

## WHOSE PICTURES ARE THESE? INDIGENOUS COMMUNITY ACCESS AND CONTROL OF DIGITAL ARCHIVES

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### Abstract

Records of the cultural histories of indigenous peoples continue to remain marginalized; partially and poorly documented. This essay is a broad overview of the many and complex issues surrounding indigenous archives, with an emphasis on photographic images. Most of these historical pictures are held in institutions at great distance from the cultures' homeland, often with missing context and incorrect data. Selected collections have been digitized but most have not. Only some indigenous communities have their own web site, but even those that do are subject to misrepresentation of their culture online by outsiders. The American Museum of Natural History (AMNH) has begun to digitize its extensive photographic collection that also includes, at minimum, 10,000 images taken during anthropological work in North America. The Museum Library is examining how best to make the photographs, along with motion pictures, available—particularly to the source communities where they were taken—in a manner that recognizes and respects that different cultures have different knowledge structures and different traditions relating to access.

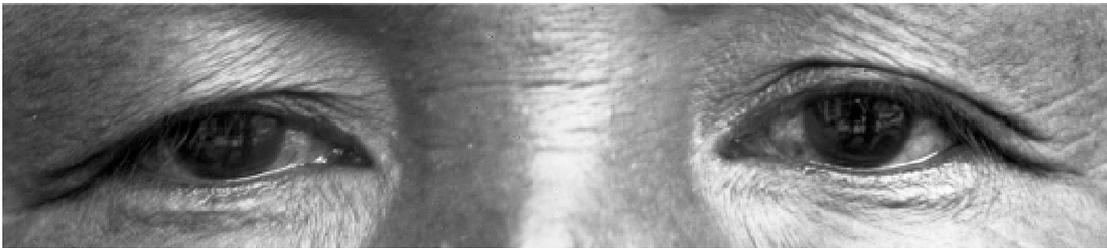
### Historical Summary

Photography's early years coincided with rapid colonial expansion across the globe. On land, settlers in America moved west while Russians moved east, in both cases, crossing frontiers reaching toward the Pacific, dispersing, annihilating and/or assimilating native populations in their wake. Meanwhile, the emergence of steamships in the early 19<sup>th</sup> century allowed Europeans to expand their dominance in South and Central America, the Pacific Islands, South Asia and Africa.

These waves of settlers, colonial and government authorities, missionaries, traders, adventurers, collectors, wildlife hunters and anthropologists made photographs.<sup>i</sup> Their cameras took pictures, *away*. Images taken of native populations and their lands rarely remained with the source community. Gathered in archives far from where they were taken—often with mistaken captions—these images remain, as the historical record, supported by the authority of the institutions in which they are kept. Note here that this extremely brief description was written based on my perspective, dependent upon my cultural background and education in New York City in the late 20<sup>th</sup> and early 21<sup>st</sup> century. It is based on the history that I have learned and read in the language that I was taught (and sadly the only one that I speak) as a third generation immigrant from a family that began in Hungary. My perspective has also been formed by my work as an archivist at the American Museum of Natural History in New York, but my opinions are my own. The settlers, governors, missionaries, etc. and native populations and their descendants each had or have their own perspective, their own story, their own history, and their own way of recording it, depending on their cultural point of view;<sup>ii</sup> this is also visible in photographic history.

### The Biography of the Physical Photograph

Imagine the scene from the subject's point of view. Kwazi'nik is asked to stand in a certain place and not to move. She watches as the photographer loads the film holder into the back of the camera, set on a tripod. He disappears behind the camera under a black cloth to focus the image and removes the slide from the film holder to expose the glass plate negative before the lens. He emerges from under the cloth and standing next to the camera, shouts out final instructions then releases the shutter to allow light reflected from Kwazi'nik's face to fall on the photographic plate. He returns the slide and removes the film holder that now contains the exposed glass plate negative. The picture of Smith standing next to the camera at the moment he released the shutter has been captured in the photograph, reflected back in Kwazi'nik's eyes. (Mathé and Miller, 2001, p. 107)



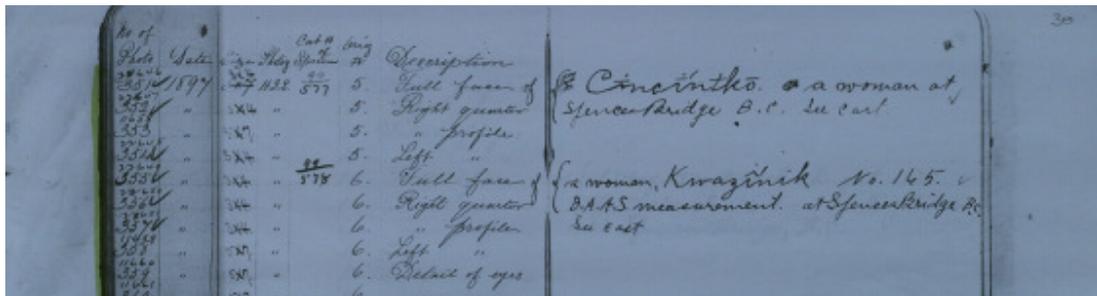
Kwazi'nik, portrait, close-up, Thompson River Salish (Ntlakyapamuk), British Columbia, 1897 Harlan Ingersoll Smith, photographer. Image number: 11661 (detail) American Museum of Natural History Digital Special Collections. <http://images.library.amnh.org/digital/items/show/7035>

