

## ***Reading List on Native American Law & Literature***

Adapted from Professor N. Bruce Duthu's course on Native American Law & Literature (NAS 41) at Dartmouth College and published with permission by Geisel Chapter of Physicians for Human Rights

### **Books:**

Louise Erdrich, **THE ROUND HOUSE**

William L. Iggiagruk Hensley, **FIFTY MILES FROM TOMORROW: A MEMOIR OF ALASKA AND THE REAL PEOPLE**

N. Scott Momaday, **THE WAY TO RAINY MOUNTAIN**

Charles H. Redcorn, **A PIPE FOR FEBRUARY**

Tommy Orange, **THERE THERE**

### **Shorter Literary Works, Legal Opinions, and Scholarly Articles:**

#### **Approaches to Native American Law & Literature**

Jane B. Baron, *Law, Literature and the Problems of Interdisciplinarity*, 108 Yale Law Journal 1059 (1999)

Amelia V. Katanski, *Writing the Living Law: American Indian Literature as Legal Narrative*, 33 American Indian Law Review 53 (2009)

N. Bruce Duthu, *Federal Indian Law* (Oxford Research Encyclopedias: American History 2014).

N. Bruce Duthu, *Incorporative Discourse in Federal Indian Law: Negotiating Tribal Sovereignty Through the Lens of Native American Literature*, 13 Harvard Human Rights Journal 141 (2000)

Mark O'Connell, *10 Novels to a Better You*, Slate (Oct. 28, 2013)

Joshua Landy, *Introduction* from HOW TO DO THINGS WITH FICTIONS (Oxford Univ. Press 2012)

#### **Sovereign Selves: Tribal Identity/National Identities**

William Apess, *An Indian's Looking Glass for the White Man* (1833)

Louise Erdrich, "*Saint Marie*" from **LOVE MEDICINE**

*Johnson v. McIntosh*, 21 U.S. 543 (1823)

*Santa Clara Pueblo v. Martinez*, 436 U.S. 49 (1978)

*Mississippi Band of Choctaw Indians v. Holyfield*, 490 U.S. 30 (1989); *Brackeen v. Zinke* (ND Texas 2018)

### **Relationships: Land, Peoples & Places**

*Lone Wolf v. Hitchcock*, 187 U.S. 553 (1903)

Kristen Carpenter, *Contextualizing the Losses of Allotment Through Literature*, 82 North Dakota Law Review 605 (2006).

*Navajo Nation v. US*, 553 F.3d 1058 (9th Circuit 2008); *Lyng v. Northwest Indian Cemetery Protective Association* 485 U.S. 439 (1988);

### **On Guardianship: The Trust Doctrine and the Legacy of Allotment**

"Revisiting the *Reign of Terror* on the Osage Nation," CBS News (2017)

*Cobell v. Norton*, 229 Federal Rules of Decision 5 (District Court DC 2005)

*Cobell v. Kempthorne*, 455 F.3d 317 (D.C. Cir. 2006); *United States v. Navajo Nation*, 537 U.S. 488 (2003).

### **Crime & Punishment: Lessons in Power, Justice & Forgiveness**

*Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191 (1978)

*United States v. Lara*, 541 U.S. 193 (2004)

Amnesty International, *MAZE OF INJUSTICE: The Failure to Protect Indigenous Women from Sexual Violence in the USA* (2006)

Duthu, *Broken Justice* (NYT Op-Ed, Aug. 2008).

### **Subsistence Practices: Living in Balance**

Roy M. Huhndorf & Shari M. Huhndorf, *Alaska Native Politics Since the Alaska Native Claims Settlement Act*

Alexis Bunten, *Indigenous Capitalisms*