Literature Review and Author Dialogue Report

Prepared by the Response to the Report of the Truth and Reconciliation Commission Taskforce of the Steering Committee on Canada's Archives

(March 2019)

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I. Introduction

This literature review builds an understanding of active work in the field of archives and information management, highlighting areas of mutual interest and concern for First Nations, Inuit, and Métis recordkeepers and communities and their non-Indigenous counterparts. The knowledge gained from this review underpins the taskforce's work in relationship building and community engagement and informs the drafting of policies and protocols for the culturally appropriate management of First Nations-, Inuit-, and Métis-related materials held in Canadian archives.

From July 2017 to December 2018, taskforce members identified 98 publications with germane content. These publications were compiled into a master bibliography and further assessed for relevancy. Taskforce members then selected and formally reviewed 57 articles and identified 25 of their authors for follow-up dialogues, which provided an opportunity for authors to share updates, new findings, advice, and guidance that might be relevant to the work of the taskforce. As of March 8, 2019, taskforce members had spoken with seven of the authors contacted for follow-up dialogues.

Upon completion of the literature review and follow-up author dialogues, taskforce members analyzed the collected information and identified the following recurring themes and trends: (1) archival policy and practice, (2) the role of archivists, and (3) recommendations and warnings.

It must be noted that while the completed literature reviews provided in *Appendix I* of this report have been translated into French all but three of the articles reviewed are only available in English.

II. Archival Policy and Practice

Common themes related to archival policy and professional practice were broadly connected to concepts of Indigenous rights, archival governance, description and metadata, and archival access.

- ***Indigenous Rights***

The International Council on Archives Human Rights Working Group, Anne J. Gilliland, Jennifer O'Neal, and others reflected on the relationship between archival materials, human rights, and the "right to know."[1] They pointed out the need for archivists to adopt the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) and make space for Indigenous self-determination in the field of archives and information management.[2]

[1] Jennifer O'Neal, "'The Right to Know': Decolonizing Native American Archives," *Journal of Western Archives* 6, no. 1 (2015): 1–19, http://digitalcommons.usu.edu/westernarchives/vol6/iss1/2.
[2] International Council on Archives Human Rights Working Group, "Basic Principles on the Role of Archivists and Records Managers in Support of Human Rights" (working document, International Council on Archives, September 2016), https://www.ica.org/sites/default/files/ICA%20HRWG%20Basic%20Principles_endorsed%20by%20PCOM_2016_Sept_English.pdf .

Another emergent theme was the need to reimagine the concepts of ownership, respect des fonds, and provenance within a human rights and Indigenous intellectual property framework.[3] Such a perspective would take into consideration the moral rights of Indigenous Peoples, community concepts of ownership, and Indigenous ways of knowing, none of which are currently integrated into standard archival policies and practices.[4]

- ***Archival Governance***

The literature review and follow-up author dialogues also identified the need for Indigenous participation and involvement in archival governance structures. In practice, such participation could resemble a form of shared stewardship, in which archival collections are viewed as cultural assets cared for by both the communities of origin and the archives.[5] This and other shared governance models emphasize the need for Indigenous people and communities to be included at every level of archival decision-making and policy formation.[6]

Further to this concept of shared governance is the need to ensure equity of employment. Archives should employ, train, and support the professional development of Indigenous people who are interested in pursuing work in the archives' profession.[7] Many people from First Nations, Inuit, and Métis communities have a wealth of cultural information that can be integrated into archival spaces and applied to archival work. However, they need to be provided with the time and space to do the work honestly and thoroughly rather than placed in tokenized positions – a practice that only serves to reinforce colonially rooted archival policies and practices. First Nations, Inuit, and Métis communities and organizations and the Canadian archival community need to actively collaborate to create new positions, practices, and professional networks.

- ***Description and Metadata***

A number of existing archival protocols, including the Aboriginal and Torres Strait Islander Protocols for Libraries, Archives and Information Services and the Protocols for Native American Archival Materials, discuss the importance of making metadata and descriptive standards more inclusive of Indigenous languages, knowledges, and histories.[8]

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[3] Stacy Wood et al., "Mobilizing Records: Re-framing Archival Description to Support Human Rights," *Archival Science* 14, no. 3–4 (2014): 397–419.
[4] Brigitte Vézina, "Cultural Institutions and the Documentation of Indigenous Cultural Heritage," in *Indigenous Notions of Ownership and Libraries, Archives and Museums*, ed. Camille Callison, Loriene Roy, and Gretchen Alice LeCheminant (Berlin: Walter de Gruyter, 2016), 89–105.
[5] Michelle Caswell, "Toward a Survivor-Centered Approach to Records Documenting Human Rights Abuse: Lessons from Community Archives," *Archival Science* 14, no. 3–4 (2014): 312.
[6] Australian Library and Information Association, "Libraries and Information Services and Indigenous Peoples," Australian Library and Information Association, amended 2009, https://www.alia.org.au/about-alia/policies-standards-and-guidelines/libraries-and-information-services-and-indigenous-peoples.
[7] Australian Society of Archivists, "Policy Statement on Archival Services and Aboriginal and Torres Strait Islander Peoples," May 1996, http://www.archivists.org.au/documents/item/32.
[8] Aboriginal and Torres Strait Islander Library, Information and Resource Network Inc., "ATSILIRN Protocols for Libraries, Archives and Information Services," ATSILIRN, 2012, https://atsilirn.aiatsis.gov.au/protocols.php; Kathryn Beaulieu et al., *Protocols for Native American Archival Materials* (n.p.: First Archivists Circle, 2007), http://www2.nau.edu/libnap-p/PrintProtocols.pdf.

The authors of several reviewed articles also identified participatory description, liberatory description, and community-based descriptive practices as additional ways to recoup marginalized histories, facilitate more accurate archival descriptions, and build spaces for community knowledge within archival structures.[9] Indigenous participation in description practices could ensure that records are situated within local Indigenous contexts while also increasing the usability of records for Indigenous researchers and other users.[10]

- ***Access and Restrictions***

The literature and authors engaged in dialogue overwhelmingly recommended that archives should ensure that their access policies and practices are culturally appropriate. They advised archives to work in partnership with Indigenous stakeholders to review their policies and determine who should have access to Indigenous-related archival materials.[11]

Digitization offers one possibility for facilitating additional access to Indigenous-related archival materials, especially in the case of archives holding materials from remote and geographically diverse communities.[12] Digitization could also provide Indigenous communities with opportunities to annotate, correct, and share archival materials. However, access to these materials must be provided in ways that are grounded in Indigenous knowledge systems and respect community knowledge protocols.[13] Indigenous communities should be contacted and consulted prior to the beginning of any digitization project involving Indigenous-related archival materials, regardless of whether the project is designed to ensure preservation or to improve accessibility.[14]

Digital repatriation of archival records also offers opportunities for increased local access.[15] For example, the Aboriginal and Torres Strait Islander Data Archive (ATSIDA) project aims to digitally repatriate records *about* Indigenous Peoples *to* Indigenous Peoples. This and other similar projects provide models for different types of repair, repatriation, and community-building initiatives in which archives can be

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[9] Michelle Caswell, "Inventing New Archival Imaginaries: Theoretical Foundations for Identity-Based Community Archives," in *Identity Palimpsests: Archiving Ethnicity in the U.S. and Canada*, ed. Dominique Daniel and Amalia S. Levi (Sacramento, CA: Litwin Books, 2014), 35–56.

[10] Isto Huvila, "Participatory Archive: Towards Decentralised Curation, Radical User Orientation and Broader Contextualisation of Records Management," *Archival Science* 8, no. 1 (2008): 15–36.

[11] Australian Library and Information Association, "Libraries and Information Services and Indigenous Peoples."

[12] Huvila, "Participatory Archive," 15–36.

[13] Alex Byrne, "Digitising and Handling Indigenous Cultural Resources in Libraries, Archives and Museums" (paper presented at the UNESCO Memory of the World Conference, Canberra, Australia, February 20, 2008), http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/mow/mow_3rd_international_conference_alex_byrne_indigenous_en.pdf.

[14] Alana Garwood-Houng, "Tracking the ATSILIRN Protocols: Maintaining the Focus on Indigenous Library Issues" (paper presented at the Australian Library and Information Association Biennial Conference, Alice Springs, Australia, September 2–5, 2008), https://www.researchgate.net/profile/Alana_Garwood/publication/266895242_TRACKING_THE_ATSILIRN_PROTOCOLS_MAINTAINING_THE_FOCUS_ON_INDIGENOUS_LIBRARY_ISSUES_TRACKING_THE_ATSILIRN_PROTOCOLS_MAINTAINING_THE_FOCUS_ON_INDIGENOUS_LIBRARY_ISSUES/links/54dbda690cf2a7769d94181f.pdf.

[15] Kimberly Christen, "Opening Archives: Respectful Repatriation," *American Archivist* 74, no.1 (2011): 185–210.

involved.[16]

III. The Role of Archivists

The role and responsibility of individual archivists emerged as another common thread in the literature review and follow-up author dialogues. Discussions pointed to the recognition that the best policies in the world will prove to be inadequate unless they are implemented and sustained by archivists themselves.

- ***Decolonization and Cultural Awareness***

In the literature and follow-up dialogues, authors shared practical suggestions identifying actions archivists can take as individuals working toward decolonization in the archives' profession. They encouraged archivists to find opportunities for building cultural awareness and to take advantage of these personally if they are not available professionally. As many institutions do not provide cultural awareness training, employees can legitimately fear doing harm or causing unintended offense through their own ignorance.[17] Archivists should therefore proactively engage in their own review of professional discourse, seeking out relevant training opportunities, challenging their understanding of concepts such as cultural awareness and privilege, and recognizing the racial and power dynamics embedded within the archives' profession. Building personal cultural awareness toolkits will enable archivists to engage in uncomfortable and/or challenging socio-political discussions and situations[18] as well as to contribute to building more culturally informed institutional decision-making processes.[19]

- ***Archivists as Activists***

Another recurring theme was the need to embrace activism as part of an archivist's professional responsibility. This requires archivists to challenge the concepts of neutrality or objectivity in archives and actively engage in issues that support community-centred political goals.[20] For example, archivists should lobby to prevent the destruction of Independent Assessment Process (IAP) records by the Indian Residential Schools Adjudication Secretariat. They should accept their ethical obligations as information professionals to become "vocal and active advocates for records retention"[21] and collectively lobby for funding that supports the documentation requirements of reconciliation. Individual archivists could also

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[16] Gabrielle Gardiner et al., "Respect, Trust and Engagement: Creating an Australian Indigenous Data Archive" (paper presented at the World Library and Information Congress: 76th IFLA General Conference and Assembly, Gothenburg, Sweden, August 10–15, 2010), https://www.ifla.org/past-wlic/2010/86-gardiner-en.pdf.

[17] Jennifer O'Neal, follow-up dialogue, February 27, 2019.

[18] Eve Tuck and K. Wayne Yang, "Decolonization is Not a Metaphor," *Decolonization: Indigeneity, Education and Society* 1, no. 1 (2012): 1–40, https://www.ryerson.ca/content/dam/aec/pdfs/Decolonization-is-not-a-metaphor.pdf.

[19] Crystal Fraser and Zoe Todd, "Decolonial Sensibilities: Indigenous Research and Engaging with Archives in Contemporary Colonial Canada," in "Decolonising Archives," ed. L'Internationale Online and Rado Ištok, special issue, *L'Internationale Online* (February 14, 2016): 32–39, https://www.internationaleonline.org/research/decolonising_practices/54_decolonial_sensibilities_indigenous_research_and_engaging_with_archives_in_contemporary_colonial_canada.

[20] Caswell, "Toward a Survivor-Centered Approach to Records Documenting Human Rights Abuse," 307–22.