Elizabeth Edwards, one of the leading voices in the study of historical anthropological photography, has discussed the social and cultural *biography* of an ethnographic photograph (Edwards, 2001, p.13-16). She also speaks about the importance of the physical object itself, beyond the content of the image, she describes how the history of the production, the choice of printing paper, the preservation and the use of the material photograph, even how it was handled and stored, to be integral to the understanding of the photograph in its many contexts over time (Edwards, 2002, p. 68). There are similar discussions about the social life and “multiple biographies” of museum objects and digital objects. (Boast and Enote, 2013, p. 32)

The biography of #11661 shown above: The photograph was exposed by Harlan Ingersoll Smith, an archeologist, who was hired to be a member of the Jesup North Pacific Expedition (1897-1902) by Franz Boas, widely referred to as “the father of American anthropology.” The purpose of the expedition was to verify the Bering Strait migration theory that postulated that the original human inhabitants of the American continent had crossed the land bridge from Asia, peopling the American hemisphere. To do this, teams in Siberia and the American Pacific Northwest, largely in Canada, were charged with comparing the peoples and the cultures on the Siberian and American side of the strait. However, Boas was more concerned with using the opportunity to document, as much as possible, the indigenous populations' physical, social and cultural life. His fear, shared by many at that time, including many of the indigenous inhabitants, was that the cultures would fall victim to the ongoing aggressive cultural assimilation of native people and their physical decimation by diseases introduced by the foreigners.<sup>iii</sup>

Smith purchased objects for the American Museum of Natural History anthropology collection and photographed individuals, often as in the case of Kwazi'nik, emphasizing physical characteristics for comparative study. (Kendall, Mathé and Miller, 1997)

#11661 was one of a group of photographic plates gathered together to be developed, locally in British Columbia, before being sent to the Museum in New York, where permanent image numbers were assigned. Prints from the negatives may have been made in British Columbia to return with the negatives. Prints were also made at the Museum. One was pasted into a scrapbook. An entry for the image was made on the Department of Anthropology negative list.



The note on the anthropology negative list included additional information about the photograph: "a woman, Kwazi'nik, no. 165 B.A.A.S. measurement at Spence's Bridge, B.C. see cast"

One hundred years after it was exposed, the physical photographic negative was scanned in 1997. It has been re-filed on a shelf in climate-controlled storage in the American Museum of Natural History Research Library.

### The Afterlife of the Digital Image

The scan of #11661 was made for an exhibition to mark the 100<sup>th</sup> anniversary of the Jesup Expedition. An enlarged print made from the scan was hung on the wall marking the entrance to the exhibition.<sup>iv</sup> The image was not included in the accompanying catalog because it was discovered while leafing through the scrapbooks after the deadline for submitting the catalog manuscript. However it was reproduced in an extensive essay called "Kwazi'nik's Eyes: Vision and Symbol in Boasian Representation" about the photography of the Jesup North Pacific Expedition, by Thomas R. Miller and me, published in 2001. The scan has been included on the American Museum of Natural History Digital Special Collections site that was released earlier this year. It is part of the Jesup North Pacific Expedition Collection. This biographical information about the photograph may be useful for academic inquiry into the critical theory of the production of the anthropological photograph but no effort, as yet, has been made to find any of Kwazi'nik's descendants or to return a copy of the photograph.

Moving beyond Edwards' inquiry into the physical photograph's biography to the digital afterlife of its image led me to an impulsive web search for "Kwazi'nik." The first result was the scan of #11661 on the Museum's site. Other results referenced the aforementioned article that used her name in the title. Another result for Kwazi'nik's image appeared on a site called, Luminous Lint: for Connoisseurs of Fine Photography,

described on its home page as “an online scholarly non-commercial resource that has been constructed collaboratively over the last eight years to share information on the history of photography worldwide. Over 2,300 people, estates and institutions have provided information: the website is robust, highly interconnected, and has over 10 million page views a year.”<sup>v</sup> The image was obviously gleaned from the Museum’s Digital Special Collections site and indexed (not incorrectly, within that context) under “portraits.” Unexpectedly, there was a result from Google Books, with a the page recording Kwazi’nik’s physical measurements that had been referenced in the documentation on the Anthropology Department negative list and now available online in the full text digital copy of the *Report of the Annual Meeting, Volume 65, Part 1895* by the British Association for the Advancement of Science.<sup>vi</sup> Although the scientific value of these measurements has long been questioned, including by Boas, the document also contains genealogical relationships that could be significant to individuals or members of the tribe.<sup>vii</sup>

Searching, then, for “Ntlakyapamuk” the Library of Congress authority heading used in the Museum’s Digital Special Collections, and for “Nlaka’pamux,” the name used by the tribe, resulted in a myriad of results ranging from the official web site of the Nlaka’pamux Nation Tribal Council to a site describing the people on a Christian missionary web site called Joshua’s Project and a Wikipedia entry written in Croation. Searching the settler term, “Thompson Indians,” yielded a description of the people on a site called everyculture.com, copyrighted by Advameg<sup>viii</sup>

