantic Autonomous Region has a territorial government and is one of several Mayangna communities.³
3. **Center for Legal Assistance for Indigenous Peoples** (*Centro de Asistencia Legal Para Pueblos Indígenas*)—Headed by a human rights lawyer, CALPI is a nonprofit that promotes the rights of indigenous and afro-Caribbean peoples of Nicaragua's Atlantic coast.⁴
4. **Territorial Coordinator Nicarao** (*Coordinadora Territorial Nicarao*)—Unlike the Mayangna of the Atlantic, the Pacific indigenous peoples are not recognized by the national government and do not have officially designated territories. Nahoa community leadership is provided by this organization and while they do not have a website, they are referenced in publications by Germany's development agency (Deutsche Gesellschaft für Internationale Zusammenarbeit)⁵ and the Association of Promoters and the Defense of Indigenous People's Rights of the Pacific, Central and Northern Nicaragua (*Asociación de Promotores y Defensoría de los Derechos de los Pueblos Indígenas del Pacífico, Centro y Norte de Nicaragua*).⁶

¹ UNICEF. (2017, May 8). Pueblo: Mayangna-Sumu (Nicaragua), Tawahka (Honduras). In *Atlas sociolingüístico de Pueblos Indígenas de América Latina*. Retrieved from: <https://atlaspueblosindigenas.files.wordpress.com/2010/05/mayangna-sumu.pdf>.

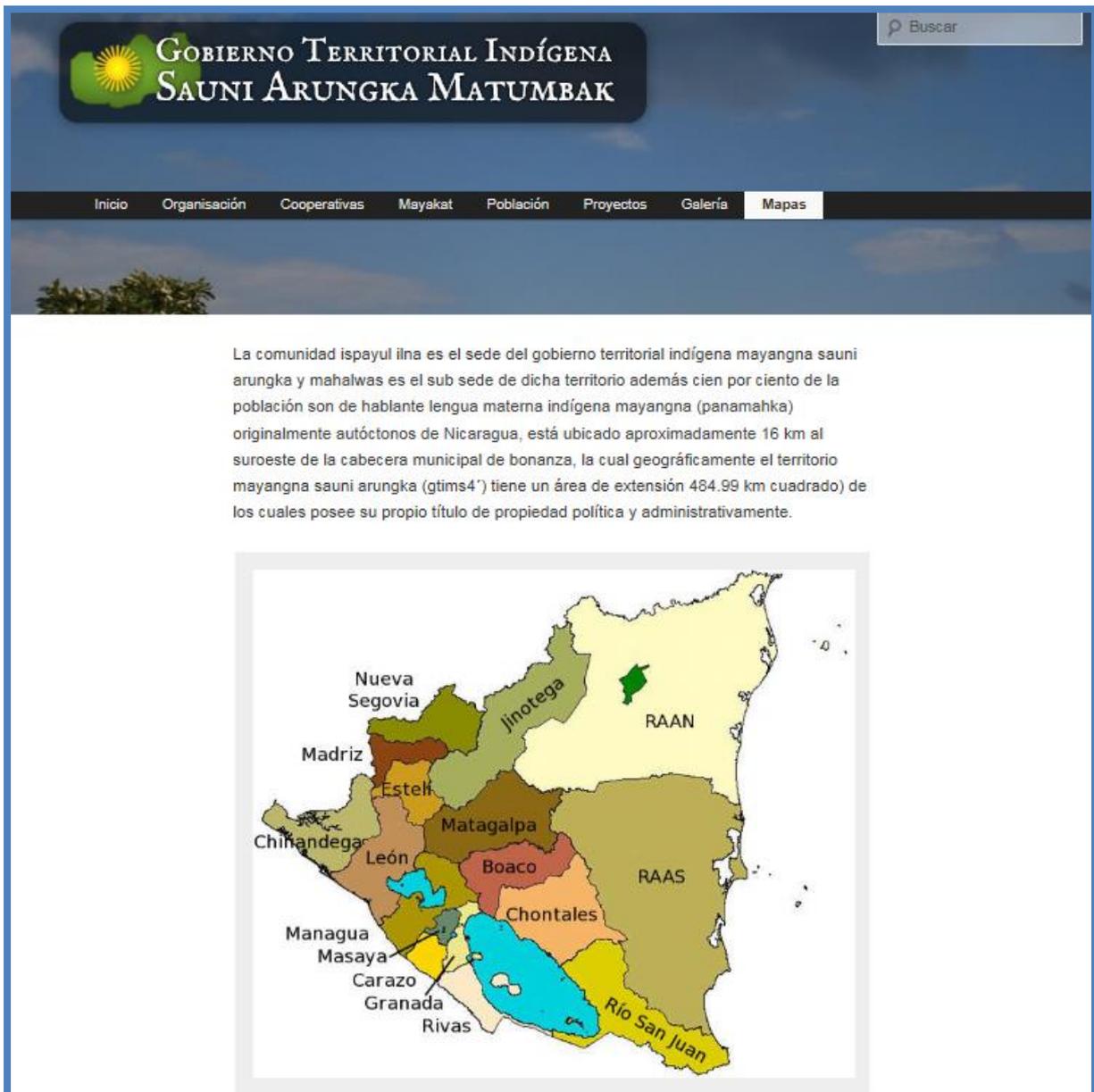
² Gobierno Territorio Mayangna Sauni Arungka & Unión Internacional para la Conservación de la Naturaleza UICN. (2014). *Bio-protocolo de Consulta y Consentimiento Libre, Previo e Informado (CLPI) del pueblo Mayangna Sauni Arungka, territorio Matumbak*. San José, Costa Rica: UICN. Retrieved from: <https://perma.cc/46CS-HFAA>.