[21] Tom McMahon, follow-up dialogue, February 25, 2019.

support the positions of their national and regional associations as they publicly denounce identified abuses in recordkeeping that subvert the rights of First Nations, Inuit, and Métis peoples in Canada.[22]

- ***Evolving Skill Sets and Professional Competencies***

The follow-up author dialogues delved into the compatibility of traditional archival skill sets with the work of decolonization and reconciliation. Traditional measurements of success in archives often focus on metrics related to records processed or digitized, researchers served, and backlog cleared. However, archivists should instead focus on those metrics related to the critical skills needed to build relationships with communities and measure success by the number and quality of respectful relationships developed and sustained.[23] Archivists should also assess and prioritize projects by how meaningful they are to their community partners.[24]

The literature identified education and training as important in preparing information professionals to be responsive to the needs of diverse communities.[25] However, authors also recommended that the profession look beyond traditional archival education to incorporate multidisciplinary skills and competencies into the archival skill set. This could include training in Indigenous research methodologies,[26] social-work methodologies,[27] community-based pedagogies, and social activism.[28]

IV. Recommendations and Warnings

The work of decolonization and reconciliation in the archives profession cannot be merely symbolic. It must involve a genuine dismantling of colonial structures.[29] The work of this taskforce is carried out with an awareness of the efforts, successes, and failures of similar groups that have developed principles and protocols to guide the building of respectful relationships between archives and Indigenous communities worldwide.

The literature reviewed and authors interviewed shared examples of existing work that provides recommendations and warnings related to consultation and protocol-development processes. These include the work of Joanne Evans on the Setting the Record Straight for the Rights of the Child summit, Anne J. Gilliland on the International Council on Archives Human Rights Working Group's "Basic Principles on the Role of Archivists and Records Managers in Support of Human Rights," Jennifer O'Neal on the Protocols for Native American Archival Materials, and Kirsten Thorpe on the ATSILIRN Protocols.

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[22] McMahon, follow-up dialogue.
[23] O'Neal, follow-up dialogue.
[24] O'Neal, follow-up dialogue.
[25] Kirsten Thorpe, "Protocols for Libraries and Archives in Australia: Incorporating Indigenous Perspectives in the Information Field" (paper presented at the World Library and Information Congress: 79th IFLA General Conference and Assembly, Singapore, August 17–23, 2013), http://library.ifla.org/99/1/125-thorpe-en.pdf.
[26] O'Neal, follow-up dialogue.
[27] Joanne Evans, follow-up dialogue, February 4, 2019.
[28] Caswell, "Toward a Survivor-Centered Approach to Records Documenting Human Rights Abuse," 307–22.
[29] Fraser and Todd, "Decolonial Sensibilities," 32–39; Jamila J. Ghaddar, "The Spectre in the Archive: Truth, Reconciliation, and Indigenous Archival Memory," *Archivaria* 82 (Fall 2016): 3–26; Tuck and Yang, "Decolonization Is Not a Metaphor," 1–40.

The process of developing principles or protocols should be iterative and include ongoing opportunities for consultation and input from Indigenous stakeholders.[30] Protocols should also be regularly revisited, evaluated, and revised if necessary;[31] face-to-face gatherings help keep focus and momentum on the work.[32]

Many of the other protocols and recommendations included in this literature review have been adopted unevenly.[33] The taskforce should be well aware of this and should work proactively to ensure any developed protocols are effectively and broadly implemented. Such work may include promoting continuing education opportunities for archivists,[34] developing practical tools and strategies for implementation,[35] lobbying and/or advocating for funding to facilitate implementation,[36] and appointing key champions in the field for this purpose.[37]

It must also be noted that pan-Indigenous initiatives may not be effective. Support should be given to community-specific initiatives, and any actions toward implementing protocols should only been carried out in conjunction with community consultation and an informed understanding of local contexts.

[30] Kristen Thorpe, follow-up dialogues, January 22, 2019, February 12, 2019.
[31] Garwood-Houng, "Tracking the ATSILIRN Protocols."
[32] O'Neal, follow-up dialogue; Evans, follow-up dialogue.
[33] Joanne Evans et al., "Self Determination and Archival Autonomy: Advocating Activism," *Archival Science* 15, no. 4 (2015): 337–68; O'Neal, follow-up dialogue; Thorpe, follow-up dialogue.
[34] See previous section.
[35] Garwood-Houng, "Tracking the ATSILIRN Protocols"; Thorpe, follow-up dialogue.
[36] Evans, follow-up dialogue.
[37] Thorpe, follow-up dialogue.

Appendix I: Literature Review

1. Alexander, Ben. "Excluding Archival Silences: Oral History and Historical Absence." *Archival Science* 6, no. 1 (2006): 1–11.

Keywords: cultural memory, oral history, Yaddo

Thesis/Description

This case study exemplifies how oral history and oral reflection can be used to preserve aspects of culture that are often undocumented.

Key Points

Even with the best arrangement, archival documents are unable to accurately reveal the experience of culture. This article includes

- an examination of the Yaddo estate archival records and the archival silences found in these records
- a discussion of using oral history to complement the archival records

Summary

This case study aims to place the Yaddo records into the context of archival silences and explores the impact of oral history on archival records. The author draws on his personal experience working as an archivist with the Yaddo materials and conducting oral history interviews with individuals connected to the Yaddo estate. The paper draws on the work of public historians and the National Park Service's oral history projects to highlight the value of oral history in building historical narratives.

2. Aboriginal and Torres Strait Islander Library Information and Resource Network Inc. "ATSILIRN Protocols for Libraries, Archives and Information Services." ATSILIRN, May 7, 2012. https://atsilirn.aiatsis.gov.au/protocols.php.

Keywords: protocols, information services, community engagement

Thesis/Description

The ATSILIRN protocols were developed in 1995 and updated in 2012 by the Australian Library and Information Association (ALIA) and then endorsed by the Aboriginal and Torres Strait Islander Library, Information and Resources Network (ATSILIRN). According to the ATSILIRN website, the protocols are a guide to good practice that need to be interpreted and applied within the context of each organization's mission, collections, and client community. They support culturally appropriate interaction with Aboriginal and Torres Strait Islander people in the communities the organizations serve and guide the handling of materials with Aboriginal and Torres Strait Islander content.

Summary

The ATSILIRN website provides the following outline:

The protocols address:

- the recognition of the moral rights of Aboriginal and Torres Strait Islander peoples as the owners of their knowledge;
- other important issues arising from Aboriginal and Torres Strait Islander content and perspectives in documentary materials, media and traditional cultural property;
- issues in access to libraries, archives and information resources by Aboriginal and Torres Strait Islander peoples;
- encouragement for both the involvement and the participation of Aboriginal and Torres Strait Islander peoples in the governance and operation of libraries, archives and information services; and
- appropriate representation of Aboriginal and Torres Strait Islander peoples and their cultures in libraries, archives and information services.

The protocols speak directly to the following 12 areas of practice:

1. governance and management
2. content and perspectives
3. intellectual property
4. accessibility and use
5. description and classification
6. secret or sacred materials or sensitive materials
7. offensive materials
8. staffing
9. developing professional practice
10. awareness of Aboriginal and Torres Strait Islander peoples and issues
11. copying and repatriation of records to Aboriginal and Torres Strait Islander communities
12. the digital environment

Under each of the above headings is a statement of practice, followed by recommended activities that support this statement of practice.

The ATSILIRN also clearly identifies what the protocols are not. They are not intended to be prescriptive or definitive but, rather, a starting point for problem solving for the information professional. The protocols also are not intended to promote censorship over records now considered offensive; such records are still to be understood in their historical context and presented with enough description to be understood as such.

3. Anderson, Jane. "Access and Control of Indigenous Knowledge in Libraries and Archives: Ownership and Future Use." In *Proceedings, Correcting Course: Rebalancing Copyright for Libraries in the National and International Arena*, 1–36. New York: American Library Association, The MacArthur Foundation, and Columbia University, 2005. http://ccnmtl.columbia.edu/projects/alaconf2005/paper_anderson.pdf.

***Keywords*:** copyright, Indigenous knowledge, access, control, ownership, Aboriginal Australia, intellectual property

Thesis/Description

This paper discusses the position of Indigenous knowledge within intellectual property law, using case studies from collecting institutions in Australia, and draws some conclusions about rebalancing copyright for Indigenous people.

Key Points

- Intellectual property laws can be seen, in essence, as government tools for marketing information. A movement is growing to give Indigenous knowledges and practices recognition through some kind of property law regime. The position of Indigenous knowledge within these markets is concerning since "there appears little room within the law for considerations of cultural integrity and preservation issues that are argued to be more relevant to Indigenous communities than relations with the market" (p. 10). In quoting Martin Nakata the author notes that increasingly, "discussions of indigenous knowledge remake it as 'a commodity, something of value, something that can be value added, . . . exchanged, traded, appropriated, preserves. . . excavated and mined'" taken from M. Nakata, "Indigenous Knowledge and the Cultural Interface: underlying issues at the intersection of knowledge and information systems" (2002) 28 International Federation of Libraries Association Journal 281, p. 283, (p. 12).
- The author refers to the work of Arun Agrawal when identifying "there is a tendency ... to construe indigenous knowledge as somehow fundamentally different to other forms of knowledge. Arguably this process of construction echoes the past romanticisation of indigenous people" from A. Agrawal, "Dismantling the Divide Between Indigenous and Scientific Knowledge" (1995) 26 Development and Change 41, (p.11).
- This "pervading emphasis on the 'traditional' component of indigenous knowledge facilitates a perception of incompatible differences between indigenous and western knowledge. . . . Reliance upon the term 'traditional' precludes an appreciation of the dynamism of indigenous ways of knowing: fixing in . . . the past, forms of knowledge that are . . . constantly evolving," (p. 13)
- "'When we evoke a mysterious otherness or radical difference in referring to indigenous cultures we are in danger of replaying prejudices that assume the inherent inferiority of indigenous peoples and their practices.' . . . Thus what is potentially destabilising for the position of indigenous knowledge in intellectual property is a reliance on notions of a 'traditional culture' that evoke ... romanticised notions of indigenous cultures, experience, and communities" quote

taken from D. Ivison, P. Patton and W. Sanders, "Introduction" Ivison, D., P. Patton and W. Sanders (eds), Political Theory and the Rights of Indigenous Peoples Cambridge University Press: Cambridge, 2000 at 4 (p. 14).

- "Many institutions do respond directly to requests put by Indigenous people" regarding management of how and to whom access is provided to Indigenous material (p. 22). "In Australia, both AIATSIS and the Australian Museum have pioneered ways of dealing with these ethical questions" – for example, by "conducting consultations . . . to determine the right access conditions, as well as cultural clearances for using material. . . . In some instances, these processes contradict legal notions of fair use and public domain, but the institution makes a decision ... on a case by case basis . . . informed by ethical considerations in regards to the process of rebalancing rights of access and control to Indigenous people" (p. 22).
- Institutions must tread "a delicate balance between owners and users in contexts exacerbated by colonial pasts and postcolonial politics" (p. 31). Institutions can "choose to be respectful and acknowledge differing and not necessarily legal rights" (p. 33).

Summary

Dr. Anderson was a visiting research fellow from the Smithsonian to the Australian Institute of Aboriginal and Torres Strait Islanders Studies. This paper was written over 10 years ago, when the development of the use of protocols to address Indigenous and cultural access and ownership was a new concept. The paper is interesting for this research group because, despite the differences between Canadian copyright legislation and Australian law, many of the principles and issues addressed in this paper are also true of the Canadian context.

4. Australian Library and Information Association. "Libraries and Information Services and Indigenous Peoples." Australian Library and Information Association, 2009. https://www.alia.org.au/about-alia/policies-standards-and-guidelines/libraries-and-information-services-and-indigenous-peoples.

***Keywords*:** position statement, information services

Thesis/Description

ALIA is in a critically important position with regard to its roles in the process of reconciliation and in supporting and improving the information services provided to Indigenous Peoples.

Key Points

The ALIA objects addressed include the following:

- promotion of the free flow of information and ideas to all of Australian society
- promotion and improvement of library and information agency services
- ensuring a high standard of personnel

The ALIA principle states, "In furthering the goals of free flow of information, library and information services must engage with Indigenous clienteles and with issues arising from Indigenous knowledge and the experiences and priorities of Indigenous Australians."