### Different Knowledge Systems

Jim Enote, Director of the A:shiwi A:wam Museum in Zuni New Mexico, has been a major voice in expressing the serious concern that with the ready availability of information online, the public, including—and especially— Zuni tribal members, can easily find incorrect information about their cultural history, even from purportedly reliable established resources. This becomes more worrisome considering the relative lack of good information online. During the initial process toward developing a Collaborative Collection System that will bring together Zuni objects held in different collection management systems across a number of institutions, the Zuni found that 82% of descriptions for their objects in the museums they visited were incorrect. Notable was the catalog description for an object misidentified as a “net sinker”, a weight used to place and hold a fish net in the water, a surprising object to be found in the desert of the U.S. Southwest.<sup>ix</sup> The collection management system named, Amidolanne, is taking information about Zuni objects from collections held in museums, worldwide including the Museum of Archeology and Anthropology at the University of Cambridge, England, the National Museum of Ethnology in Osaka, Japan, the American Museum of Natural History, the Museum of Northern Arizona, the Maxwell Museum at the University of New Mexico, the Denver Museum of Nature and Science and the Denver Art Museum, to unite in a shared database maintained *at Zuni*, where the people can add their own comments and corrections.<sup>x</sup> According to Enote, “Museums are contact zones for mediating different knowledge systems. This collaborative catalog retains how objects are identified in the language of the museums, but it also adds the voice of the Zuni describing contextual uses of the same objects and adding personal narratives.”<sup>xi</sup>

Paraphrasing comments that Enote made to a group assembled at the American Museum of Natural History: He described how as a curious boy, he would ask questions.

He'd ask his mother something and she would reply, "You can know that when you get older." In response to another question, "I can't tell you because that is woman's knowledge." To another question, she would say, "I don't know. You can only know that if you become initiated into a Zuni kiva society." He then describes going off to college where he's told that all knowledge is for everyone. He related how he thought, "This is different from the way I've been taught about the world."

In turn, indigenous knowledge systems are not widely understood by the larger population, particularly archivists, who often assume that cultural norms of open access to all should apply universally. This is the crux of the argument over access, ownership and control of cultural heritage, where different knowledge systems and different points of view collide.

### **A Question of Ownership**

As part of their visit to research Zuni objects in the American Museum of Natural History's anthropological collections anticipating partnering with the Museum in their Collaborative Collection System, the Zuni representatives also visited the photographic archives where they viewed a silent film called, *The Shalako Ceremony at Zuni, New Mexico*, made in 1923. Shalako is the central event in the Zuni religious system. This viewing caused some spiritual distress and consternation among the members of the group who were not Shalako initiates and would not be allowed to view a part of the actual ceremony which was depicted in the film. This led to many questions, including the meaning of this reproduction of the original ceremony recorded many years earlier.<sup>xii</sup>

Through the A:shiwí A:wán Museum and Heritage Center, the Museum has been working with tribal representatives to "revisit" the film held in the Museum's collection. The Library received a grant from the National Film Preservation Foundation to digitize the original film, made in 1923 by Owen Cattell, at the request of Clark Wissler, then chair of the AMNH Anthropology Department. Many of the film's original inter-titles were incorrect. The Zuni rather than rewriting the titles, composed new titles—distinguished graphically from the originals—to respond to the original inaccuracies, thereby not censoring and editing the original artifact but noting and correcting the mistakes made when it was created. Importantly, a section of the film that depicts a part of the ceremony— not to be shared or seen by anyone who is not a Shalako initiate— was edited out of the new digital version. A new inter-title was added to explain the edit, shown by a black screen for the duration of the section. Lastly, a voiceover in the Zuni language was added to the film.<sup>xiii</sup> The original film is intact; unedited digital versions are held by the Museum and by the Zuni. The Museum had hired Cattell to make the film in 1923 and owns the original physical film reel. The film was never copyrighted so it is in public domain.

A question regarding copyright to the newly edited *The Zuni Shalako Ceremony, Revisited*, a collaborative effort by the AMNH and the A:shiwí A:wán was settled when, upon consideration, it was obvious that the Zuni had added the new intellectual content, while the Museum had provided technical support. It was agreed that the Zuni should own the copyright. However, copyright and ownership are not the same. Copyright has term limits and expires. Copyright alone will not guarantee that the Zuni would own the right be able to control access to the work over the long term. In addition, there is the

question of access to the original historical film in public domain stored on the shelf in the AMNH Library that includes the restricted footage.

The American Museum of Natural History Library has been digitizing UMatric video tapes copied from the film collection in 1986 to make copies of the films available online.<sup>xiv</sup> Proceeding with this work, the Museum has been faced with the importance of applying restrictions in the context of widespread world-wide-web distribution. It has been careful to avoid any possibility of placing secret or sacred material online for anyone to see. Moving from the physical world of locally viewing video tapes in the Museum to streaming video of the moving images online raises the bar when addressing these issues about respecting access based on cultural traditions.

A precedent exists from 1986, when the tapes were originally created from the films and cataloged. The catalog record for the video recording of the film *“Records of the Fifth Anthropological Expedition to Central Australia: Mount Liebig, 1932”* was noted as follows.

*“Due to the secret/sacred nature of ritual material seen in this film, the Australian Institute of Aboriginal Studies has requested that it carry a restricted use notice. Only advanced level students of anthropology and related studies may screen this film. Under no circumstance should it be seen by Aboriginal people, who would be prohibited from seeing it by traditional Aboriginal law and custom.”<sup>xv</sup>*

### **Who Owns These Images?**

Many questions still remain about who owns these pictures, still or moving. What does ownership mean when talking about photography or anything else that may be so easily reproduced online?<sup>xvi</sup> Defining ownership as possession of the physical items is relatively easy—the original glass plate negative, the vintage print pasted into the scrapbook and the original film reel, reside with the American Museum of Natural History who hired the photographers and filmmakers. But who owns the image? Do the subjects or their descendants have any right to the pictures and how may these rights be exercised? Do they have the right to know that they exist?<sup>xvii</sup> Do they have the right to determine whether the images should be reproduced? Who are “they”? Does Kwazi’nik’s community have the right to this and other images that together tell a story that contributes to the cultural history of their people? Do the Zuni have the right to restrict wider access to material that they hold so sacred that they have selective restrictions, even within their own community, based on their own knowledge system?

