



Thomas M. Cooley Law Libraries' Research Guide Series

NATIVE AMERICAN LAW: A SELECTIVE RESEARCH GUIDE

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| I. Michigan Treatises | II. National Treatises |
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Overview:

The Research Guide is a selective resource to assist the legal researcher in conducting research in the area of Native American Law. It is not comprehensive in scope, but is intended to provide a starting point for the researcher to find sources of relevant information. At its core, the guide attempts to lead the researcher to up-to-date items held by the Cooley libraries.

American Indian tribes are self-governing entities which are regulated by the federal government based on a long history of treaties. The law in this subject area is comprised of treaties between the federal government and individual tribes, tribal codes, federal regulations, and congressional statutes. This guide focuses on tribal law, federal laws governing Native American tribes, federal regulations, and court decisions. Other related topics with a large body of separate literature, such as gaming law and natural resource rights, are only tangentially touched upon.

I. MICHIGAN TREATISES

Don't Blame the Treaties: Native American Rights and the Michigan Indian Treaties **Location: E78 .M6 P57 1992**

This text focuses on the historical development of fishing rights and the use of natural resources for Great Lakes Indian tribes through treaties stretching back to early French settlers. An exploration of major court rulings with regards to these treaties is included.

II. NATIONAL TREATISES

American Indian Policy: Self-Governance and Economic Development

Location: E93 .A45 1994

This survey of American Indian policy provides a history of the efforts by American Indians to assert autonomy and also examines more recent developments relating to political rights and economic policies.

Felix S. Cohen's Handbook of Federal Indian Law

Location: KF8205 .C6 2005



Originally compiled for the Department of the Interior in 1941 and revised in 2005, this handbook provides a historical overview of federal policy towards Indian tribes. Subsections focus on water rights, gaming law, hunting rights, civil jurisdiction, and economic development. An annotated table of statutes and treaties is included.

The Indian Reorganization Act: Congresses and Bills

Location: KF8225 .I53 2002

This monograph contains full text compilations of congressional bills, administrative reports, and tribal conference meetings relating to the 1935 Indian Reorganization act.

Native American Sovereignty on Trial: A Handbook with Cases, Laws, and Documents

Location: KF8205 .Z9 W55 2003

This handbook provides an overview of the major cases that have shaped the relationship between the United States federal government and American Indian tribes. The text includes an annotated bibliography, a chronology of major events and trials, and a glossary of key terms and organizations.

III. NUTSHELLS

American Indian Law in a Nutshell

Location: KF8205 .Z9 C36 2004

The popular nutshell series gives a basic overview of the topic of American Indian Law.

IV. NATIONAL GUIDES

Encyclopedia of Native American Legal Tradition

Location: KF8204 .E53 1998

This encyclopedia covers major law cases, congressional acts, and treaties as well as information on tribal government before the formation of the United States, and also features biographical profiles of many important figures in the Native American legal history. This is a good basic reference source.

The Rights of Indians and Tribes: The Authoritative ACLU Guide to Indian and Tribal Rights

Location KF8210 .C5 P48

A guidebook focused on the sovereign powers of Indian tribes, including civil and criminal jurisdiction on Indian reservations; Indian hunting, fishing, and water rights; taxation in Indian country; the Indian Civil Rights Act; the Indian Child Welfare Act; and tribal jurisdiction over non-Indians.

Tribal Court Procedures

Location: KF8224 .C6 T75 1993

A training manual developed for tribal court personnel. The text includes a history of tribal courts, a breakdown of the many different court systems employed by different tribes, an overview of jurisdiction, jury trials, sentencing, a resource directory, and several examples of tribal-state agreements.



V. DATABASES

Westlaw

Location: [All Databases](#) > [Topical Materials by Area of Practice](#) > Native American Law
This database includes access to federal treaties, Oklahoma Tribal Court Reports, American Indian Law Review, statutes, and rules.

Lexis

Location: Legal > Area of Law - By Topic > Native American Law

VI. INTERNET RESOURCES

American Indian Resource Directory

<http://www.indians.org/Resource/FedTribes99/fedtribes99.html>

American Indian Heritage Foundation directory providing updated contact information for all federally recognized Native American tribes.

The International Indian Treaty Council

<http://www.treatycouncil.org/home.htm>

An organization of Indigenous Peoples from North, Central, South America and the Pacific working for the Sovereignty and Self-Determination of Indigenous Peoples and the recognition and protection of Indigenous Rights. Website provides pages on human rights, global trade, cultural rights, and updated information regarding United Nations publications and conferences on these topics.

Law Library of Congress: United States: Native Americans

<http://www.loc.gov/law/guide/indians.html>

Full access to dozens of scanned texts, codes, treaties, as well as links to other sites.

Native American Constitution and Law Digitization Project

<http://thorpe.ou.edu/>

This Project is a cooperative effort among the [University of Oklahoma Law Center](#) and the [National Indian Law Library](#), and Native American tribes providing access to the Constitutions, Tribal Codes, and other legal documents.

National Indian Law Library

<http://www.narf.org/nill/resources/rlinks.htm>

A public law library devoted to federal Indian and tribal law. Over 500 tribal constitutions, 280 codes, and 50 compacts have been digitized and are available over the internet. Also, it provides access to updated Indian law bulletins.

Office of Tribal Justice

<http://www.justice.gov/otj/>

The Office of Tribal Justice is the advisor for the Department of Justice with regards to legal and policy matters pertaining to Native Americans. Download versions of over forty government publications on Native American legal issues are available, as well as links to Attorney General and Department of Justice press releases that are germane to the subject.

