

## 340.52

**Nondominant legal systems associated with specific ethnic groups**

In the context of 340.52, a legal system may be nondominant for cultural, economic, demographic, political, or historical reasons—or for any combination of those reasons. In former colonies, the dominant legal system may continue to be primarily that of the former colonial powers, and customary law of the indigenous peoples may remain nondominant, even after the indigenous people have become politically dominant.

If the nondominant legal system is tied primarily to religious affiliation, then a number for religious law should be used, e.g., 340.59 Islamic law.

The relationship of nondominant and dominant legal systems varies widely.

1. A nondominant legal system may be officially recognized by the dominant legal system and linked to a specific ethnic group.
2. A nondominant legal system may be officially recognized and linked to a specific area, such as a United States Indian reservation, where an indigenous ethnic group and its law are sovereign.
3. A nondominant legal system may not be officially recognized by the dominant legal system.

**Geographic treatment**

For works about a nondominant legal system that is officially recognized and linked to a specific ethnic group or cluster of related groups, use the area notation for the jurisdiction that recognizes the law, plus notation 089 from Table 1, unless it is redundant, e.g., customary marriage law of indigenous African peoples of South Africa 346.6801608996. Use that same approach for issues arising from differences between the nondominant legal system and the dominant legal system, e.g., conflict between constitutional requirements for equality of men and women and customary laws of succession that privilege men in South Africa 346.6805208996. In federal systems, if both a province and the nation recognize the nondominant law, and both jurisdictions are equally relevant to a particular case or issue, use the area notation for the nation.

For works about a nondominant legal system 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 346.79130150899726. Use that same approach for issues arising from differences between the nondominant legal system and the dominant legal system, e.g., dispute about land tenure of Oneida Nation of New York 346.747620432089975543. For laws of the dominant legal system that apply to multiple indigenous groups and their reservations, use the area notation for the jurisdiction issuing the laws, e.g., United States federal Indian law 342.730872.

For a nondominant legal system that is not officially recognized, use the area notation appropriate to the scope of the work, e.g., the area where the people who observe the law live or the jurisdiction that the author argues ought to recognize it.

**Comprehensive works**

Use 340.52 for comprehensive works on law of indigenous peoples around the world. Use 340.52 plus notation 089 from Table 1 for comprehensive works on the nondominant legal system of an ethnic group spread across multiple continents, e.g., law of Roman people 340.5208991497.

Use 340.524–.529 for comprehensive works on historical forms of legal systems that are currently nondominant but may once have been dominant, e.g., comprehensive works on law of North American native peoples in what is now the United States before arrival of Europeans 340.5273.

Also use 340.524–.529 for comprehensive works on contemporary nondominant legal systems of indigenous peoples in multiple countries in the same continent, e.g., African customary law 340.526. Also use 340.524–.529 for comprehensive works on contemporary nondominant indigenous law that is officially recognized but not tied to a specific area where the indigenous law is sovereign, e.g., comprehensive works on customary law of Nigeria 340.52669, comprehensive works on Yoruba customary law of Nigeria 340.526690899633.

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 348.791300899726, comprehensive treatise on law of Blackfoot Tribe of the Blackfoot Indian Reservation of Montana 349.7865208997352.

**Treaties**

Use 341 for texts of treaties between colonial or settler governments and indigenous peoples and for discussions that focus on the treaties themselves, e.g., Treaty of Waitangi (1840) 341.026641008999442. However, use 342–347 for legal works that discuss early treaties in relation to specific topics of domestic law, e.g., Treaty of Waitangi in relation to Maori land claims 346.93043208999442.