Comparisons to century or millennium old histories of dominant societies that are well documented in every way—good *and* bad— are not valid. Societies that are only recently literate have access to histories of other literate cultures but little of their own and little control over how their own cultures are represented, especially now in this digital world. Jennifer O’Neal, archivist and tribal member of the Federation of Grande Ronde, talks about how there were few written records produced by tribal communities until the mid-twentieth century and how often the historical documentation was mainly produced, as in the case of Kwazin’ik, by outsiders who believed that the cultures were disappearing (O’Neal, 2013, 129-130). And it should be added that the oral tradition that

previously cemented tribal social structure and passed on knowledge through generations was largely lost with the widespread adoption of English and the repression and subsequent loss of their native languages. This is the reason that language revitalization is so important to such communities. O'Neal notes that the written records, meanwhile, were deposited in universities, historical societies, museums and religious organizations where they remain, often at distance and unknown to the people that they document. "Due to this complex situation, historian William T. Hagen declared in 1978 that "to be an Indian is to have non-Indians control your documents from which other non-Indians write their versions of your history." (Hagen (1978) In: O'Neal, 2013, p. 130) O'Neal continues, "Hagen pled for cooperation and understanding between archivists and tribal communities to ensure that historic tribal records could be assessed, as well as to provide control back to the community." (O'Neal, 2013, p. 130)

"Taking ownership" of something implies a responsibility. Who is responsible for a respectful and accurate display of an image? Who has the power to enforce that? Who has the responsibility for its dissemination? Who is responsible for its history? These are the kinds of questions that must be considered when institutions that hold collections collaborate with indigenous communities in the stewardship of their cultures. Jim Enote made a startling statement saying that it requires responsibility to "give back" to "move" information like this.<sup>xviii</sup> With the original archival materials owned by the institutions, the situation requires considered collaborative efforts between the institutions and the source communities, who own the culture depicted and held in the museums' archives.

### **How to accomplish this collaborative work?**

To detail the practical issues of implementing a viable collaboration between indigenous communities and archivists requires an exposition of much greater length than possible here. The best that can be accomplished in the balance of this essay is to consider how to provide responsible and respectful access to the information contained in these archives, first and foremost, to the source communities and then to the general public—if and when those communities decide that is appropriate. What follows is a brief summary of legislation, protocol and policy documents, and a brief description of three systems currently in use to create online digital access to archival materials, designed specifically for source communities.

### **Legislation, Protocols and Policies**

NAGPRA: Native American Graves Protection and Repatriation Act 1990

<http://www.law.cornell.edu/uscode/text/25/chapter-32>

Volumes have been written about this legislation and its importance. Upon passage, it was a touchstone for revealing the anxiety of museum professionals and by extension for archivists, even though archives are not covered under the legislation and no one is calling for them to be. It has generally been recognized that NAGPRA opened the doors to meaningful and relevant dialog between museums and native communities and changed the relationship generally for the better, to where there are now references to the post-NAGPRA environment. Nevertheless, an incorrect impression remains, particularly among archivists who do not deal directly with these issues, that the legislation, although it does not include archives, offers a precedent for the return and even the purported destruction of archival historical records.<sup>xix</sup> The question remains how to reach those whose minds are not open to different ways of looking at the world.

Policy statements and protocols have met with some success and whether or not officially adopted by nations or professional organizations, they serve as guidance and a basis for ongoing conversations. The previously referenced work by Jennifer O'Neal, "Respect, Recognition and Reciprocity: *The Protocols for Native American Archival Materials*" (O'Neal, 2013) is an excellent historical overview of the development of the *Protocols* and the history of how they received by the archival community in the U.S.

A reference list of the major initiatives and attendant resources follows:

The *Mata'atua Declaration on Cultural and Intellectual Property Rights of Indigenous Peoples* was published in 1993. The World Intellectual Property Organization (WIPO) site provides a PDF of the Declaration.

[http://www.wipo.int/tk/en/databases/creative\\_heritage/indigenous/link0002.html](http://www.wipo.int/tk/en/databases/creative_heritage/indigenous/link0002.html)

WIPO also has a section on Traditional Knowledge, <http://www.wipo.int/tk/en/> and hosts an Indigenous Peoples and Local Communities Portal. <http://www.wipo.int/tk/en/indigenous/>

*The Aboriginal and Torres Strait Islander Protocols for Libraries, Archives and Information Services* was published in 1995 by the Australian Library and Information Association (ALIA). The Protocols were endorsed by the Aboriginal and Torres Strait Islander Library, Information and Resource Network (ATSILIRN). These protocols have been updated in 2005 and again in 2010 and include guidelines for professional practice and the digital environment.

<http://aiatsis.gov.au/atsilirn/protocols.php>

These earlier efforts served as the model for the *Protocols for Native American Archival Materials* in 2006, which while yet to be endorsed by the Society of American Archivists, has been invaluable as the basis for ongoing conversation, discussion...and dissent. Despite the lack of official endorsement, the *Protocols* opened lines of communication and interactions that would have been impossible without the dialog that it had initiated.