The ALIA statement acknowledges

- the role libraries have to play in processes of reconciliation
- the participation of Indigenous Peoples in planning and decision making within library and information services
- a commitment to promoting participation by Indigenous Peoples

Within the statement (excerpted below) are four key areas to be addressed by the "library and information services sector in providing services to Indigenous peoples, and in managing information relevant to Indigenous cultures and communities":

1. Indigenous peoples are included in decision-making and policy formulation processes . . . and . . . in the governance and operation of library and information services.
2. Provision and management of information resources and provision of services recognize cultural diversity, and culturally appropriate decisions are made on all issues related to access to information and provision of services. . . .
3. For equity of employment, Indigenous peoples must have access to employment opportunities at all levels and in all areas of library and information services. Opportunities for education and training should be provided. . . .
4. Cross-cultural awareness programs are implemented and provide opportunities for two-way learning. Programs should reflect the diversity of Indigenous peoples and be developed in conjunction with the local Indigenous community.

5. Australian Society of Archivists. "Policy Statement on Archival Services and Aboriginal and Torres Strait Islander Peoples." Adopted at the Annual General Meeting, [Alice Springs, NT], May 23, 1996. http://www.archivists.org.au/documents/item/32.

***Keywords*:** reconciliation, cultural sensitivity, access, active participation, cross-cultural awareness programs

Key Points

- Archivists "have a vital role to play in assisting the process of reconciliation" in Australia, particularly as many archival records "have the potential . . . to either greatly assist or greatly hinder the process of reconciliation."
- Most records were "not created by Aboriginal and Torres Strait Islander people" but may contain information that is sacred to them; therefore, "archivists need to be sensitive to these issues and institute access policies which take account of the concerns and moral rights of Aboriginal people."

- Archival records contain information relating to "Aboriginal customs, traditions, genealogies, the experience of European invasion and the imposition of foreign laws and administrative systems. Much of this information . . . has been lost to the oral tradition and memory of Aboriginal people"; therefore, it is the archivists' responsibility to assist Indigenous people in making use of these archival materials and services. Archivists therefore "need to design and implement service environments, systems, routines, finding aids and promotional material . . . which make appropriate access to records a culturally-sensitive, welcoming and relatively stress-free experience."
- Such access can only be accomplished by first establishing meaningful links with the Aboriginal and Torres Strait Island communities, i.e., through "the use of appropriate consultative and liaison mechanisms but also by facilitating the active participation of Aboriginal and Torres Strait Islander peoples in archival planning and decision-making processes and in routine operation of archival institutions at various levels."
- Archives must employ, train and educate Aboriginal and Torres Strait Islander staff and assist them in their pursuit of careers in archives.
- "Cross-cultural awareness programs" must be implemented to "promote an appreciation . . . of the diversity of Aboriginal and Torres Strait Islander communities and cultures."

6. Bailkin, Jordanna. "Where Did the Empire Go? Archives and Decolonization in Britain." A*merican Historical Review* 120, no. 3 (2015): 884–99.

***Keywords*:** decolonization, United Kingdom, archival access, social history, empire, welfare state

Thesis/Description

This paper discusses where the "archives of decolonization"' exist in the United Kingdom, what those archival records are, and issues with access.

Key Points

- "Conceiving of decolonization as an archival event can enrich our understanding of its diverse histories and give it new multidimensionality" (p. 885).
- "The politics of archival access have shaped how decolonization has been defined (as a diplomatic process rather than a social one), as well as where we think it took place (overseas rather than in Britain) and to whom we think it mattered (policymakers rather than ordinary citizens)" (p. 885).
- The archives of decolonization exist in the records generated by the welfare state.

Summary

Bailkin's article is relatively recent, and she references primary source research undertaken at the UK National Archives. Despite the focus being on the United Kingdom, its usefulness is that it seems to echo the Canadian experience of decolonization – as a social rather than a political event. Her theory –that

archives documenting decolonization exist within the welfare records generated by postcolonial governments – could be applied to the Canadian context (e.g., health records, social security, benefits, pensions, education, housing).

7. Bastian, Jeannette A. "Flowers for Homestead: A Case Study in Archives and Collective Memory." *American Archivist* 72, no. 1 (2009): 113–32.

***Keywords*:** memory

Thesis/Description

This paper addresses concepts of how historical events are remembered and how memory interacts with the historical record, by analyzing the memory trajectory of one well-remembered event in American history, the Homestead Strike of 1892.

Key Points

- When referring to the Homestead Strike, the author suggests one is also referring to the ideologies that shaped this event, such as "attitudes about labor, capitalism, wealth and morality" (p.116).
- The author suggests an important question archivists ask themselves is who gets memorialized in written history and who gets silenced as archival work is a critical ingredient "in the memory-making" and therefore history-making process (p.116).
- Historians previously understood history and collective memory as two distinct fields of study, however the "social movements of the twentieth century with their competing narratives and diversity of voices, defied traditional historical documentation and analysis" and collective memory was used as a means through which to process and explain global events and advance historical understanding (p.118).
- Bastian proposes that archivists should study memory because "charting the history of a particular collective memory as an extension of the event itself ...[can]... augment, enhance, and contextualize the records…[thereby filling]....in some of the undocumented and under documented spaces" (p.119).
- The author identifies the importance of counter-memory, along with collective memory, to overall historical understanding. She also points to the necessity of rich, multi-layered archival description to fully document the many facets of collective memory alongside a historically documented event (p. 130).
- Bastian suggests that by pairing the fluid, dynamic nature of collective memory, along with fulsomely contextualized description, finding aids could be designed to be open ended and amenable to accommodate new memories (p.130). In this way, "archives can provide the continuity of a narrative as it moves from the actual event into the fluid space of its remembrance" (p. 131).

Summary

While the focus is on a singular event, the article offers a good argument for counter-memory and looks at the division between history and memory and the importance of new memories.

8. Bastian, Jeannette A. "The Records of Memory, the Archives of Identity: Celebrations, Texts and Archival Sensibilities." *Archival Science* 13, no. 2-3 (2013): 121–31.

***Keywords*:** culture, cultural, postcolonial, community archives, memory, identity, celebrations

Thesis/Description

The focus of this article is on the more basic and fundamental issue of locating cultural expressions beneath a wide and all-encompassing umbrella of records and archives.

Key Points

- Through cultural celebrations such as carnival, communities retell, update and comment upon their history, politics and social dynamics acting as "both a cultural touchstone and a complex of cultural traces and markers for its community" (p.123).
- The author poses the following critical questions for consideration: "if cultural expressions are records, how can they be legitimately and seamlessly accommodated and subsumed within an archive? ….What kind of archival framework will accommodate these cultural expressions often manifested in formats that are not generally recognized as archival"...and as "the archive is already well established as a site of political and social discourse, it is also a site of cultural discourse as well?" (p. 123).

  The author points to the works by past archival scholars who have been working to redefine archival theory so as to acknowledge "the importance of the oral heritage and indigenous tradition, the understanding of archives as expressions of power relationships, and the recognition of records themselves as non-neutral and socially mediated are all contributing to the emergence of new archival models" (p. 123).
- Given the dynamic nature of cultural expression and its importance in the documentation of a community, the author examines a 'postcolonial archives' framework as means through which to both locate, preserve and maintain "cultural signifiers of memory and identity and as a mental map for thinking about traditional and non-traditional records in unconventional ways" (p. 124).
- In thinking about "postcolonial archives" the author poses the following important questions for consideration:

  Can we assume that if the colonial archive contains only the imperialistic records of an unsalutary past, that the postcolonial archive holds only the indigenous expressions of a more equitable future? Are the narratives and the counter-narratives separate and distinct? A more precise archival understanding of a postcolonial archive might determine not only whether this is an appropriate intellectual space but also a legitimately archival one, a

suitable location for cultural archives (p. 125).

- The author's final key point speaks to the nature of the cultural archive, or community-based archives which, she argues, provides a framework upon which to weave "seamlessly between past and present, locates cultural records between narrative and counter-narrative, and mediates within local and national creators. It supports collective memory and communal identity as it embraces an inclusive societal provenance that considers all the elements that are essential for the full societal record." (p. 130).

Summary

Are we still at a point where we have to justify folk traditions as a legitimate form of memory? This offers a good place to look at where the archives community once was, but this article should be used as a foundation to be built on, rather than an opportunity to rehash the same argument.

9. Bastian, Jeannette A. "'Play Mas': Carnival in the Archives and the Archives in Carnival: Records and Community Identity in the US Virgin Islands." *Archival Science* 9, no. 1-2 (2009): 113–25.

***Keywords*:** Carnival, archives, Virgin Islands, performance, community record, memory culture

Thesis/Description

This paper examines carnival as a cultural archive. Carnival, an annual tradition in many Caribbean islands, was initially created by both enslaved and freed Africans as a counter-narrative to the festivals of the colonizers. This article explores the "recordness" of cultural performances and makes a claim for their consideration as embodied archives.

Key Points

- Bastian states that the "dynamic structures of communities and their complex cultural expressions challenge archivists to look beyond traditional practice and embrace new ways of seeing and understanding records" (p. 113).
- The author argues that if archivists want to "make accessible the cultures and communities, traditions, and folklore that operate beyond the conventional folders and servers" that they must push to actively involve themselves in "the ways in which archival constructs can elucidate the great variety of human expression" (p. 114).
- Bastian argues that the ways through which a community expresses and reaffirms its culture is "so complex, so evocative, and so self-contained" that these cultural expressions themselves "hold a critical array of information about the society that produced them" (p.115).
- The author identifies carnival as a "living cultural archive" (p. 115) which is by its very nature as a manifestation of culture is "not static, but continually reinterpreting and reimagining itself" (p. 120).
- Bastian argues that "while the content of carnival cannot be called fixed in the traditional record sense, it could be considered 'fixed' in the conceptual sense. Certainly, it is firmly 'fixed' within

the ethos of the society that produces it" (p. 121).

- Archivists must understand that the dynamic and evolutionary nature of cultural events means that documenting such events "is also a continuing and organic process" (p. 124).

Summary

Are we still at a point where we have to justify folk traditions as a legitimate form of memory? Like Bastian's other article, this seems like it should be used as a building block.

10. Brascoupé, Simon, and Howard Mann. *A Community Guide to Protecting Indigenous Knowledge*. Edited by Edwinna von Baeyer. Ottawa: Department of Indian Affairs and Northern Development, 2001.

***Keywords*:** Traditional Knowledge, preservation, community project, consultation, guide

Summary

This guide walks community members through the necessary steps required to establish a successful program for the preservation of Traditional Knowledge: from consulting Elders to getting approval from the band council to developing a strategic plan. After each step is completed, there is a form upon which to take notes and document what was done. The guide also addresses the legal implications of this protection and offers an appendix on intellectual property rights as well as a glossary of legal terms. Its focus is more specific to Traditional Knowledge than to administrative records. There is also one page specific to Inuit communities.

11. Brothman, Brien. "The Past That Archives Keep: Memory, History, and the Preservation of Archival Records." *Archivaria* 51 (Spring 2001): 48–80.

***Keywords*:** memory, record preservation, uses of the past

Thesis/Description

This article presents the documentary past as a form of memory. It aims to highlight the conceptual, organizational, and technological aspects of memory-based recordkeeping of which archivists should be aware.

Key Points

- The record continuum can be interpreted in a way that develops models of memory and supports archival missions.
- The framing of records as artifacts of memory (as opposed to artifacts of law and evidence) provides numerous growth possibilities for the archival field.

Summary

This theoretically framed article is grounded in historical, geographical, and philosophical understandings of time and memory. The article reflects on the differences between memory and history and the impact of the archivist's intervention on the interpretation of these ideas.

Brothman advocates for a reconsideration of the role archivists play in the construction of social and organizational memory. Throughout his work, Brothman suggests that, through the repositioning of archives, memory, and their relationship to time, it is possible for archival records to be relevant to present-day concerns and organizational investment. Ultimately, Brothman concludes that "memory is not a place; it is a process" that is directly tied to the role archivists play in shaping information for present usage (p.79).

12. Byrne, Alex. "Digitising and Handling Indigenous Cultural Resources in Libraries, Archives and Museums." Paper presented at UNESCO Memory of the World Conference, Canberra, Australia, February 20, 2008.

Keywords: community memory, intangible culture, curation, Australia

Key Points

- Tangible Indigenous artifacts and records are inseparable from intangible cultural memories and expression.
- Systems of curating, exhibiting, and providing access to cultural property are developed within professional practices drawn primarily from non-Indigenous knowledge systems.
- Digitization offers many benefits to those working with Indigenous cultural property, including the ability to annotate or comment on the established record.
- Library, museum, and archival practices are moving toward models of mutual respect; the Aboriginal and Torres Strait Protocols for Libraries, Archives and Information Services have provided an influential framework for institutions.