³ Gobierno Territorial Indígena Sauni Argunka Matumbak. (2017, May 1). *Homepage*. Retrieved from: <http://www.matumbak.nativeweb.org/>.

⁴ Centro de Asistencia Legal Para Pueblos Indígenas. (2017, May 2). *Homepage*. Retrieved from: <http://www.calpi-nicaragua.org/>.

⁵ Unidad Coordinadora Pueblos Indígenas en América Latina y el Caribe (KIVLAK/GIZ). (2010). *Documento de trabajo: Pueblos Indígenas en Nicaragua*. Germany: KIVLAK. Retrieved from: <https://www.giz.de/fachexpertise/downloads/giz2010-es-laenderpapier-nicaragua.pdf>.

⁶ Consejo Regional Pacífico Centro Norte, miembro de Asociación de Promotores y Defensoría de los Derechos de los Pueblos Indígenas del Pacífico, Centro & Norte de Nicaragua APRODIN. (2000). *Plan de Salud de los Pueblos Indígenas de la Coordinadora Nicarao*. Salinas de Nahualapa, Rivas, Nicaragua: Consejo Regional Pacífico Centro Norte. Retrieved from: <https://perma.cc/5ADH-5FT6>.



Screenshot of the Territorial Indigenous Government of Sauni Arungka Matumbak's webpage on maps⁷

Beyond national boundaries, additional research on broader regions brings to light organizations and policies operating at the global and hemispheric levels, as well as ones focused more specifically on North, Central, and South America. The following examples illustrate regional efforts on behalf of indigenous peoples:

1. **International Work Group for the Indigenous Affairs**—Founded in 1968 as a politically independent, non-profit international human rights organization,⁸ IWGIA's

⁷ Gobierno Territorial Indígena Sauni Arungka Matumbak. (2017, May 30). *Mapas*. Retrieved from: <http://www.matumbak.nativeweb.org/mapas/>.

⁸ International Work Group for the Indigenous Affairs. (2017, May 1). *IWGIA's Statutes*. Retrieved from: <http://www.iwgia.org/iwgia/who-we-are-/organisational-structure/iwgias-statutes>.

global work includes documentation and dissemination of information, international and regional human rights advocacy, and local projects.⁹

2. **American Declaration on the Rights of Indigenous Peoples, 2016**¹⁰—“The first instrument in the history of the OAS [Organization of American States] to promote and protect the rights of the indigenous peoples of the Americas.”¹¹
3. **Training Programs from the Intercultural Indigenous University**—Also known by its acronym in Spanish, UII is affiliated with the Indigenous Fund for the Development of Indigenous Peoples in Latin America and the Caribbean (*Fondo Indígena para el Desarrollo de los Pueblos Indígenas de América Latina y El Caribe*) and offers courses on indigenous rights and on rights, governance, and public policy.¹²

The classification schedule also takes into account large tribes split into various communities using the term “tribal groups.” An example from the United States is the Shawnee:

- Shawnee Group
 - Absentee-Shawnee Tribe of Indians
 - Eastern Shawnee Tribe of Oklahoma
 - Shawnee Tribe

In the schedule, these three groups on separate reservations in Oklahoma are classified together under “S” rather than “A,” “E,” and “S” separately. The Shawnee Nation once lived throughout the region to the east of Mississippi River but violent conflicts and the Indian Removal Act of 1830 pushed and separated the group to their present locations.¹³ The schedule’s organization indicates the cultural links among the three Shawnee groups and gives the researcher contextual information even if he or she is only interested in one of these communities. Such groupings demonstrate solidarity by representing complex historical relationships which play a role in understanding indigenous law today.

On a separate note, the quest for information has limits as “secret and sacred aspects of Indigenous knowledge have no place in the public domain and should remain outside of LIS systems.”¹⁴ For example, the researchers have been cautious in the areas of medical and religious law as they understand that some information is not meant for public access.