<http://www2.nau.edu/libnap-p/>

Report: Task Force to Review Protocols for Native American Archival Materials  
<https://www.archivists.org/governance/taskforces/0208-nativeamprotocols-iiia.pdf>

A welcome institutional initiative is the Smithsonian Directive 609, *Digital Asset Access and Use* issued in July 2011. Sensitive Content is defined under Allowable Restrictions, providing specific guidelines and the weight of the U.S. National Museum behind allowing restrictions on culturally sensitive materials. It is probably fair to say that the years of discussions about this topic as part of the larger conversation regarding the *Protocols* contributed to this section of the Directive. It can act as a resource and a basis for development of policies in institutions where no policy yet exists.  
<http://www.si.edu/content/pdf/about/sd/SD609.pdf>

Its brevity allows it to be fully reproduced below:

"Digital assets, like the underlying tangible collection objects from which

they are derived, may be subject to a range of policy and other restrictions that have become generally accepted in museum and scholarly communities.

1. Sensitive Content is defined in different ways by members of individual communities, nations, tribes, ethnic groups, and religious denominations, but usually includes materials that relate to traditional knowledge and practices. Such materials may a) be considered the private domain of specific individuals, clans, cults or societies; b) require an appropriate level of knowledge to view and understand; c) threaten the privacy and well-being of a community when exposed or disclosed to outsiders; and/or d) give offense if inappropriately used or displayed, or when appropriated or exploited for commercial purposes.”

The International Council of Archives (ICA) Committee on Best Practices and Standards Working Group on Access recently adopted two documents relevant to this discussion.

1. The Principles of Access to Archives  
<http://www.ica.org/13619/toolkits-guides-manuals-and-guidelines/principles-of-access-to-archives.html>
2. ICA Principles of Access to Archives: Technical Guidance on Managing Archives with Restrictions  
<http://www.ica.org/15369/toolkits-guides-manuals-and-guidelines/technical-guidance-on-managing-archives-with-restrictions.html>

A new document from ICA, Basic Principles on the Role of Archivists in Support of Human Rights has been released and is open for comment through January 2015.

<http://www.ica.org/15999/news-and-events/basic-principles-on-the-role-of-archivists-in-support-of-human-rights-give-your-opinion.html>

### **Tribal Specific Systems: Cultural Requirements and Community Needs**

Inaccurate and incomplete information in archives that hold indigenous cultural materials can be addressed when digital archives are controlled by source communities. Expert tribal knowledge may be added and then shared when deemed appropriate. Local control provides a system based on traditional knowledge, which allows access to certain items only to specified populations within their people, according to their cultural norms. While in opposition to the dearly held archival concept of equal open access, these culturally contested points of view can be accommodated as the result of the considered understanding that results from collaborative work.

Archivists and tribal representatives must approach the collaboration of presenting information and images about collections online as equal partners with different but shared expertise, with the organizational, technical and preservation expertise residing more with the archivists and the cultural expertise residing more with the community. Inevitably, there will be some overlap in these knowledge bases and the collaboration is an opportunity for each to learn from the other.

The Collaborative Cataloging System being developed by the Zuni and an international group of Museums is unique in that the first audience is for the Zuni themselves. The only access to the system, Amidolanne, which means rainbow in the Zuni language, is contained within the A:shiwí A:wán Museum building in Zuni. It is not available on the web. The system that integrates all the records gathered from the participating institutions is based at Zuni and controlled by Zuni. The project programmers developed an open source system to integrate the data from the partnering museum collection management systems. At A:shiwí A:wán, a person registers and sits down with a staff member to research the collection who determines if they have the right to see the materials. The data is partitioned in the system and mirrors how knowledge is partitioned at Zuni, just like it is in life. If the person has comments, these may be written down or an audio or video recording can be made. The stories or comments often have to do with personal memories of similar objects being used. At intervals, an advisory board decides what information can go back to the holding institution, which is where access to the general public is available. In this way, the Zuni have the power to determine how knowledge may be shared both within and outside of Zuni.

The Ara Irititja Project began in 1994 with the digital repatriation of archival materials to remote communities in Central Australia. The project, meaning "stories from long ago,"<sup>xx</sup> is a community-based, multimedia digital archive, developed at the request of Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara (Anangu) communities. In 2010, 108,000 digital records were migrated from an object-based FileMaker Pro database into a multimedia knowledge management system via a private intranet on the web (adhering to strict Anangu privacy imperatives). It includes "profiles for every person, plant, animal, thing, place and collection in the archive expanding the original software into a comprehensive tool for preserving and reproducing traditional cultural knowledge."<sup>xxi</sup>

John and Dora Dallwitz have spent twenty years developing, implementing and managing this system. Recognizing the fact that some communities will have poor or no internet access, they have different set-ups for various technical scenarios. There are quite a number of communities where the new software has been set-up as a kiosk, standalone system, totally independent of the internet. However this is not very satisfactory as a lot of time is required to keep those units updated and maintained. The much more satisfactory solution is somewhere in between. A system they call "Wiltja" still uses an online connection but it does not require the constant downloading of large media files. These are held in the local computer and synchronized periodically. This system is suitable for slower broadband speeds or locations where downloading is very expensive. The synchronizing is only required when new media is added and can be set to occur during off-peak hours.<sup>xxii</sup>