Summary

Traditional archival, library, and museum practices are often unable to accommodate the intangible cultural significance of artifacts and records alongside display or access to the tangible object. Records of Indigenous culture are largely from settlers outside of Indigenous knowledge systems, and misinformation is naturally carried through to archives, libraries, and museums, which have professional practices based in non-Indigenous habitus. Digitization offers some opportunities for Indigenous communities to annotate and correct misinformation. Institutions are however hesitant to engage in digitization over concerns related to cultural ownership issues, which are justifiably complicated in some situations. The ATSILIRN protocols have provided a helpful framework for institutions to begin working toward respectful handling, storage, and access of Indigenous materials, and they need updating to assist with digital work.

This conference presentation given in 2008 is dated; the Australian protocols have since been updated as more digital work has been happening over the last decade. However, the issues around professional practice and the ability to respectfully integrate Indigenous knowledge systems is an ongoing challenge within the archives field.

13. Carter, Rodney G.S. "Of Things Said and Unsaid: Power, Archival Silences, and Power in Silence." *Archivaria* 61 (Spring 2006): 215–33.

***Keywords*:** archival silence, marginalization, power dynamics, marginalized voices

Thesis/Description

This article argues that archival silences are a direct result of power relationships and represent intentional marginalization of groups from the archival record.

Key Points

- Archives are "spaces of power" (p. 216). Which voices and records are included in an archives reflect the historical and present-day power dynamics of society.
- Archival silences can be contested, and gaps in the archival record can be filled in through the conscious work of archival professionals.
- Archivists need to be aware of the intentional use of silence by marginalized groups. Silence can be a way to subvert and undermine traditional recordkeeping practices.

Summary

Carter's work is one of the foundational pieces on archival silences and archival power dynamics. In this article, Carter addresses the longstanding denial, by traditional recordkeeping processes, of archival space for records of marginalized communities. Archival silences are a form of archival violence and often reflect larger societal and state marginalization.

Archival silences compromise societal memory and larger cultural understandings of the past. Carter argues that the naming of archival silence is a way to subvert gaps in the archival record. However, he also concludes that archivists need to be wary of assuming that all marginalized groups want to be documented in archival records.

14. Caswell, Michelle. "Inventing New Archival Imaginaries: Theoretical Foundations for Identity-Based Community Archives." In *Identity Palimpsests: Archiving Ethnicity in the U.S. and Canada*, edited by Dominique Daniel and Amalia S. Levi, 35–56. Sacramento: Litwin Books, 2014.

***Keywords*:** theory, postcolonial theory, globalization, strategic essentialism, memoryscape, archival imaginaries, identity

Thesis/Description

Caswell's article posits that "three theoretical constructs – strategic essentialism, memoryscape, and [archival] imaginaries – inform the construction of identity-based community archives," which not only serve to re-assemble, or "recuperate," the often dispersed documentary record of marginalized communities but can also lead to the creation of "a more just future" (p. 37) through a re-envisioning of what is possible after a community's history is reconstructed.

Key Points and Summary

This article outlines how the following three theoretical constructs undergird identity-based community archival practice:

- **Strategic essentialism** "explains how we . . . can simultaneously build archives around identity categories *and* collect materials that denaturalize the categories themselves" (p. 41). This construct, while complicated to apply, acknowledges "that identity categories are often socially constructed by the powerful in order to marginalize those perceived to fit within those categories" and can be leveraged to organize communities around common goals and offer a multiplicity of perspectives on an event such as community founding (p. 41). Applying this theory pushes archives to question pre-existing descriptive categories, encourages "creative and community-centric descriptive practices" (p. 41), and allows the archives to "simultaneously reclaim minoritized histories and denaturalize, contextualize and historicize the categories on which they are reclaimed" (p. 44).
- ***Memoryscape*** describes the world's new digital memory landscape, where digital archives provide global access to myriad forms of recorded memory. Individuals build upon this memory base by adding their own personal memories. Communities then build upon these individual memories to forge collective memories, and then both individuals and communities come back "to contest those collective memories once forged" (p. 45). Through memoryscapes, digital archives "become sites where globalized communities undertake the messy business of contesting, renegotiating, and redefining collective memory of the past" (p. 46).
- **Archival imaginaries**, as a theory construct embraced by identity-based community archives, not only uncovers "previously untold, ignored, or misinterpreted histories," but enables communities to "imagine and reimagine different trajectories for the future" (p. 49).

In her conclusion, the author calls on identity-based community archival practitioners to harness their creative "power as archival activists to build *liberatory archival imaginaries*" (p. 51), through which the archival record can be used "not just to recuperate marginalized histories but to build more equitable futures" (p. 51).

15. Caswell, Michelle. "Toward a Survivor-Centered Approach to Records Documenting Human Rights Abuse: Lessons from Community Archives." *Archival Science* 14, no. 3-4 (2014): 307–22.

***Keywords*:** human rights, community archives, stewardship, participation

Thesis/Description

Five key principles from community archives discourse support a survivor-centred approach to the management of records documenting human rights abuses: participation, shared stewardship, archival activism, reflexivity, and multiplicity. Through the application of such an approach, survivors can "maintain control over the decision-making processes related to records documenting their abuse" (p. 307).

Key Points and Summary

In this article, the author proposes a theoretical framework for managing records documenting human rights abuse based upon the following five key principles.

- **Participation:** Through this principle, abuse survivors and their family members take an active role in the decision-making process as it pertains to records documenting their abuse, even if opening up this process to an entire community makes consensus unattainable. Such active survivor involvement could take the form of assuming "leadership roles, participating in ongoing dialogs, representation on governing and advisory boards, involvement in appraisal, description, and access policy development, and the possible employment and training of victims' family members in archival positions" (p. 315). Through the participation principle, "the role of professional archivist shifts from selector of materials to facilitator of memory work" (p. 311).
- **Shared Stewardship:** This principle proposes establishing a new model for relationships between archives and the abuse survivor community. Instead of the traditional custodial relationship, which identifies records as physical assets to be owned, the concept of shared stewardship understands the records as a cultural asset to be jointly held under a shared stewardship agreement and "invested in by the archives and the community of origin" (p. 312). Such an understanding ensures the "continuous involvement by survivors and victims' family members in decisions about the ongoing upkeep and use of these records" and ensures that the archives "are first and foremost responsible to survivors and victims' family members and not state actors" (p. 322).
- **Archival Activism:** This principle proposes that archivists who steward materials documenting atrocities and/or human rights abuses are "activist archivists" whose work is inherently political in nature and whose motivation is to seek "justice for past atrocities" so as to create a more "just future" (p. 318). Through this principle, archival practice becomes intrinsically connected to the communities documented, and because of this, there is a greater imperative to preserve, expand and utilize the records as evidence in support of "community-centered political goals" (p. 318).
- **Reflexivity:** Through this principle, archivists take care to acknowledge the secondary trauma they may inwardly experience due to their work with records documenting atrocity and human rights abuse. They must seek ways to ensure a "psychological safety net" through which to effectively deal with work-related stresses (p. 319). This principle also proposes outward reflection on the archivists' relationships with the documented communities and the critical

need for ongoing community-led evaluation. When an archivist is not a member of a community that has itself been heavily afflicted by violence, there will often be miscommunication and misunderstanding. Mechanisms to ensure ongoing dialogue and open communication between archivists and communities are imperative in the development of successful stewardship partnerships.

- **Multiplicity:** This principle proposes that archivists should be active as opposed to passive collectors of recorded memory. They should make extensive efforts to ensure the atrocities documented within their repositories are remembered by as many victims as possible through as many different formats as possible – for example, oral histories, photography, and video documentation – to ensure a multiplicity of perspectives and experiences are captured.

16. Caswell, Michelle, Marika Cifor, and Mario H. Ramirez. "'To Suddenly Discover Yourself Existing': Uncovering the Affective Impact of Community Archives." *American Archivist* 79 (Spring/ Summer 2016): 56–81.

***Keywords*:** community archives, symbolic annihilation, representational belonging, impact, affect

Thesis/Description

The symbolic annihilation of a community can be effectively and meaningfully countered through the development of a sense of representational belonging that results from the establishment of community archives.

Key Points

- ***Symbolic annihilation*** – a term from media studies – is defined as "the ways in which minoritized groups are ignored, misrepresented, or maligned by mainstream media" (p. 56).
- "To be symbolically annihilated is to be an eternal outsider whose very existence is presumed to be an impossibility. In the wake of this absence, marginalized communities fail to see themselves or their place in the world" (p. 58).
- ***Representational belonging*** is defined by the authors as "the ways in which community archives empower people who have been marginalized by mainstream media outlets and memory institutions to have the autonomy and authority to establish, enact, and reflect on their presence in ways that are complex, meaningful, substantive, and positive to them in a variety of symbolic contexts" (p. 57).
- "Community archives can serve as powerful forces against symbolic annihilation by collecting a more inclusive historical record; using language emic to communities to describe those records; and creating preservation and access policies that reflect community values" (p. 59).
- ***Community archives as political protest*** is identified as " an attempt to seize the means by which history is written and correct or amend dominant stories about the past" (p. 62).
- ***Provenance*:** the authors discuss an expansion of the concept of *provenance* to include the idea of "parallel provenance," which Chris Hurley argues should include "ethnicity as a form of

provenance," and which Jeannette Bastian suggests should include "descendants of the subjects of the records" (p. 62).

Summary

This paper presents an extensive overview of related theoretical concepts and archival discourse alongside the empirical findings of semi-structured qualitative interviews undertaken by the authors, who investigated the affect of the South Asian American Digital Archives (SAADA), a community archives, on its community of patrons. The thesis presupposes that the symbolic annihilation of this community within mainstream media can be countered through the empowerment generated via the representational belonging inherent in the establishment and use of a community archives. The interview methodology "followed the seven stages of the interview process recommended by Alison Pickard: thematizing, designing, interviewing, recording, transcribing, analyzing, and verifying" (p. 65). Findings determined the following key themes: (1) "the absence of or difficulty in accessing historical materials related to South Asian Americans"; (2) the personal "transformational moments" that affected respondents upon discovering SAADA for the first time; (3) "the affective impact of SAADA on respondents' South Asian American students"; and (4) "the ability of SAADA to both reflect diversity within the ethnic community and . . . in the larger society" (p. 67). Understood collectively, these four themes identify the ways in which SAADA's purpose of generating "representational belonging" to counter symbolic annihilation has promoted feelings of inclusion both within the South Asian American community and within the larger society (p. 67). Based on the results of their SAADA case studies, the authors propose a new tripartite theoretical framework for understanding the "affective value" of records – as opposed to only their "evidential value" – for patrons who find representational belonging within identity-based community archives (pp. 75–76). This theoretical framework must include an understanding of the following levels of personal and community impact:

- *epistemological* impact – that is, how we know what we know through the collection of materials that document the previously unknown history of a community; community archives assert the symbolic space and agency of a community;
- *ontological* impact – which looks at how community archives allow members to see themselves existing in ways they didn't previously; and
- *social* impact – which identifies how community archives allow members to feel that they belong to the community represented in the archives.

Taken together, these three levels of impact undergird the authors' concept of "representational belonging" through community archiving.

17. Christen, Kimberly. "Opening Archives: Respectful Repatriation." *American Archivist* 74, no.1 (2011): 185–210.

***Keywords*:** repatriation, public domain, metadata, cultural heritage, Indigenous Knowledge, digital repatriation

Thesis/Description

This case study examines a collaborative digital repatriation project with the cultural heritage materials of the Plateau tribes of the Pacific Northwest.

Key Points

- Digital technologies have the ability to change repatriation practices.
- Archivists need to be cautious of releasing material into the public domain as a form of repatriation; access should be defined based on the decisions of the relevant cultural group. The public domain is not accommodating to Indigenous ways of knowing.
- Building metadata standards for Indigenous materials is a long-term project and should include Indigenous input.

Summary

The author is a cultural anthropologist and ethnographer who has begun working in the archives field. Her writing describes her work on the Mukurtu Wumpurrarni-kari Archive, a digital project that allows community members to create and define terms of access and use to digitized cultural heritage content. The article has a particularly strong analysis of the use of open access/public domain publishing in repatriation and the need for archivists to move away from blanket open access. Rather, Christen argues for culturally informed decisions, made by Indigenous communities, and discusses the technical logistics of case-by-case decision making.