To date, the classification schedules are complete for countries in North America and nearly complete for Central America. Separating indigenous and non-indigenous legal traditions increases the visibility and access to the former throughout the hemisphere. These schedules can be adapted over time to reflect the legal evolution of the indigenous nations of the Americas. The Library of Congress’ newest development demonstrates solidarity by creating

⁹ International Work Group for the Indigenous Affairs. (2017, May 1). *What we do*. Retrieved from: <http://www.iwgia.org/iwgia/what-we-do>.

¹⁰ Organization of American States. (2017, May 1). *American Declaration on the Rights of Indigenous Peoples*. Retrieved from <http://indianlaw.org/sites/default/files/ADRIP%201-17-17.pdf>.

¹¹ Organization of American States. (2017, May 1). *A 17-Year Wait Pays off for Indigenous Peoples*. Retrieved from: http://www.oas.org/en/media_center/press_release.asp?sCodigo=E-075/16.

¹² Fondo Indígena. (2014). *Fondo Indígena Reglamento Orgánico Funcional de la UII y Orientaciones Conceptuales* (p. 31). La Paz, Bolivia: Fondo Indígena. Retrieved from: http://reduii.org/ruiicay/sites/default/files/field/doc/FINAL_Reglamento%20UII%2006.pdf.

¹³ Chief Glenna J. Wallace. (2010). *Proud to be Eastern Shawnee – A Brief History of the Eastern Shawnee*. Retrieved from: <https://www.estoo-nsn.gov/culture/brief-history/>.

¹⁴ Nakata, Martin, Alex Byrne, Vicky Nakata, & Gabrielle Gardiner. (2005). Indigenous Knowledge, the Library and Information Service Sector, and Protocols. In M. Nakata and M. Langton (Eds.), *Australian Indigenous Knowledge and Libraries* (p. 16). Sydney: UTS Press.

an indigenous legal schedule that connects to but sits apart from the Western legal schedule. The schedule recognizes continuity of indigenous legal forms from time immemorial.

3 NAME AUTHORITY RECORD CREATION

Name authority records or NARs are the building blocks for the indigenous law classification schedule. Created largely by librarian volunteers, these records establish each of the indigenous groups, councils, centers, and advocacy organizations in the Library of Congress Name Authority File. This in turn feeds into the Virtual International Authority File (VIAF), which means that, once established, indigenous entities can be accessed by libraries around the world.

For North America alone, over 2,000 name authorities were created with an emphasis on connecting culturally related yet geographically dispersed communities. Organizing information by country ensures that the two classification systems, Class K for Western law and Class KI indigenous law, are parallel. While this geopolitical organization is convenient for users who familiar with a world map, these national borders do not correspond to those of indigenous jurisdictions. The notes in the NARs identify gaps and overlaps in indigenous jurisdictions in relation to Western ones. The authority record for the Mohawk Nation Council of Chiefs illustrates this idea:

Tag	11	12	Subfield Data
010			‡a no 95026304
035			‡a (OCoLC)oca03846165
040			‡a NmU ‡b eng ‡e rda ‡c NmU ‡d MoSU-L ‡d HU
110	2		‡a Mohawk Nation Council of Chiefs
368			‡a Tribal government ‡a Indian councils ‡2 Icsh
370			‡c Canada ‡c United States ‡f New York (State) ‡f Ontario ‡f Québec (Province) ‡2 naf
370			‡e Roosevelttown (N.Y.)
371			‡a P.O. Box 366 ‡b Via Rossetown ‡c New York ‡d United States ‡e 13683-0366
371			‡a P.O. Box 579 ‡b Cornwall ‡c Ontario ‡d Canada ‡e K6H 5T3
371			‡a P.O. Box 489 ‡b Hogansburg ‡c New York ‡d United States ‡e 13655
410	2		‡a Kahniakehaka Nation Council
410	2		‡a Mohawk Council of Akwesasne
410	2		‡a Mohawk Council of Akwesasne Chiefs
410	2		‡a Mohawk Council of Chiefs
410	1		‡a Mohawk Nation at Akwesasne. ‡b Council of Chiefs
410	2		‡a Mohawk Nation Council
670			‡a Akwesasne notes (1995), Spring 1995: ‡b t.p. (Mohawk Nation Council of Chiefs); p. 1 (Kahniakehaka Nation Council); p. 2 (Mohawk Nation Council); p. 22 (Mohawk Council of Akwesasne)
670			‡a Phone call to Editorial Office, 5/26/95 ‡b (preference is Mohawk Nation Council of Chiefs)
670			‡a Mohawk Nation Council of Chiefs website, viewed November 27, 2015: ‡b landing page (Mohawk Nation Council of Chiefs of the Haudenosaunee Six Nations Confederacy; MNCC; The Mohawk (Kahniakehaka) Nation Council and its Chiefs are the designated representatives of the Sovereign Mohawk Nation. They are sanctioned by the Haudenosaunee Confederacy, and are participants in Grand Council sessions affecting the Mohawk Nation and other Confederacy members. Address: The Mohawk Nation, Akwesasne Mohawk Territory, P.O. Box 366, Via Rossetown, New York, 13683-0366) ‡u http://www.mohawknation.org/
670			‡a Mohawk Council of Akwesasne website, viewed November 27, 2015: ‡b landing page >> Government >> Council Chiefs (Mohawk Council of Chiefs; Mohawk Council of Akwesasne Chiefs) Contact (Canada Address: Mohawk Council of Akwesasne, PO Box 579, Cornwall, ON K6H 5T3; USA Address: Mohawk Council of Akwesasne, PO Box 489, Hogansburg, NY 13655) ‡u http://www.akwesasne.ca/mohawkcouncil
675			‡a Aboriginal Affairs and Northern Development Canada website, November 27, 2015
953			‡a xx00
985			‡c OCLC ‡e LSPC