<http://www.irititja.com/>

<http://wiki.ara-irititja.com>

Mukurtu began in 2007 as a community archive project with the Warumungu community. The word "mukurtu" means "dilly bag" in Warumungu and was chosen by Warumungu elders to name the system designating it as a "safe keeping place". Mukurtu, a community archive, like the dilly bag, preserves cultural materials and is accessible based on a reciprocal system of respect and obligations to continue to maintain, create and circulate the materials and knowledge in responsible and respectful ways. [<http://www.kimchristen.com/projects.html> [last accessed: 01/09/2014]]

The Plateau Peoples' Web Portal was the predecessor to Mukutu. It allows the cultural materials of five tribes held at various repositories in Washington State and the Smithsonian to be curated directly by the tribes. A new initiative is the development of Traditional Knowledge licenses, modeled after Creative Commons licensing, and labels that reflect that indigenous, traditional and local communities have different access and use expectations in regards to their knowledge and cultural expressions. These different expectations of access and use depend heavily on the material itself and the local context from which it derives. These TK licenses and labels help identify this material and establish culturally appropriate forms of managing control and access. (Anderson and Christen, 105-126)

[www.mukurtu.org](http://www.mukurtu.org)

<http://www.localcontexts.org>

### **Their own terms**

Content Management Systems like those described above have been developed in response to the need for source community access and control of their cultural heritage, on their own terms. Different ways of knowing and expressing knowledge are culturally dependent, as are ways of sharing specified knowledge within communities. Emphasis has been placed on managing and controlling access to this “secret” knowledge but most of the archival materials relating to indigenous peoples is neither sacred nor secret in nature, yet the fear of exposing something held close by the source communities is one of the reasons that the majority of photographs remain inaccessible, particularly with the understanding of the level of social and spiritual distress that these revelations might cause exacerbate the fear of making a wrong decision. Systems, like those described above are being made to manage the complex permissions that are needed to access special information. But the majority of the photographs and archival materials are not culturally sensitive and these fears keep them from getting back to their source communities.

Beyond the gate-keeping function, traditional archival processing, arrangement and description, needs re-examination to get these pictures back to where they were taken. One example is the concept of provenance. The Society of American Archivists' Glossary of Archival and Records Terminology, defines “provenance” as: “1. The origin or source of something. - 2. Information regarding the origins, custody, and ownership of an item or collection.” Based upon how one defines “origin” and “ownership” and in the case of archival materials whether the definition applies to the object or the information contained in it, provenance can be defined differently in different contexts. The provenance assigned at the American Museum of Natural History for the physical photograph of Kwazi'nik's eyes is the Jesup North Pacific Expedition and is described using authorized terms to interoperate with other data. But among her descendants in her own community in British Columbia, the image and the associated knowledge, may be classified *on*—and *by*—their own terms, relying less on structured data and more on a narrative relating to family or other cultural groupings. These decisions can only be made by each community.

### **Conclusion**

Kwazi'nik lived in a time and a place where her culture was transmitted primarily through oral tradition, through stories, songs and imagery visible in material culture. It's likely

that she and her contemporaries had seen photographs and the written word but they had not yet used those technologies and there was no place— no museum or library or archive established for their keeping. So the pictures went away as did considerable material culture, sometimes along with individuals' human remains for scientific and cultural studies of societies that were thought to be disappearing. This cultural loss was helped along by Indian schools that punished students for speaking their own language and legislation that banned ceremonies and traditions that had been passed on since time immemorial.

But despite this, the cultures continue, often with few elders left to speak their language, but nevertheless fighting to continue their traditions. These images can spark the memories of elders, reminding them of stories they heard from their parents and grandparents; stories disappearing with their native language. So there is some urgency now to get these images back to where they *originated* where their descendants can record the stories and save their history in a tribal archive, library or museum,<sup>xxiii</sup> where they can be accessed and described according to the source communities wishes and provide the social cohesion created by a shared cultural history. We as archivists have the responsibility to collaborate to make this happen.

### Bibliography

- Anderson, Jane and Kim Christen (2013). "‘Chuck a Copyright on it’: Dilemmas of Digital Return and the Possibilities for Traditional Licenses and Labels". In: *After the Return: Digital Repatriation and the Circulation of Indigenous Knowledge*. Bell, Joshua et al, (eds.) In: *Museum Anthropology Review*, Vol. 7, No 1-2. p. 105-126.  
<http://scholarworks.iu.edu/journals/index.php/mar/issue/view/233> [last accessed 01/09/2014]
- Biehl, Peter F. and Christopher Prescott, (eds.) (2013). *Heritage in the Context of Globalization, Europe and the Americas*, New York: Springer.
- Boast, Robin and Jim Enoté (2013). "Virtual Repatriation: It is neither Virtual nor Repatriation". In: Biehl, Peter F. and Christopher Prescott (eds.), *Heritage in the Context of Globalization: Europe and the Americas*, New York: Springer. p. 103-116.
- Dominique, Daniel and Amalia S. Levi, (eds.) (2014). *Identity Palimpsests: Archiving Ethnicity in the U.S. and Canada*, Sacramento: Litwin Books.
- Edwards, Elizabeth (2001). *Raw Histories, Photographs, Anthropology and Museums*, Oxford, New York: Berg.
- Edwards, Elizabeth (2002). "Material beings: objecthood and ethnographic photographs" in: *Visual Studies*, Vol. 17, No. 1., p.67-75.
- Hagen, William T. (1978). "Archival Captive—The American Indian," *The American Archivist* 41, no. 2, p. 135.
- Hughes, Martin and John Dallwitz (2007). "Ara Iritija: Towards culturally appropriate IT best practice in remote indigenous Australia". In: Dyson, Laurel E. et al (eds.). *Information technology and indigenous people*, Hershey, PA: Information Science Publishing. p. 146-158.
- Kendall, Laurel, Barbara Mathé and Thomas Ross Miller, (1997) *Drawing Shadows to Stone: the photography of the Jesup North Pacific Expedition, 1897-1902*, New York: American Museum of Natural History.
- Mathé, Barbara and Thomas R. Miller (2001). "Kwazinik's Eye, Vision and Symbol in Boasian Representation". In: *Gateways: Exploring the Legacy of the Jesup North Pacific Expedition, 1897-1902*, Krupnik, Igor and William Fitzhugh (eds.) *Contributions to Circumpolar Anthropology* 1, Washington, D.C. National Museum of Natural History, Smithsonian Institution. P. 107-138.