This article is somewhat dated as, at the time of writing, the software platform was for in-house use only. The Mukurtu Wumpurrarani-kari Archive later became the catalyst for the development of the Mukurtu open-source platform, designed for use in Indigenous communities.

18. Council of Australasian Archives and Records Authorities. "CAARA Policy 14 – Statement of Principle – Access to Records of Indigenous Australians Affected by Past Separation Policies." Council of Australasian Archives and Records Authorities, April 1, 2004. http://www.caara.org.au/index.php/policy-statements/statement-of-principle-access-to-records-of-indigenous-australians-affected-by-past-separation-policies/.

Keywords: access, policy framework

Thesis/Description

The purpose of this statement of principle is "to develop a framework for referring enquiries between Council of Federal, State and Territory Archives (COFSTA) institutions about records of Indigenous Australians who have been affected by past government separation policies." The statement pertains directly to internal government process and supports government policy, in particular, recommendation 24 of *Bringing them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families* and the Australian Society of Archivists "Policy Statement on

Archives Services and Aboriginal and Torres Strait Islander Peoples."

Summary

The stakeholders identified in this statement are Indigenous Australians, COFSTA institutions, and the Australian Society of Archivist's Indigenous Issues Special Interest Group. The statement of principle is based upon the rights of Aboriginal and Torres Strait Islanders to be respected for their cultures and "acknowledged as cultures and peoples that are diverse, vital, living and changing."

Through this statement of principle, COFSTA institutions acknowledge the following:

- the "need to treat with importance the enquiries from Indigenous peoples affected by past government separation policies"
- "the sensitive nature of many of the records relating to Indigenous people"
- their duty to help "ensure the protection of that sensitivity"

They also "recognize the rights of Indigenous Australians to access records that affect them" and list the following actions to support this:

  - informing Aboriginal and Torres Strait Islander people and communities of records held by government,
  - consulting with Aboriginal and Torres Strait Islanders on services,
  - providing access to records that affect them,
  - ensuring the protection of privacy,
  - conforming to Indigenous Cultural Protocols and/or Memoranda of Understanding recognized/negotiated by the member institutions, and
  - preserving records created by government relating to Aboriginal culture and individual experience for future generations.

The statement records COFSTA institutions' commitment to the principles and to creating a "framework for enquiries that will include":

  - identifying and making known staff members who will deal with enquiries
  - identifying and making known access procedures and policies to access records, and
  - application or the access procedures of the custodial institution.

COFSTA institutions will also give "priority to enquiries referred by other COFSTA institutions about records of Indigenous Australians who have been affected by past government separation policies." They will treat all such enquiries in a "culturally appropriate manner" and will ensure that any sensitive information relating to Indigenous people is "protected . . . within legislative framework and operating environment of the institution that has custody of the records."

19. Courchene, Darren. "Anishinaabe Dibendaagoziwin (Ownership) and Ganawenindiwin (Protection)." In Callison, Roy, and LeCheminant, *Indigenous Notions of Ownership and Libraries, Archives and Museums*, 40–55.

***Keywords*:** Indigenous knowledge, cultural heritage, law, intellectual property, ownership, protection

Key Points

- Traditional knowledge is transmitted from generation to generation, and ownership does not end after a given number of years.
- Western approaches to intellectual property such as copyright do not help to protect the ownership of Anishinaabe traditional knowledge.

Summary

Courchene explains Anishinaabe approaches to ownership and protection of various forms of traditional knowledge, with special focus on *gaagiikidoo gaagii-bi-izhesemaagoowin* (oral history) and *Anishinaabe-onaakonigewin* (Anishinaabe law), and the contexts in which they are shared or applied. He evaluates the Canadian constitutional framework and jurisprudence pertaining to Aboriginal rights, and the potentials and limitations of aspirational resolutions such as UNDRIP. He affirms that Western legal approaches fail to protect Anishinaabe traditional knowledge. He demonstrates that the Anishinaabeg continue to practice their own time-honoured ways of governing their intellectual property, arguing for improved intercultural dialogue on these matters.

20. Evans, Joanne, Sue McKemmish, Elizabeth Daniels, and Gavan McCarthy. "Self Determination and Archival Autonomy: Advocating Activism." *Archival Science* 15, no. 4 (2015): 337–68.

***Keywords*:** archival activism, archival autonomy, participatory archives, human rights, Australia

Thesis/Description

To meet the grand societal challenge of archival autonomy for communities, archival activism needs to become an integral part of social movements on local and global scales.

Key Points

This article defines archival autonomy as "the ability for individuals and communities to participate in societal memory with their own voice, and to become participatory agents in recordkeeping and archiving for identity, memory, and accountability purposes" (p. 338) and makes the following additional key points:

- "Despite the mounting evidence of poor documentation, recordkeeping and archiving practices and the recommendations of successive inquiries relating to the case study communities, we are not seeing major reform in recordkeeping practice or archival frameworks to address these problems and stop them from recurring in the future" (p. 346).
- "Participatory research and the participatory archive have a unique transformative power . . . to serve as both process and object, to empower individuals and groups" (p. 353).
- "Radical transformation is required to allow for multiple rights in records to be respected,

acknowledged, represented and managed" (p. 355).

Summary

The article uses case studies of recordkeeping and archival requirements related to the Forgotten Australian communities to explore the need for archival activism in support of human rights and social justice agendas. It combines a critical research framework with reflexive accounts of two key participatory action research projects: the Trust and Technology project, whose desired outcome of transforming policy and practice has not gained much traction with archival institutions, and the Who Am I? project, which developed a collaborative web resource, including resources for recordkeepers, for anyone seeking information on Australians in child welfare services. These projects led to the proposal of a National Summit on the Archive and the Rights of the Child, envisaged as a vehicle for archival advocacy and activism leading to transformative action.

The methodologies, case study analysis, and action planning outlined here may provide guidance to the TRC-TF in forwarding any framework recommendations and suggest follow-up dialogue with authors as a first step.

21. Flinn, Andrew, Mary Stevens, and Elizabeth Shepherd. "Whose Memories, Whose Archives? Independent Community Archives, Autonomy and the Mainstream." ***Archival Science*** **9, no. 1-2 (2009): 71–86.**

Keywords**:** independent community archives, Black History, activism, United Kingdom

Thesis/Description

This paper examines four UK-based community archives as a means of exploring the nature of community archiving, professional best practices relating to community archives, and the impact of these archives.

Key Points

- This article defines *community archives* as collections gathered by a specific community, over which the community members retain a level of control. Active participation is a defining characteristic of community archives.
- The article aims to recognize the role that community archives can play in constructing social and community identity.
- Community archives often contain a much wider range of materials and mediums than would be collected by traditional archives.

Summary

The establishment of community archives in the United Kingdom is rooted in ongoing concerns about mainstream archives not collecting records from marginalized perspectives. The authors argue that, in

many cases, the establishment of a community archive is a form of activism that aims to rebalance power relationships. This article argues for the transformational potential of community archives and their impact on maintaining or reclaiming community identity.

Through an analysis of four distinct community archives in the UK, the article provides international comparisons of professional definitions of community archives and adds to the growing body of literature on archives as an activist action.

22. Fraser, Crystal, and Zoe Todd. "Decolonial Sensibilities: Indigenous Research and Engaging with Archives in Contemporary Colonial Canada." In "Decolonising Archives." Special issue, *L'Internationale Online* (February 14, 2016): 32–39. http://www.internationaleonline.org/research/decolonising_practices/54_decolonial_sensibilities_indigenous_research_and_engaging_with_archives_in_contemporary_colonial_canada.

Keywords: decolonization, access, restriction, ownership, colonial system

Thesis/Description

After the Truth and Reconciliation Commission in Canada, the idea of reconciliation has brought about new questions regarding access, content, and ownership of historical documents dealing with the legacies of the Indian residential school (IRS) system. It has also brought to light the settler-colonial context of state and church archives, which presents inherent difficulties for Indigenous Peoples as they attempt to access archives that document IRS history. Efforts to decolonize archives present a number of structural issues, which include but are not limited to determining who controls the archives and identifying the gaps and silences in current holdings.

Summary

Identifying who controls the various archives across the country indicates a number of ways in which access to archival holdings is severely restricted. For example, federal laws including the Access to Information Act, the Privacy Act, and the Personal Information Protection and Electronic Documents Act (PIPEDA), as well as provincial access to information and privacy laws, inflict onerous waiting periods on researchers for access to (sometimes) heavily redacted materials. Other restrictions include geographical, political, and linguistic barriers, which critically hamper researchers' attempts to access pertinent archival records. The authors also speak to issues of ownership over these materials and specifically question Library and Archives Canada's decision to partner with a third-party corporation (Ancestry.ca) to digitize LAC holdings containing personal information.

The authors then identify a fundamental issue with the non-Indigenous authorship of the majority of archival documents across the country, which leaves gaps in the official historical record in terms of the documentation of Indigenous lives and/or experiences. The more recent application of poststructuralist approaches to historiographical analyses has allowed for more "deep and fluid understandings of the

past" using existing documentation; "however, academics continue to be limited by the overtly biased and one-sided nature of archival records" (p. 37).

After a discussion of various decolonization-based methodologies, the authors acknowledge that there is "no single approach in decolonising or Indigenising the archives. It will require nuanced, thoughtful, and contextual approaches that tend to specific relationships, locations, histories and legal-political realities" (p. 38). The authors conclude by suggesting that, instead of decolonizing archives, archivists apply a "decolonial sensibility . . . to attend to the complex relationships between archives and Indigenous peoples" (p. 38) and acknowledging that archival spaces in Canada have been established primarily "to legitimise the nation state by excluding Indigenous voices, bodies, economies, histories, and socio-political structures" (p. 39).

23. Gardiner, Gabrielle, Jemima McDonald, Alex Byrne, and Kirsten Thorpe. "Respect, Trust and Engagement: Creating an Australian Indigenous Data Archive." Paper presented at the World Library and Information Congress: 76th IFLA General Conference and Assembly, Gothenburg, Sweden, August 10–15, 2010. https://www.ifla.org/past-wlic/2010/86-gardiner-en.pdf.

***Keywords*:** Australia, consultation, data, research data

Thesis/Description

This is an account of a social sciences data archive for data related to Indigenous people of Australia, meeting a need to make records available to the people they are about while considering complexity and careful access requirements.

Key Points

- The Aboriginal and Torres Strait Islander Data Archive includes a variety of records, including visual information, audio recordings, and data.
- Reflecting diversity in knowledge systems, consultation is undertaken to ensure that access and management of each set of data is appropriate for its context.
- The "repatriation" of records about Indigenous people, making them available to Indigenous people, is a priority and a driver of the project.

Summary

This article discusses the Aboriginal and Torres Strait Islander Data Archive (ATSIDA), a digital archive for social sciences data related to Indigenous Peoples in Australia. This system makes research data more available to other Indigenous researchers while protecting privacy, confidentiality, and other limits on access. The system was established in 2008 and includes visual information, audio recordings, and data reflecting a wide range of studies.

The authors recognize that Western concepts of scientific practice, intellectual property, and authority

are often in conflict with Indigenous knowledge systems. There is also significant diversity among Indigenous Australian cultures, whose views cannot be cleanly grouped together, making it important to accept complexity and take a balanced approach. Context is critical, and the appropriate decision in one scenario may be inappropriate in another. Consultation is necessary for the system to be trusted.

In many ways, this project is like other data archive projects being implemented around the world. One aim of the project is to support the data management capability of researchers, particularly early-career researchers, as expectations for research data management are becoming stricter.

Uniquely, ATSIDA is also focused on "repatriating" the records *about* Indigenous people *to* Indigenous people. This includes, for example, voice recordings and a set of digitized images of bark paintings, which had been inaccessible to the community they had originated from.

24. Garwood-Houng, Alana. "Tracking the ATSILIRN Protocols: Maintaining the Focus on Indigenous Library Issues." Paper presented at Australian Library and Information Association Biennial Conference, Alice Springs, Australia, September 2–5, 2008. https://www.researchgate.net/publication/266895242_TRACKING_THE_ATSILIRN_PROTOCOLS_MAINTAINING_THE_FOCUS_ON_INDIGENOUS_LIBRARY_ISSUES_TRACKING_THE_ATSILIRN_PROTOCOLS_MAINTAINING_THE_FOCUS_ON_INDIGENOUS_LIBRARY_ISSUES.