Name authority record for the Mohawk Nation Council of Chiefs

Subfield 370 describes the Council as being located in Canada, the United States, New York (state), Ontario, and Québec (Province). In subfield 670, the notes include two addresses, one in Canada and one in the United States, to make clear that this council and indeed the Mohawk people live in an area divided by a national border. The Western jurisdictions have no bearing on how the indigneous council exerts its authority over its community although referencing Western borders provides geographical clarity. Building informational bridges through the NARs shows solidarity with indigenous peoples whose jurisdictions must be described on their own terms.

The above example illustrates a border traversing an indigenous jurisdiction but there are examples of the inverse where a border was drawn around indigenous communities, effectively concealing two jurisdictions in one territory. Subfield 670 describes the story of the Shawnee Tribe of Oklahoma:

*The Lewistown Shawnees became the Eastern Shawnee Tribe of Oklahoma. The federal government caused the former Kansas Shawnees and the Cherokees to enter into a formal agreement in 1869, whereby the Shawnees received allotments and citizenship in Cherokee Nation. Initial efforts begun in the 1980s to separate the Shawnee Tribe from Cherokee Nation culminated when Congress enacted Public Law 106-568, the Shawnee Tribe Status Act of 2000, which restored the Shawnee Tribe to its position as a sovereign Indian nation.*¹⁵

Such complex histories leave muddled legal legacies but they inform indigenous law as it stands today. Solidarity with indigenous law means not oversimplifying intricate histories.

This evolving classification system also demonstrates solidarity with indigenous peoples by including traditional and historical names whenever possible. The following examples span North and Central America:

1. Douglas (First Nation) of Canada is also called Xa'xtsa First Nation¹⁶
2. Tohono O'odham Nation of Arizona in the United States was previously called the Papago Tribe of Arizona¹⁷
3. Q'eqchi' of Mexico, Belize, and Guatemala also spelled Kekchí, Kekchi, K'ekchi¹⁸

The first example from Canada gives two current names for an indigenous community, one Western and one traditional. The second example from the United States gives a current traditional name but references a previously used name. This is an important link for those conducting holistic research because in Mexico, this same community is frequently referred to as Pápago.¹⁹ The third example of a Maya group provides different spellings, some more Hispanicized than others. These variations are all included in the NARs, which allow researchers using different search paths to arrive at the same information.

Solidarity means recognizing all groups who identify themselves as indigenous; the librarians creating the name authority records do not require any type of external recognition for a community to be included. For example, El Salvador did not recognize any indigenous peoples, only indigenous languages, until 2014 following a constitutional amendment.²⁰ Even

¹⁵ The Shawnee Tribe. (2017, May 8). *History*. Retrieved from: <http://www.shawnee-tribe.com/History.html>.

¹⁶ Xa'xtsa Douglas First Nation. (2017, May 8). *Homepage*. Retrieved from: <http://www.xaxtsa.ca/>.

¹⁷ Tohono O'odham Nation. (2017, May 11). *The Great Seal*. Retrieved from <http://www.tonation-nsn.gov/the-great-seal/>.

¹⁸ UNICEF. (2010, May 11). Pueblo: Maya Q'eqchi' (Belice), Q'eqchqi' (Guatemala, México). In *Atlas sociolingüístico de Pueblos Indígenas de América Latina*. Retrieved from: <https://atlaspublosindigenas.files.wordpress.com/2010/05/qeqchqi.pdf>.

¹⁹ Alvarado Solís, Neyra Patricia. (2007). Pápagos, In *Pueblos Indígenas del México Contemporáneo*. México: CDI. Retrieved from: <https://www.gob.mx/cms/uploads/attachment/file/12577/papagos.pdf>.