The Native American Graves Protection and Repatriation Act (Public Law 101-601; 25 U.S.C. 3001-3013) <http://www.nps.gov/nagpra/> [last accessed 01/09/2014]

O'Neal, Jennifer R., (2013). "Respect, Recognition, and Reciprocity: *The Protocols for Native American Archival Materials*". In Dominique, Daniel and Amalia S. Levi, *Identity Palimpsests: Archiving Ethnicity in the U.S. and Canada*, Sacramento, CA., Litwin Books, p. 134-135.

Pinney, Christopher, "The Doubled History of Photography and Anthropology", 2011, *Photography and Anthropology* by Christopher Pinney, 2011, London: Reaktion Books

Srinivasan, Ramesh, Jim Enoté, Katherine M. Becvar, Robin Boast. (2009) "Critical and reflective uses of new media technologies in tribal museums" in *Museum Management and Curatorship* Vol. 24.No. 2 (2009):161-181.

Talbot, William Henry Fox (1844). *The Pencil of Nature (1968 facsimile)*, Da Capo Press: New York.

Thompson, Judy, *Recording their Story: James Teit and the Tahltan*, (2007) Gatineau, Canada: Canadian Museum of Civilization.

Thorner, Sabra. (2010). "Imagining an Indigital Interface: Ara Irititja Indigenizes the Technologies of Knowledge Management" . In: *Collections, A Journal for Museum and Archives Professionals* Vol. 6, No 3. Altamira press. p.125-146.

## Notes

<sup>i</sup> Christopher Pinney has described "the curious echo between the history of photography and that of anthropology." (Pinney, 2011 p. 17-21)

<sup>ii</sup> For a good synopsis of the post-modern perspective in archives see:

O'Neal, Jennifer R., (2013). "Respect, Recognition, and Reciprocity: *The Protocols for Native American Archival Materials*". In Dominique, Daniel and Amalia S. Levi, *Identity Palimpsests: Archiving Ethnicity in the U.S. and Canada*, Sacramento, CA., Litwin Books, p. 134-135.

<sup>iii</sup> "When in Cassiar last fall I made a speech to the Tahltans regarding the ethnological work being done among the Indians to the south. They became very interested, and asked me to place before you their request, that similar work be done amongst them. They said they would like a history of their tribe and all regarding their former condition placed on record before too late. They did not want to be left out in the cold." James Teit letter to Franz Boas, 16 February 1911, American Philosophical Society. (in Thompson, 2007, frontispiece)

<sup>iv</sup> Drawing Shadows to Stone: Photographing North Pacific Peoples, 1897-1902 was an exhibition held at the American Museum of Natural History, November, 1997 through May 1998 and the Anchorage Museum of History and Art, May through September 1999.

<sup>v</sup> <http://www.luminous-lint.com/app/image/1865160441542603747908759/> [last accessed 28/08/2014]

<sup>vi</sup> This discovery of a reference to Kwazi'nik during Boas' 1895 field work raises some questions about the relationship between the capture of those measurements and the photographic image, which is labeled as taken in 1897 by Harlan Smith, who was on the Jesup Expedition but not on the 1884-85 B.A.A.S. trip. Smith may have been instructed to seek out the individuals measured years earlier. The other possibility is that the photographs may have been labeled wrong and taken in 1895 but then by whom?

<sup>vii</sup> [http://books.google.com/books?id=PTEUAAAAYAAJ&pg=PA528-IA19&lpg=PA528-IA19&dq=Kwazinik&source=bl&ots=WnnKWLx2hC&sig=Lfc5td93T4wKLhvnEFwLg41IA6w&hl=en&sa=X&ei=lb3\\_U4TAMJXAggSCg4CoCQ&ved=0CDMQ6AEwAg#v=onepage&q=Kwazinik&f=false](http://books.google.com/books?id=PTEUAAAAYAAJ&pg=PA528-IA19&lpg=PA528-IA19&dq=Kwazinik&source=bl&ots=WnnKWLx2hC&sig=Lfc5td93T4wKLhvnEFwLg41IA6w&hl=en&sa=X&ei=lb3_U4TAMJXAggSCg4CoCQ&ved=0CDMQ6AEwAg#v=onepage&q=Kwazinik&f=false) [last accessed 28/08/2014]

<sup>viii</sup> Other sites referenced are as follows: [All last accessed: 31/08/2014]

<http://www.nntc.ca/>

[http://joshuaproject.net/people\\_groups/15465/CA](http://joshuaproject.net/people_groups/15465/CA)