Keywords: protocols, review, customizable, Indigenous representation

Thesis/Description

The ATSILIRN Protocols were first developed in 1995 to give direction to those who (1) had books and/or items on Aboriginal or Torres Strait Islander people in their collection, (2) had Aboriginal or Torres Strait Islander people as clients and/or staff, and (3) had clients who were interested in information on Aboriginal or Torres Strait Islander people. These protocols have undergone many changes and amendments since, and the author presents alterations that occurred up to 2008.

Key Points

- **Community Development of Protocols:** At a 2008 ATSILIRN conference, attendees workshopped a number of the protocols and made the protocols more relevant to smaller institutions, discussing issues such as who should conduct digitization of Indigenous materials, preservation versus access, and consultation before digitization.
- **Importance of Representation:** Ensure appropriate and pervasive Indigenous membership on governing and advisory bodies, including boards, councils, and committees.
- **Use of the ATSILIRN Protocols:** "The work has been done and will continue to be done when necessary to save you time and money so that you do not have to start from scratch to develop your own . . . but do acknowledge them" (p. 7).

Summary

The following 11 headings were originally developed to cover a range of related topics, and each heading was further broken down into relevant points:

- Content and Perspectives
- Aboriginal and Torres Strait Islander Intellectual Property Issues
- Accessibility and Use
- Description and Classification of Materials
- Secret or Sacred Materials
- Offensive Materials
- Governance and Management
- Staffing
- Education and Training for Professional Practice
- Awareness of Aboriginal and Torres Islander Peoples and Issues
- Copying and Repatriation of Records to Aboriginal and Torres Strait Islander Communities

"In 2004, a project was undertaken to determine whether the Protocols [were still] a useful strategy for highlighting Indigenous information issues and promoting responses to them, to identify any emerging issues which may need to be included, and to collect professional comment on how they could be improved" (p. 4). This project, conducted by the University of Technology Sydney Library and Jumbunna Indigenous House of Learning, was called *Mapping the Impact of the 1995 Aboriginal and Torres Strait Islander Protocols for Libraries, Archives and Information Services Project*. Data was collected via a survey, sent to a wide variety of libraries and archives and some museums. Results indicated that the protocols "formed a most important contribution to the professional literature and advancement of the interest of Indigenous Peoples in Australia and that they should be invigorated" (p. 5). Another survey result indicated the need for the development of a new protocol to address "digitization and Internet."

25. Ghaddar, J.J. "The Spectre in the Archive: Truth, Reconciliation, and Indigenous Archival Memory." *Archivaria* 82 (Fall 2016): 3–26.

Keywords: decolonization, colonialism, Truth and Reconciliation Commission, reconciliation, ownership

Thesis/Description

Revisiting the past, acknowledging and apologizing for historic wrongs, and reflecting on racism and privilege are not necessarily decolonizing acts.

Key Points

- Genuine decolonization requires more than just symbolic acts but, rather, entails the repatriation of land and dismantling of contemporary forms of colonial structures.
- Confession and apology are substitutes for addressing structural inequities. The claim of feeling bad also "involves a self-perception of 'being good'" (p. 16).
- The impulse of Indigenous communities to destroy Independent Assessment Program records is

driven, in part, by the imperative to contain the ability of the federal government to penetrate further into Indigenous culture.

Summary

Ghaddar considers court cases related to the TRC and records through the lens of archival science and theories on race and colonialism. The author seeks to give the reader a deeper understanding of the contested nature of archives in (neo)colonial settings. She asserts that archival institutions are a contested site of power, silence, inheritance, and disinheritance, and contends that issues of trust and distrust of colonial powers are at the heart of disputes over ownership and use of archival records by or about Indigenous Peoples.

26. Gilliland, Anne J. "A Matter of Life and Death: A Critical Examination of the Role of Records and Archives in Supporting the Agency of the Forcibly Displaced." *Journal of Critical Library and Information Studies* 1, no. 2 (2017): 1–24.

***Keywords*:** displaced persons, recordkeeping, refugees

Thesis/Description

The structure and genre of official recordkeeping serves the needs of a limited set of people; others, including displaced persons, are not adequately served and turn to other forms of recordkeeping and documentation. The discussion is also applicable to other situations where official recordkeeping is not appropriate to the needs of its subjects.

Key Points

- Displaced persons and refugees have unique needs for recordkeeping and documentation.
- Where official recordkeeping systems are inadequate, displaced persons create new forms of documentation and may use false or irregular documentation.
- Archivists must consider the experiences of displaced persons, as well as other people for whom official recordkeeping systems are not adequate, in their work, including aspects of services, description, and even acquisition and selection.

Summary

This article addresses the relationship between displaced people and refugees and recordkeeping. It discusses both official records and personal recordkeeping.

Official records, particularly government records, are used for a wide range of purposes over the course of a person's life. These records are designed to describe a certain type of person, and displaced persons (among others) are very often poorly served by official recordkeeping. In 2015, there were at least 65 million displaced people worldwide: the situation is neither minor nor temporary.

Documentation is required and created to cross borders, claim benefits, or settle. Different

documentation is required in different jurisdictions, and displaced persons may struggle to access appropriate documentation and may face barriers of language and script. Displaced persons may also use false or irregular documentation for survival or by choice. Refusal to participate in official recordkeeping systems is also a form of resistance.

Smartphones and digital communications are now widely used by displaced persons throughout their experiences, including for documenting their journeys and sharing and preserving histories.

Archivists should be aware of these concerns and should work to support displaced and marginalized people. This support might include multilingual services, support for researching and finding copies of documentation and for verifying digital copies of documentation. Individual interventions may not be enough; the author suggests a need to reorient archival theory and practices to account for these cases. Archives are frequently oriented toward their own jurisdictions and do not account sufficiently for migration or irregular forms of records creation.

27. Gilman, Isaac. "From Marginalization to Accessibility: Classification of Indigenous Materials." *Faculty Scholarship PUL* 6 (2006): 1–43.

***Keywords*:** Indigenous classification scheme, library and information science, cataloguing, controlled vocabulary

Thesis/Description

This paper examines two Indigenous classification schemes – the Maori Subject Headings (New Zealand) and the Brian Deer Classification system (Canada) – and suggests directions for future work in the organization of Indigenous Knowledge.

Key Points

- For the last century, Indigenous materials in Western libraries have remained poorly organized and largely inaccessible. Cultural bias in the creation and maintenance of the most widely used schemes – Library of Congress Subject Headings, Library of Congress Classification, and Dewey Decimal Classification – makes it difficult to correctly incorporate most Indigenous language and Indigenous epistemology into their confines. These schemes are inadequate for describing and providing access to Indigenous materials.
- Despite their different approaches, both the Brian Deer Classification system and the Maori Subject Headings provide valuable insight into the considerations that must be made when developing controlled vocabularies for Indigenous materials.
- The Brian Deer Classification system is an excellent tool for First Nations librarians who wish to organize modest collections of materials. Deer is presently unable to represent First Nations epistemology on a national level; making this possible would require seeking national input from First Nations librarians, knowledge keepers, and scholars and making changes. Deer provides an excellent starting point for discussion about the development of a broader First Nations

classification standard.

- The Maori Subject Headings aim to reflect the Maori concept that each word or item has meaning only through its relationship to other words. The subject headings attempt to capture these relationships and relational hierarchy. There is great hope that their use will lead to increased access to Maori materials; however, this success is dependent on the integrated library system in individual libraries – i.e., the online cataloguing systems' ability to represent those relationships in the Maori Subject Headings.
- The integrity of an Indigenous scheme is wholly dependent on the involvement of Indigenous peoples in its creation.

Summary

Gilman completed this paper as part of the Master of Library and Information Studies degree at UBC. The paper is limited in that it includes only two case studies of Indigenous classification schemes; however, these two are well researched, and the author makes a point of highlighting the shortage of Indigenous people in the library and information profession. The paper also notes that librarians must consider the nature of the collection in which the scheme is to be used in order to judge what might be most appropriate for that collection, namely, by considering the primary users (Indigenous or non-Indigenous) and access considerations (open or closed collection; online, offline and in-person access mechanisms).

28. Grafton, Emily, and Julia Peristerakis. "Decolonizing Museological Practices at the Canadian Museum for Human Rights." In Callison, Roy, and LeCheminant, *Indigenous Notions of Ownership and Libraries, Archives and Museums*, 229–40.

***Keywords*:** Indigenous Rights, colonialism, appropriation, decolonizing, museology, community consultation, Crown corporation

Summary

This chapter is summarized in the book as follows:

> This chapter is organized around the four decolonizing curatorial practices that make up the CMHR's decolonizing methodology. These practices include engaging in thorough community collaboration, inclusion of indigenous content in each gallery, inclusion of indigenous worldviews and voices, and exhibiting violations of indigenous rights as a shared history of both indigenous and settler peoples. The origin of these methodologies is found in the Task Force on Museums and First Peoples that recommended various measures to institute decolonizing museological practices at many museums (Task Force on Museums and First Peoples 1992). Since its publication, the theories and applications of these practices have continued to evolve, many of which shape our own methodology and the methodologies of other museums similarly committed to the establishment of respectful and collaborative relations with indigenous

peoples. (pp. 229–30)

29. Huvila, Isto. "Participatory Archive: Towards Decentralised Curation, Radical User Orientation and Broader Contextualisation of Records Management." *Archival Science* 8, no. 1 (2008): 15–36.

***Keywords*:** digital archives, participatory archives, user studies, user orientation, semantic wikis

Thesis/Description

Using two digital archives projects as case studies, this article examines archives from use and user perspectives, redefining these interactions from a participatory archive standpoint and thus proposing new approaches of "decentralised curation, radical user orientation," and broader and deeper "contextualisation of both records and the entire archival process" (p. 3).

Key Points

- Archival science has traditionally expected users to know how to navigate archives and independently extract what they need from records, and any studies have typically focused on historians as users and on a singular, unidirectional approach to the use of the record.
- Use and user studies in archival contexts have likely been predominantly narrow in scope due to the traditional expectation that archivists remain "neutral" and "impartial mediators" (p. 4) of records and the belief that the records themselves are impartial sources of evidence.
- From a postmodern standpoint, the use of records has become multifaceted and "bidirectional" (p. 2), and users have been encouraged to engage through digital technology (Web 2.0) in areas such as collection building, archival description, and widening the values of finding aids.
- Changes to the scope and type of traditional uses and users have likely been driven by changes in recordkeeping practices, accessibility, content, volume, arrangement and appraisal approaches, societal needs, and in particular the expectation of digital availability.
- Participation is automatically built in with the interaction of archives, archivists, and users; this participation ensures that the archives and its holdings remain neither "neutral" nor fully "transparent," which should be taken into consideration and embraced in context (p. 6).
- A participatory archive approach shifts roles, placing responsibility for archival records and processes more in the hands of contributors and users who have expertise related to different elements of the records and their contexts, while the information manager (archivist or records manager) who established the archival repository that contributors and users build on, oversees its basic maintenance and technical aspects, including hosting, functioning, preservation, and migration.
- The participatory archive approach necessitates information in digital form and forces a new approach to traditional archival processes and records, including decentralized curation, radical user orientation, and broader contextualization of records and their management.
- Ultimately, while archivists and archival records can never be completely unbiased or impartial, "a participatory archive pursues transparency through participation and not its opposite.