²⁰ Asamblea Legislativa de El Salvador. (2014). *Ratificase el acuerdo de reforma al Art. 63 de la Constitución, reconociendo a los pueblos indígenas*. San Salvador: Asamblea Legislativa de El Salvador. Retrieved from: <http://www.asamblea.gob.sv/eparlamento/indice-legislativo/buscador-de-documentos-legislativos/ratificase-acuerdo-de-reforma-constitucional-nb0-5-en-relacion-a-reconocer-a-los-pueblos-indigenas/?searchterm=reforma%20constitucional%20pueblos%20indigenas>.

so, the Náhuat-Pipil, Lenca, and Cacaopera, mainly organized under advocacy organizations, are included in the NARs and classification.

It is worth mentioning the Library of Congress' policy change in 2005, which moved the NARs for indigenous peoples from the category of corporate entity to the category of jurisdiction. This means that indigenous communities once grouped with businesses now sit alongside nation states and their governance traditions are considered law. Solidarity means naming what was previously overlooked in library information systems and putting people on the jurisdictional map.

4 INDIGENOUS LAW PORTAL

Showing solidarity means more than providing a new schedule for cataloging librarians and in 2014, the open access Indigenous Law Portal was launched. A collaboration between the Library of Congress' Policy & Standards Division and the Law Library, the Portal is structured according to the classification with a focus on digital resources. The same content found in the schedule can be found online with the addition of bibliographies. Users can access a variety of materials such as tribal websites, digitized materials from the Law Library of Congress (mostly constitutions), and other digital resources that highlight the legal pluralism in the Americas.

The Indigenous Law Portal lives on the Law Library of Congress webpage under the "Guide to Law Online."²¹ Maps provide the initial access point for users to find an indigenous community starting at a regional level and then on to countries. Large countries may be further subdivided into subnational regions as is the case with North America's three countries. If a user prefers not to search via geography, there is an alphabetical list of indigenous communities available. There is a link to the classification schedule PDF on each country's page. The following screenshot of the landing page for the country of Mexico illustrates how users access information on the Portal:

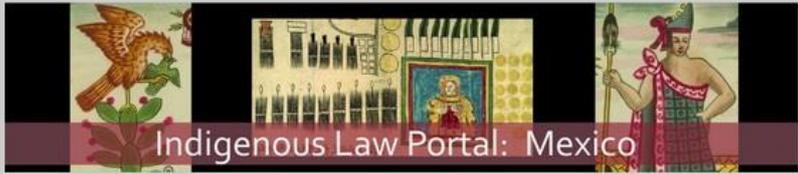
²¹ Law Library of Congress. (2017, May 31). *Indigenous Law Portal*. Retrieved from: <http://www.loc.gov/law/help/indigenous-law-guide/index.php>.

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Mapping American Indian Constitutions and Legal Materials



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Screenshot: Mexican homepage from the Law Library of Congress' Indigenous Law Portal

One difference between the information offered in the indigenous law schedule and the Portal is the presence of the bibliographies organized by subject with links to digital content. Each country page has a link for “general resources” that will take users to the bibliography with these headings:

- Law Gateways
- Official Gazettes
- Intergovernmental Congresses & Conferences
- Intergovernmental Organizations (IGO)
- **National Indigenous Organizations**
- Laws and Treaties
- Law Reports
- Directories

- Research Guides
- Legal Education
- Indigenous Law Societies
- Institutes and Academies
- History
- **Conflict of laws including plurality of laws conflict, multiculturalism, plurinationalism**
- **Land Law**
- Economic Law
- Social Services
- Public Health
- **Environmental Law**
- Medical Law
- Education
- Constitutional Law
- **Human Rights**
- Nationality & Citizenship
- Administrative Law
- Public Property
- Courts & Procedure

In bold are the categories that on average have the most open access, digital content available. The Portal does not link to any proprietary material for which fees or memberships are necessary. This aspect supports users of all socioeconomic backgrounds from around the world who are pursuing information about indigenous law.

An example of a unique resource from the Honduran bibliography found under the subject “conflict of laws including plurality of laws conflict, multiculturalism, plurinationalism” is *Access to Justice and Mechanisms for Alternative Solutions to Conflicts for Indigenous Peoples and Afro-Hondurans*.²² With the ultimate goal of promoting peace, this publication shares current practices of indigenous law based on research with members of the nation’s seven indigenous groups and two African Diaspora groups. Such publications might not ever be published in hard copy and thus would never enter a print library collection where a cataloguer would apply the new law classification schedule. The Indigenous Law Portal with its national bibliographies is the ideal place to capture such content.