<http://hr.wikipedia.org/wiki/Ntlakyapamuk>

<http://www.everyculture.com/North-America/Thompson.html>

<http://www.advameg.com>

<sup>ix</sup> This is from the American Museum of Natural History Web Site that gives an account of the Zuni visit to the Museum. <http://www.amnh.org/our-research/anthropology/news-events/zuni-delegation-visits-amnh> [last accessed: 31/08/2014]

The reference to the “net sinker” is one often repeated publicly by Enote and recorded in his keynote address at “After the Return: Digital Repatriation and the Circulation of Indigenous Knowledge,” workshop, held at the Smithsonian Institution, Washington, D. C. on January 18-21, 2012. See: <http://digitalreturn.wsu.edu/workshop/> [last accessed: 31/08/2014]

<sup>x</sup> See: (Srinivasan, Ramesh, Jim Enote, Katherine M. Becvar, Robin Boast, 2009) for a discussion of a collaborative database model that incorporates a critical and reflexive approach toward using new media technologies to provide access to tribal museum collections. See also:

[http://sarweb.org/?iarc\\_lecture\\_jim\\_enote-p:past\\_events](http://sarweb.org/?iarc_lecture_jim_enote-p:past_events) [last accessed 09-01-14]

<sup>xi</sup> <http://www.amnh.org/our-research/anthropology/news-events/zuni-delegation-visits-amnh>

<sup>xii</sup> In his keynote to After the Return workshop Enote addresses the issue of the copy as opposed to the original in the context of “Digital Repatriation,” a term he dismisses as oxymoronic, holding that repatriation of museum objects involves the original not a digital copy, referencing back to the power and the control of “ownership.” He states that unless you’re getting the rights to it, it’s not ownership, it’s a copy. Unless we own it, it’s not repatriation. (see: Boast and Enote: 2013)

<sup>xiii</sup> <http://www.amnh.org/explore/news-blogs/news-posts/zuni-film-and-events-at-the-2013-mead-festival>

<sup>xiv</sup> Unfortunately the funds to create good digital masters from the original films (still in cold storage) are limited but these copies made from the Umatic video tapes do provide access to the content of the films, when determined that the access is appropriate.

<sup>xv</sup> The terms of this 1986 restriction and the history of its development requires a review based on the ATSLIRN, (The Aboriginal and Torres Strait Islander Library and Information Resource Network) Protocols for Libraries, Archives and Information Service first published in 1995 and updated in 2005 and again in 2010.

<sup>xvi</sup> It’s worth noting here that in William Henry Fox Talbot’s *The Pencil of Nature*, the first book illustrated with photographs and the first mass production of photographs, includes Plate IX “Facsimile of an old printed page” containing the statutes of Richard the Second, written in Norman French, anticipating a PDF available on a web site with full text by well over a hundred years. This points to the fact that the issue of mass reproductions of any kind, not just photographs but up to and including 3D printing technology, opens a potential Pandora’s box regarding intellectual ownership and control.

<sup>xvii</sup> Comparisons to the legal mandates resulting from the Native American Graves Protection and Repatriation Act (NAGPRA) for material culture are inevitable in this context, particularly since the initiative began with the legal requirement that any institution with Native American material culture holding conduct an inventory of all relevant materials. However, the crucial difference is who made the object. NAGPRA addresses the repatriation of materials that are returned to the communities that made them. Archival records were made by the outsiders.

<sup>xviii</sup> Recorded in his keynote address at “After the Return: Digital Repatriation and the Circulation of Indigenous Knowledge,” workshop, held at the Smithsonian Institution, Washington, D. C. on January 18-21, 2012. See: <http://digitalreturn.wsu.edu/workshop/> [last accessed: 31/08/2014]

<sup>xix</sup> This statement is based on a comment made by an executive member of the Society of American Archivists speaking at the Cultural Heritage Archives in September 2013 at the Library of Congress.

<sup>xx</sup> For a detailed description of this remarkable system now serving over 31 remote communities across 200,000 square miles, organized in a non-linear fashion, with access directed by a user’s gender and seniority see: Thorner, 2010.

<sup>xxi</sup> The system’s profiles for entities along with object records echoes ISAAR-CPF and by extension EAC and linked data and to the work being done by ICA’s expert group on archival description (EGAD) showing the value of using local ontologies and interoperable standards to enhance control and access to this wealth of indigenous knowledge.

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<sup>xxii</sup> The Association of Tribal Archives, Libraries, and Museums (ATALM) released its landmark study, *Digital Inclusion in Native Communities: The Role of Tribal Libraries*. The national study, funded by the Institute of Museum and Library Services, provides the first comprehensive data on the structure, activities, and needs of tribal libraries as they work to help improve broadband access and digital literacy in (U.S.) Native communities.

<sup>xxiii</sup> Incorporated in 2010, the Association of Tribal Archives, Libraries, and Museums is a non-profit organization whose vision is to ensure that every tribal nation will have its own archive, library, and museum to house locally its historical photographs, literature, songs, stories, and language recordings; its treaty documents, legal histories, historical data, ethnographies, and traditional information pertaining to each tribe. This critical body of knowledge—along with oral traditions and traditional art and artifacts—will be preserved and made readily accessible in a central locale and in a culturally appropriate manner. Materials will be housed in appropriate facilities and managed by professionally trained staff, thereby ensuring the political and cultural survival of tribal peoples in the 21st Century and beyond. See: <http://www.atalm.org/> [last accessed 01/09/2014]