Inclusion and greater participation is supposed to reveal a diversity of motivations, viewpoints, arguments and counterarguments, which *becomes* transparency when a critical mass is attained" (p. 16). (emphasis in original)

Summary

The author explores participatory archives from his perspective as the lead on two digital archives projects in Finland (Saari Manor and Kajaani Castle). Digital platforms were selected for these two projects after requirement and qualitative document analyses revealed that digitizing the geographically remote and scattered extant paper records would improve accessibility, widen awareness of the historical records, and help make records of ongoing research at the sites more readily available. With minimal resources to sustain the cost, long-term management, and accessibility of the two projects, a participatory archive approach seemed the most practical solution. It is from this solution that the author explores the proposed new approaches of "decentralised curation, radical user orientation, and contextualisation of both records *and* the entire archival process" (p. 1). (emphasis in original)

Decentralized curation involves contributions to descriptions and records additions, allowing archivists/records managers to share this work with users, who collectively hold more knowledge on the records, contexts, and uses than the records professional alone. Radical user orientation ensures the main priority of participatory archiving, which is the "usability and findability" (p. 17) of records, which in turn informs preservation and appraisal as directed by users. Finally, the contextualization of archival records and associated processes adds the originators', curators', and users' contexts (including tracking changes) to the traditional archival and organizational contexts, beyond provenance. The ultimate benefits of a participatory archive are that it casts a wider contextual net, ensures deeper involvement and collaboration, provides for timely updates, results in richer descriptions and semantics, remains flexible and adaptable to new research directions and findings, and reduces the frequency of administrative maintenance.

Although the article is dated, the participatory archive approach still boasts unique benefits and does not yet seem to be widely in use. The software the author discusses may have become technologically obsolete, but the selection criteria applied when choosing the most suitable digital platform for the two projects would likely still be helpful in making an informed selection today.

30. Australian Heritage Commission. *Ask First: A Guide to Respecting Indigenous Heritage Places and Values*. Canberra: Australian Heritage Commission, 2002.

***Keywords*:** Australia, planning and development, Indigenous heritage places, Indigenous heritage values, conservation, consultation, negotiation

Thesis/Description

This is a practical guide for use by land developers, planners, and users; cultural heritage professionals;

researchers; and any others whose proposed work, project, or activities might have an impact on natural and cultural Indigenous heritage places and values in Australia. The guide provides clear steps and applicable tools for understanding, identifying, and respecting Indigenous heritage in all its forms and explains how to go about consulting and negotiating with those Indigenous People(s) whose heritage may be affected to ensure it is appropriately managed and used.

Key Points

- The guide, designed for use by a wide range of interest groups who might have effects on Indigenous heritage, complements other guidelines issued by the Australian Heritage Commission and laws protecting Indigenous natural and cultural heritage places; it could be used by Indigenous People(s) alongside their own internal consultation protocols.
- "Effective protection and conservation" of natural and cultural heritage places and values "is important in maintaining the identity, health and well-being of Indigenous people" (p. 5).
- Indigenous people have rights and interests in their heritage, and it is recognized that, in order to fulfill their obligations toward and maintain the value of that heritage, they are the "primary source of information on [its] value" and conservation, "must have an active role in" and provide input on any decision making, planning, and processes affecting that heritage, and "must control intellectual property and other information" associated with that heritage (p. 6).
- The guide notes that the focus is to first have the "relevant Indigenous people . . . determine the significance of [a place] in accordance with their culture before" the parties negotiate an agreement on how to manage and use that place and heritage values (p. 3).
- Each Indigenous community is unique, and care and time must be taken to understand the differences, carry out consultation and negotiation, and keep all stakeholders informed.
- Project team members should forge direct relationships with the relevant Indigenous people and not have consultants act as intermediaries.
- Fulfillment of obligations toward maintaining the value of natural and cultural heritage is carried out through Indigenous heritage management practices that can include maintenance, restoration, removal, and/or interpretation (pp. 16–17).

Summary

This guide is a practical, step-by-step tool developed by the Indigenous Heritage Section of the Australian Heritage Commission in consultation with members of an Indigenous focus group. It outlines the purposes and key principles of Indigenous heritage places and values, and their conservation and protection, up front – thus affirming that the negotiation process must involve the identification of heritage places and values by the relevant Indigenous People(s) and consultations with these people(s) before any agreement for management and use can be negotiated. The relevant Indigenous People(s) must be kept informed and/or involved at all stages of the process; and the time required to navigate the stages should be respected, understood, and adhered to. The guide also notes that any other stakeholders should be included in the process and all relevant national and state or territorial laws must be respected. In the event of a dispute between or among any of the stakeholders (including the affected Indigenous People), the guide emphasizes that the protection of Indigenous heritage values is

important and should take precedence.

Although the guide was written in 2002 and from an Australian perspective, the central tenets and steps outlined could still prove useful as a basic framework from which to approach a current Canadian example.

31. International Council on Archives Human Rights Working Group. "Basic Principles on the Role of Archivists and Records Managers in Support of Human Rights." Working document, International Council on Archives, September 2016. https://www.ica.org/sites/default/files/ICA%20HRWG%20Basic%20Principles_endorsed%20by%20PCOM_2016_Sept_English.pdf.

Keywords: archives, human rights, archivists, records managers, principles, freedoms, public access, professional ethics

Thesis/Description

This document focuses on the link between archives and human rights and provides a set of principles for archivists, records managers, their institutions, professional associations, and governments to address the ethical and practical problems this link may pose, from the standpoint of basic archival functions, working with archives that document violations, and "the roles and rights of archivists and records managers as professionals" (p. 2).

Key Points

- Institutions, "archivists and records managers should select, acquire and retain archives" in the scope of their mandate and jurisdiction "without discrimination" (p. 5) and preserve and protect archives – including those of "temporary bodies" overseeing "transitional justice" (p. 6) – documenting human rights and humanitarian law violations to ensure their integrity and accessibility in the support or identification of claims.
- Governments should ensure archives documenting human rights violations are preserved, provided with "sufficient funding and . . . resources" for professional maintenance, and accessible (p. 5).
- Institutions, archivists and records managers should arrange and describe archives that document human rights violations clearly and in a timely fashion to (1) ensure accessibility, (2) provide reference service and access without discrimination to both prosecutors and defendants, (3) ensure the public is aware of their access rights and the protection of personal information and fundamental freedoms, and (4) "advocate for and support the right of access to government archives and non-governmental" equivalents (p. 7).
- Archivists and records managers should report archives that they believe contain evidence of ongoing or past human rights violations and could support claims, and they have the right to report any retaliation or threat in face of archives' disclosure in support of claims or protection

of fundamental rights.

- Archivists and records managers should ensure access to archives (including displaced archives) to "transitional justice institutions and . . . persons," without discrimination and "regardless of their citizenship," if they support claims for compensation for human rights violations or the protection of fundamental rights (p. 12).
- All educational institutions and associated programs must ensure that all archivists and records managers (1) are trained to know their "ethical duties" regarding human rights and freedoms, (2) face "no discrimination against [entering or continuing in] the profession" (p. 12), and (3) are afforded special opportunities and specific training if they are from underrepresented groups or communities.
- Archivists and records managers have the right to "freedom of expression and association" like all others, including in "the promotion and protection of human rights," but should not use the information they are privy to in support of this unless it is publicly available (p. 13).
- Archivists and records managers have the right to join and form professional associations to represent and protect their profession and to continue their education and training (p. 13).
- In turn, these associations "should provide guidance and support" to these professionals in handling archives documenting human rights (p. 14).

Summary

The 25 principles were developed to address the ethics and issues surrounding archives and human rights and to provide practical and applicable guidance and support to archivists, records managers, institutions, governments, and professional associations in their various roles. The principles are based in a variety of established, international conventions, treaties, and declarations, which are identified, alongside key definitions, in the appendices of the document. The "inalienable right to the truth" (p. 6) and the "right to know" (pp. 3, 4, 6) are basic premises underscoring the principles and can readily be applied in all human rights contexts, including the TRC taskforce's objectives.

32. Jorgensen, Miriam. *Sustaining Indigenous Culture: The Structure, Activities and Needs of Tribal Archives, Libraries, and Museums*. Oklahoma City, OK: Association of Tribal Archives, Libraries, and Museums, 2012.

***Keywords*:** Indigenous culture, tribal archives, tribal libraries, tribal museums

Thesis/Description

This American report is based on a national needs assessment survey conducted by the Association of Tribal Archives, Libraries, and Museums (ATLAM) in 2010–2011. The report is part of a larger effort by ATLAM to assess the status and needs of Native American cultural organizations and to develop a progressive plan that guides future programs, services, and funding in support of the work of Indigenous archives, libraries, and museums.

Key Points

- The report summarizes findings in 13 key areas for Native American tribal archives, libraries, and museums (TALMs) operating or planning to open in the United States of America.
- "Education of Tribal members" was ranked as the highest priority for TALMs, followed closely by "cultural preservation, perpetuation or revitalization," which ranked ahead of "serving as a repository for cultural materials and resources." "Education of non-tribal members" was ranked as lowest priority (p.3).
- Space, staffing, training, and funding were overwhelming concerns for the majority of respondents. A full-time archivist is one of the most needed positions in TALMS.
- Relatively few TALMS had digitization policies or digital preservation plans, yet 47 percent of organizations were digitizing materials and 24 percent planned to start digitization work shortly. Funding and staffing were identified barriers to digitization (p.11).
- Tribal members were the primary audience for 95 percent of survey respondents, and "word of mouth" was the top promotional tool.
- For archives-specific respondents, only 40 percent reported that staff were aware of recommendations in the *Protocols for Native American Archival Materials*.

This evidence-based report analyzes survey data collected by the Association of Tribal Archives, Libraries, and Museums in 2010–2011. ATLAM contacted 565 American Native organizations and communities and received responses from 212 organizations – 185 organizations in operation and another 23 developing organizations – for an overall 38 percent response rate. While the survey data was collected in 2010–2011, it appears to capture conditions and issues that are similar for archives and cultural institutions in the Canadian landscape. These issues are not necessarily limited to archives in Indigenous communities – a fact that highlights the need for collaborative and supportive solutions that benefit all cultural institutions and that take important steps toward empowering Indigenous communities to reclaim ownership of their stories, documents, and artifacts.

33. Labelle, Kathryn, Brittany Luby, and Alison Norman. "(Re)naming and (De)colonizing the (I?)ndigenous People(s) of North America – Parts I and II." *Active History* (blog), November 8, 2016. http://activehistory.ca/2016/11/renaming-and-decolonizing-the-indigenous-peoples-of-north-america-part-i/.

Keywords: academic culture, language, naming, renaming

Thesis/Description

This two-part post examines contemporary and historical naming trends in relation to Indigenous communities in Canada.

Key Points

- Naming is important. The names we use are connected to historical understandings of

communities, identity, and land.

Summary

This two-part blog post provides a practical discussion of the term *Indigenous* and of approaches to naming/renaming Indigenous people in Canada. The authors cover the political nature of naming, the historical context of colonial language in Canada, and present-day naming conventions. They also reflect on government organizations changing their names based on recent trends – for example, *Aboriginal* versus *Indigenous*. This is a useful read for anyone interested in learning more about language and the connection of naming labels to territorial claims.

34. Laszlo, Krisztina. "Ethnographic Archival Records and Cultural Property." *Archivaria* 61 (Spring 2006): 299–307.

***Keywords*:** cultural and intellectual property, ethnographic archival material, co-management

Thesis/Description

"The main issue in this paper . . . is how to establish guidelines to handle ethnographic records that are currently in our archives and to understand the moral and ethical responsibilities of archivists who care for these types of materials" (p. 307). It focuses on a subset of records: "ethnographic archival materials collected and accumulated by anthropologists and other scholars. . . . based on the experience of the archives at UBC Museum of Anthropology (MOA)" (pp. 299–300).

Key Points

- There is an obligation for archives to work closely with communities reflected in their holdings.
- Related policies and guidelines that reflect such communities must be established.
- Competing needs of all users must be acknowledged and addressed.

Summary

This article explores the concepts of intellectual and cultural property. Cultural property is the material manifestation of a civilization, and Laszlo notes that this definition is "not applicable to archival material that has First Nations' content" (p. 300). The ethnographic records that are the focus of her work are further complicated, as they were created by authors from a Western tradition who felt they were documenting "evidence of dying cultures that soon would be extinct" (p. 300). But as Laszlo notes, First Nations are now "redefining the parameters of what constitutes cultural property" (p. 300). There is a cultural and moral ownership that can be attached to both records and objects created by or about First Nations, and as such, MOA has a related ethical responsibility. This material can be integral in strengthening community (p. 302), a process that began to take root in the early 1990s with consultations between the Canadian Museum Association and Assembly of First Nations and resulted in *Turning the Page: Forging New Partnerships Between Museums and First Peoples* (p. 303). This report identifies three issues: improved access to museum materials by First Nations, repatriation of remains

and artifacts, and increased involvement of Aboriginal peoples in the interpretation of their culture (p. 303). While the article was written over a decade ago, the concepts it illuminates and the report it references would appear valid today and could be strengthened by a comparison with more recent articulations.