Also, included on the Indigenous Law Portal are the many local, regional, and international indigenous advocacy organizations that show solidarity with indigenous peoples through action, research, and funding. In countries where indigenous groups cannot legally operate as governments, they often create nonprofits as an expression of autonomy. These nonprofits are legally recognized by the nation state and can be governed by traditional decision making mechanisms and thus continuity of indigenous legal systems can be achieved. The previous publication documents an example of blending a traditional council with a modern nonprofit:

²² Laitano Barahona, Marcela, Fernando Flores Giménez, Programa EUROsociAL, Conferencia de ministros de Justicia de los Países Iberoamericanos, Poder Judicial Honduras, & Comité Interinstitucional de Mecanismos Alternos de Solución de Conflictos. (2015). *Acceso a la Justicia y mecanismos alternos de solución de conflictos para los pueblos indígenas y afrohondureños: Mapeo y guía de MASC*. Madrid: Programa EUROsociAL. Retrieved from: http://sia.eurosocijal-ii.eu/files/docs/1437658893-DT_28-HONDURAS%28completo%29.pdf.

the leadership of the National Lenca Indigenous Council (*Consejo Nacional Indígena Lenca*) includes positions like a president and secretary but also the Council of Elders (*Consejo de Ancianos*) made up of traditional leaders from the Auxiliaries of the High Staff (*Auxiliarías de la Vara Alta*).²³ These politico-religious authorities who govern the Lenca now double as leaders within a nonprofit that exists as a legal body in Honduras. This example of dynamic indigenous law in contemporary Central America finds space on the Portal under the heading of indigenous advocacy organizations.

Showing solidarity means recognizing the myriad ways that indigenous law operates in the twenty-first century. The Indigenous Law Portal is one vehicle by which indigenous legal continuity can be extended into the present.

5 DIGITIZATION

Over 400 works have been digitized from the Law Library collections, primarily for indigenous groups of the United States. This collection demonstrates evolving indigenous law in the nineteenth and twentieth centuries where the bulk of the materials were published originally in English. The table below shows the breakdown of legal items by region:

Indigenous Law Portal Digitization Statistics by US Region	
Region	# of Digitized Documents
Arctic Alaska	124
South	120
New Southwest	84
North Central	58
Pacific Northwest	40
Northeast Atlantic	1
TOTAL	427

A large cache from the Kingdom of Hawaii was digitized by the nonprofit LLMC Digital²⁴ from the Hawaii State Archives. Including these unique items, mainly from the nineteenth century, on the Indigenous Law Portal reduces barriers that previously only allowed in-person access in Honolulu.²⁵ More indigenous law materials may be uncovered from other regions for future inclusion on the Portal. The digitization efforts of the Law Library and LLMC demonstrate solidarity in support of access to indigenous law past and present. Digitization makes indigenous legal continuity evident through modern means of communication.

6 USAGE STATISTICS

Interest in indigenous law is evident at a world wide scale as indicated by the usage statistics for the Indigenous Law Portal. Where possible, trends are examined from the the Portal's launch date in June 2014. As of March 2017, an overview of usage statistics are described below:

²³ Ibid. (p. 21).

²⁴ LLMC-Digital. (2017, May 8). *Homepage*. Retrieved from: <http://www.llmc.com/default.aspx?ext=true&set=77103a&volume=&part=&searchtype=0>.

²⁵ Law Library of Congress. (2016, March 24). *Indigenous Law Portal: Hawaii*. Retrieved from: <http://www.loc.gov/law/help/indigenous-law-guide/americas/north-america/united-states/region/hawaii.php>.

Indigenous Law Portal Overview Statistics June 2014-March 2017	
Usage	Total
Total Page Views	137,614
Total Visits	67,154
Total Hours	2,005
Total File Downloads	3,560

The figures above show that, on average, the Portal receives over 2,000 visits per month and each user look at two pages. The file downloads are furthered analyzed next.

Indigenous Law Portal Top 10 Downloads June 2014-March 2017	
Title	Downloads
1. Classification Schedule of Canada, US, Mexico	271
2. Classification Schedule of Canada, US*	213
3. Classification Schedule of Hawaii	119
4. Gila River Indian Community Ordinance GR-06-05	52
5. Constitution and Bylaws of the Agua Caliente Band of Mission Indians, 1957	42
6. Laws of the Cherokee Nation, 1810	39
7. Constitution and Bylaws of the Gila River Indian Reservation, 1960	36
8. Constitution of the Seneca Nation of Indians, 1848	33
9. Constitution and Bylaws of the Moapa Band of Paiute Indians, 1952	32
10. Constitution and Bylaws of the Apache Indians of the San Carlos Tribe of Arizona, 1936	28

**This schedule was superseded by document number one when Mexico was added*

The classification files have the most downloads but combined they are less than 17% of the total. Users download myriad legal documents as the table above demonstrates, including constitutions, laws, and ordinances. This appears to indicate an interest on behalf of librarians who might implement the new schedule as well as other users who want copies of indigenous legal documents. With the exception of the Gila River Ordinance, all of these documents were digitized by the Law Library of Congress. The downloads of these nineteenth and early twentieth century documents demonstrate public interest in the Library of Congress' unique collections. It is worth noting that these documents represent groups are from every region of the United States.

The content has been limited to North America for most the Portal's existence but the addition Central American and, in the future, South America may affect usage trends. The table below shows the top 10 countries using the Portal:

Indigenous Law Portal Usage by Country June 2014-December 2016		
Country	% of users	# of users
1. United States	87.01%	58,431
2. Canada	2.12%	1,425
3. United Kingdom	1.42%	953
4. India	0.85%	569
5. Australia	0.79%	528
6. Germany	0.77%	520
7. Japan	0.59%	395
8. Poland	0.43%	289
9. France	0.39%	262
10. China	0.32%	214
GLOBAL TOTAL	100%	67,154

It should be emphasized that Portal users span the globe, hailing from 174 countries. As a point of reference, the United Nations has 193 member states.²⁶ These figures indicate broad-based interest and perhaps some level of support for indigenous peoples' law.

To come full circle with open access means being open to comments and suggestions within the bounds of institutional policy. Outreach that has been conducted with indigenous leaders, lawyers, various information professionals, and other interested parties has shown that interest in the Portal is widespread.

7 FUTURE GOALS

North America was completed in 2016 and this year the Indigenous Law Portal is expanding with additional schedules and online content for Central America. With plans for moving onto South America, the classification and the Portal website are tools for an international public. As the quantity of available information grows, web redesign may be necessary to facilitate access, in keeping with the Law Library's mission to serve all types of users.²⁷ Suggestions and recommendations for acquiring content and regarding web access are welcome. Solidarity means leveraging library resources to provide access to indigenous legal systems even if the task is daunting.

To conclude, the Indigenous Law Portal provides access to indigenous legal materials so they can be made more visible among other legal systems. For the Law Library of Congress, offering accessible, organized information is part of fostering solidarity through the rule of law. The Portal is a library tool that can be used to create an international community unified by its awareness, respect, and support for the continuity of indigenous law.

²⁶ United Nations. (2017, May 8). *Overview*. Retrieved from: <http://www.un.org/en/sections/about-un/overview/index.html>.

²⁷ Law Library of Congress. (2017, May 5). *About the Law Library*. Retrieved from: <http://www.loc.gov/law/about/>.

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References

- Alvarado Solís, Neyra Patricia. (2007). Pápagos, In *Pueblos Indígenas del México Contemporáneo*. México: CDI. Retrieved from: <https://www.gob.mx/cms/uploads/attachment/file/12577/papagos.pdf>.
- Asamblea Legislativa de El Salvador. (2014). *Ratificase el acuerdo de reforma al Art. 63 de la Constitución, reconociendo a los pueblos indígenas*. San Salvador: Asamblea Legislativa de El Salvador. Retrieved from: <http://www.asamblea.gob.sv/eparlamento/indice-legislativo/buscador-de-documentos-legislativos/ratificase-acuerdo-de-reforma-constitucional-nb0-5-en-relacion-a-reconocer-a-los-pueblos-indiginas/?searchterm=reforma%20constitucional%20pueblos%20indigenas>.
- Centro de Asistencia Legal Para Pueblos Indígenas. (2017, May 2). *Homepage*. Retrieved from: <http://www.calpi-nicaragua.org/>.
- Consejo Regional Pacífico Centro Norte, miembro de Asociación de Promotores y Defensoría de los Derechos de los Pueblos Indígenas del Pacífico, Centro & Norte de Nicaragua APRODIN. (2000). *Plan de Salud de los Pueblos Indígenas de la Coordinadora Nicarao*. Salinas de Nahualapa, Rivas, Nicaragua: Consejo Regional Pacífico Centro Norte. Retrieved from: <https://perma.cc/5ADH-5FT6>.
- Chief Glenna J. Wallace. (2010). *Proud to be Eastern Shawnee – A Brief History of the Eastern Shawnee*. Retrieved from: <https://www.estoo-nsn.gov/culture/brief-history/>.
- Fondo Indígena. (2014). *Fondo Indígena Reglamento Orgánico Funcional de la UII y Orientaciones Conceptuales*. La Paz, Bolivia: Fondo Indígena. Retrieved from: http://reduii.org/ruiicay/sites/default/files/field/doc/FINAL_Reglamento%20UII%2006.pdf.
- Gobierno Territorial Indígena Sauni Argunka Matumbak. (2017, May 1). *Homepage*. Retrieved from: <http://www.matumbak.nativeweb.org/>.
- Gobierno Territorial Indígena Sauni Arungka Matumbak. (2017, May 30). *Mapas*. Retrieved from: <http://www.matumbak.nativeweb.org/mapas/>.
- Gobierno Territorio Mayangna Sauni Arungka & Unión Internacional para la Conservación de la Naturaleza UICN. (2014). *Bio-protocolo de Consulta y Consentimiento Libre, Previo e Informado (CLPI) del pueblo Mayangna Sauni Arungka, territorio Matumbak*. San José, Costa Rica: UICN. Retrieved from: <https://perma.cc/46CS-HFAA>.
- International Work Group for the Indigenous Affairs. (2017, May 1). *IWGIA's Statutes*. Retrieved from: <http://www.iwgia.org/iwgia/who-we-are-/organisational-structure/iwgias-statutes>.
- International Work Group for the Indigenous Affairs. (2017, May 1). *What we do*. Retrieved from: <http://www.iwgia.org/iwgia/what-we-do>.
- Law Library of Congress. (2017, May 5). *About the Law Library*. Retrieved from: <http://www.loc.gov/law/about/>.
- Law Library of Congress. (2017, May 31). *Indigenous Law Portal*. Retrieved from: <http://www.loc.gov/law/help/indigenous-law-guide/index.php>.
- Law Library of Congress. (2016, March 24). *Indigenous Law Portal: Hawaii*. Retrieved from: <http://www.loc.gov/law/help/indigenous-law-guide/americas/north-america/united-states/region/hawaii.php>.

- LLMC-Digital. (2017, May 8). *Homepage*. Retrieved from:
<http://www.llmc.com/default.aspx?ext=true&set=77103a&volume=&part=&searchtype=0>.
- Laitano Barahona, Marcela, Fernando Flores Giménez, Programa EUROsociAL, Conferencia de Ministros de Justicia de los Países Iberoamericanos, Poder Judicial Honduras, & Comité Interinstitucional de Mecanismos Alternos de Solución de Conflictos. (2015). *Acceso a la Justicia y mecanismos alternos de solución de conflictos para los pueblos indígenas y afrohondureños: Mapeo y guía de MASC*. Madrid: Programa EUROsociAL. Retrieved from: http://sia.eurosoci-al.eu/files/docs/1437658893-DT_28-HONDURAS%28completo%29.pdf.
- Nakata, Martin, Alex Byrne, Vicky Nakata, & Gabrielle Gardiner. (2005). Indigenous Knowledge, the Library and Information Service Sector, and Protocols. In M. Nakata and M. Langton (Eds.), *Australian Indigenous Knowledge and Libraries* (p. 16). Sydney: UTSePress.
- Organization of American States. (2017, May 1). *A 17-Year Wait Pays off for Indigenous Peoples*. Retrieved from:
http://www.oas.org/en/media_center/press_release.asp?sCodigo=E-075/16.
- Organization of American States. (2017, May 1). *American Declaration on the Rights of Indigenous Peoples*. Retrieved from:
<http://indianlaw.org/sites/default/files/ADRIP%201-17-17.pdf>.
- Tohono O’odham Nation. (2017, May 11). *The Great Seal*. Retrieved from:
<http://www.tonation-nsn.gov/the-great-seal/>.
- The Shawnee Tribe. (2017, May 8). *History*. Retrieved from:
<http://www.shawnee-tribe.com/History.html>.
- UNICEF. (2010, May 11). Pueblo: Maya Q’eqchi’ (Belice), Q’eqchi’ (Guatemala, México). In *Atlas sociolingüístico de Pueblos Indígenas de América Latina*. Retrieved from: <https://atlas-pueblos-indigenas.files.wordpress.com/2010/05/qeqchi.pdf>.
- UNICEF. (2017, May 8). Pueblo: Mayangna-Sumu (Nicaragua), Tawahka (Honduras). In *Atlas sociolingüístico de Pueblos Indígenas de América Latina*. Retrieved from: <https://atlas-pueblos-indigenas.files.wordpress.com/2010/05/mayangna-sumu.pdf>.
- Unidad Coordinadora Pueblos Indígenas en América Latina y el Caribe (KIVLAK/GIZ). (2010). Documento de trabajo: Pueblos Indígenas en Nicaragua. Germany: KIVLAK. Retrieved from: <https://www.giz.de/fachexpertise/downloads/giz2010-es-laenderpapier-nicaragua.pdf>.
- United Nations. (2017, May 8). *Overview*. Retrieved from:
<http://www.un.org/en/sections/about-un/overview/index.html>.
- Xa'xtsa Douglas First Nation. (2017, May 8). *Homepage*. Retrieved from:
<http://www.xaxtsa.ca/>.