35. Laszlo, Krisztina. "Language, Identity and Archives." In Daniel and Levi, *Identity Palimpsests,* 115–24.

Keywords: language preservation, Indigenous, cultural identity, archives

Thesis/Description

This article looks at how archives and museums can play a role in the preservation and revitalization of Indigenous languages by focusing on the example of the Museum of Anthropology (MOA) at the University of British Columbia and initiatives being undertaken by that institution.

Key Points

- Indigenous languages are disappearing; recent statistics indicate that only 5.1 percent of British Columbia's First Nations people are able to fluently speak their Indigenous languages. The need to stem the language loss, and to assist in efforts to revitalize and reinvigorate language learning at the community level, is vital.
- The MOA, including its library and oral history departments, has become involved in a number of related projects that contribute to the revitalization of Indigenous languages. These include digitizing analogue audio and linguistic recordings held by MOA; supporting the development and infrastructure of the Indigitization initiative, which provides equipment and training for First Nations to digitize analogue recordings held in their communities; and offering an Indigenous internship position to work on a digitization project within MOA's archives.
- Relationship building is an important goal of any collaborative project.
- It is important to ensure, when working with Indigenous audio recordings, that they are managed in a culturally appropriate way and that cultural restrictions, where appropriate, are placed on access.

Summary

Lazlo has worked at UBC in various archival and museum capacities; she also studied at the university, completing the First Nations concentration of the archival studies program. This work is recent (2017) and provides case studies of current and ongoing initiatives at MOA and UBC. Its value is as a discussion of the practical and tangible ways archives and museums can make an impact and assist in the preservation of Indigenous languages. Lazlo concludes that the process of preserving Indigenous language is essential for communities to maintain their cultural health. The goal of keeping languages alive is a global concern and one that is relevant to society as a whole. She notes that archives and

museums that work with Indigenous communities are well placed to make a practical impact – by preserving important language materials, improving access, and sharing technical expertise and digitization hardware with communities.

36. Lawson, Kim H.C. "Visions and Metaphors for First Nations Information Management." In *From Papyrus to Paperless: A Conference for Students in the Information Professions*. Vancouver, BC: School of Library, Archival and Information Studies, The University of British Columbia, 2001.

Keywords: information management, Indigenous ways of knowing, knowledge systems

Thesis/Description

This paper explores the relationships between First Nations and library and archival studies. It explores the concept of knowledge systems within First Nations contexts and discusses visions for First Nations information management in relation to progress within the archival and library fields.

Key Points

- Human memory and "real-time" interpersonal communication – instead of physical recording objects and written languages, which are the basis for Western information systems – is the basis for First Nations information systems. This is the most obvious difference between the two.
- First Nations information systems are holistic, based on the interconnectedness of all things, and involve all aspects of human life, including language, education, spirituality, governance, art, tradition, technology, music, use of land, and ceremony.
- First Nations information systems are dynamic: their authenticity does not depend upon being static and frozen or unchanging, as the authenticity of the written record does, but upon continual renewal and transmission.
- Recognition of First Nations cultural Protocols regarding information sharing and use is an urgent concern.
- The preservation of oral traditions supports Indigenous Peoples because stories are seen as capable of healing their listeners.

Summary

Lawson, an Indigenous information professional, offers an informed perspective. She suggests that more discussions between First Nations peoples and librarians and archivists are needed. They would give First Nations communities useful insight in developing their information systems and would give the information professionals new and different ways of looking both at the First Nations materials within their collections and at Indigenous information needs. As Lawson wrote this paper in 2001 and the TRC-TF is now conducting its research project, either her words are prophetic and forward thinking or the archival profession has been slow to act.

37. Lewis, David G. "Natives in the Nation's Archives: The Southwest Oregon Research Project." ***Journal of Western Archives*** **6, no. 1 (2015). https://digitalcommons.usu.edu/westernarchives/vol6/iss1/4/.**

Keywords**:** anthropology, Oregon, research, repatriation of records

Thesis/Description

Members of Southwest Oregon tribes engaged in a major research project, collecting and copying records held at national institutions. Those records are now locally available and have been widely used, including for re-establishing rights.

Key Points

- Colonization has created conditions where Indigenous Peoples do not have sufficient access to records of their own histories and cultures.
- Many relevant records may be held in national research and historical collections.
- A project to identify, collect, and create copies of these records for repatriation and local access has been successful.

Summary

The article describes the Southwest Oregon Research Project (SWORP), carried out in three phases (1995, 1998, 2006) and led by members of the Coquille Tribe. The project identified and created copies of records related to Indigenous tribes in Southwestern Oregon and held at national archives, primarily after being collected and created through acts of salvage anthropology. The project teams ultimately identified far more relevant records than they had anticipated finding.

The tribes whose records were included in this project had ceded land and lost official status and were engaged in work to restore their federal recognition. Anthropological records located in national institutions were useful in re-establishing status.

Multiple copies of the records collected as part of the SWORP were distributed to Oregon tribes in a potlatch. Records are also held at the University of Oregon Special Collections, where they are described, digitized, and available for public research.

The article includes a summary of the colonial and tribal history of the region under consideration, a description of the project's research methods, and a short personal essay by Dr. George Wasson Jr., the project's founder.

38. Blake, Dale, Libby Martin, and Deborah Pelletier. *Report and Recommendations of the Consultation on Aboriginal Resources and Services*. Ottawa: Aboriginal Resources and Services, Library and Archives Canada, 2004. https://www.collectionscanada.gc.ca/obj/020008/f2/020008-7000-e.pdf.

***Keywords*:** Canada, consultation, partnerships, funding, resources, jurisdiction, access, education, training, professional development, advocacy, promotion, authenticity of voice, outreach, networking, LAC's Aboriginal Resources and Services

Thesis/Description

This report presents the outcomes of a consultation carried out in March 2003 by LAC's Aboriginal Resources and Services with participants from libraries, archives, and other organizations across Canada involved in "developing, promoting and facilitating access to . . . resources by [and/]or about Aboriginal peoples" (p. 11).

Key Points

- Aboriginal Resources and Services' (ARS) objective was to "develop, promote, and facilitate access to Aboriginal resources within Canada, through LAC and in partnership with" organizations whose focus, holdings, and services relate to Aboriginal communities (p. 10).
- The consultation was arranged "to identify potential members of an external advisory group," as well as to "bring together representatives from different regions" to identify and discuss mutual issues and areas of concern and to develop recommendations and objectives to address these, whether through partnership, collaboration, or other means (p. 9).
- The areas of concern identified included consultation and partnerships; funding and resources; jurisdiction; planning and administration; universal and equitable access; education, training, and professional development; advocacy; promotion; authenticity of voice; and outreach and networking (pp. 12–13).
- The consultation resulted in 24 recommendations and was seen as part of an ongoing collaboration between LAC and Aboriginal peoples in "developing, promoting and facilitating access to" (p. 10) Aboriginal heritage and knowledge.
- The consultation also considered roles, for example, LAC's leading national role in implementing the recommendations and serving as a "model to regional centres" (p. 16) and even global centres.

Summary

In addition to presenting the results of the March 2003 consultation, the report provides the background on the development of LAC's Aboriginal Resources and Services (ARS), namely the identification in 2000, by an internal working group on collection policies at the former National Library of Canada (NLC), of the underrepresentation of Canadians of Aboriginal ancestry in both collections and service delivery (p. 8). The consultation took place around the time of the amalgamation of NLC and the National Archives of Canada, which was thus seen as a timely opportunity to forge relationships with

Aboriginal communities and organizations for the development of future policies, programs, and services (p. 9). However, because ARS arose from the former NLC, much of the report's language is library focused. Unfortunately, the participants do not represent all parts of Canada. Despite this and the report's date, many of the issues and recommendations are still timely. A review of LAC's current website reveals that some of the recommendations have been implemented (e.g., the formation of an external advisory group and the undertaking of two or three national initiatives). Other significant recommendations that appear to align with the TRC taskforce's goals have yet to be implemented, however; these include recommendations that LAC develop a database of Aboriginal content and resources and that it conduct a "survey of Aboriginal library and archival collections and services throughout Canada" (p. 15). That said, the report's findings could serve as a useful foundation and guideline for the taskforce's current work.

39. Maliniemi, Kaisa. "Public Records and Minorities: Problems and Possibilities for Sámi and Kven." *Archival Science* 9, no. 1-2 (2009).

Keywords: archival silences, description, discrimination, Kven, languages, Norway, Sámi

Thesis/Description

The unexpected identification of minority-language records in municipal archives has increased the awareness of discrimination in many stages of archival work in Norway, and the records themselves provide new knowledge.

Key Points

- Records written in minority languages have been neglected and insufficiently described and can be considered "hidden" among well-described majority-language records.
- This project, identifying minority-language records, turns up considerable evidence of discrimination and marginalization across government recordkeeping and archival service.
- The rediscovered documents will be used for many purposes, including evidence of injustice, understanding of the assimilation period, and language revitalization.

Summary

The author, in a research project, identified a significant number of records written in minority languages (Sámi and Kven) in municipal archives in Norway. While these records had been available for access, they had not previously been identified or described in a way that enabled language or cultural researchers to find them.

The Sámi and Kven minority groups in Norway have been subject to national projects of assimilation and have been represented as "silenced" or "voiceless" groups. They have suffered from a lack of access to writings in their languages. These minority-language documents would have been seen by processing archivists, but they were not noted or individually described. The people processing the records seem

not to have been familiar with the languages or to have considered these documents as important as those written in the state's official language. The documents would also have been seen by other researchers – yet they remained ignored. Marginalization is apparent in all areas of recordkeeping.

Many of the minority-language documents are routine and trivial and would not pass an appraisal process today. However, they also provide important evidence of government and administrative work being conducted in the Kven and Sámi languages during the relevant time period. People speaking those languages were literate, contrary to prejudice.

Despite the official stance of the Norwegian government, which claims to support pluralism and rights for these national minorities, the author encountered significant resistance in conducting research in government archives, which was indicative of discrimination on a national scale and of the barriers that members of minority groups face.

Norwegian archivists are increasingly more aware of these issues, but there is still very little competence in minority languages across the profession. These records are evidence of the injustice of the Norwegianization program. The records are also now being used in language revitalization.

40. McKemish, Sue, Livia Iacovino, Lynette Russell, and Melissa Castan. "Editors' Introduction to Keeping Cultures Alive: Archives and Indigenous Human Rights." *Archival Science* 12, no. 2 (2012): 93–111.

***Keywords*:** 2007 *United Nations Declaration on the Rights of Indigenous Peoples*, Indigenous cultural rights, community, partnerships, frameworks, protocols

Thesis/Description

This article is an introduction to the journal special issue "Keeping Cultures Alive." It summarizes the content of articles focused on international Indigenous human rights and related implications for archival practice in Australia, Canada, New Zealand, and the United States.

Key Points

"*Keeping Cultures Alive* envisions a future in which, globally and locally, Indigenous, human rights and archival communities work together to embed Indigenous human rights in archival law, policy, culture and practice" (p. 100).

Summary

This introductory article is a good entry point to determine interest in further reading in this special issue of the journal. The articles noted focus predominantly on the 2007 *United Nations Declaration on the Rights of Indigenous Peoples*, which recognizes related rights to preserve identity and culture (p. 94). They also reflect presentations given at the 2010 Australian Society of Archives Annual Conference.

- ***Anderson and Bowrey*:** This article contrasts movement toward "open-knowledge communities, the public domain and public policies" (p. 95) with the struggle by Indigenous Peoples for control over knowledge resources. The 2007 Declaration acknowledges "the secrecy of Indigenous cultural practices and knowledge as an important cultural right" (p. 95).

- ***Morse*:** This article provides a historical overview of Indigenous rights recognition in New Zealand and Canada. The author urges archivists, librarians, and museum curators to harness the language in the 2007 Declaration.

- ***Gooda*:** The author – Aboriginal and Torres Strait Islander Social Justice Commissioner at the time of writing – looks particularly at the application of the 2007 Declaration in the Australian context. He "outlines how the principles of the Declaration can and should influence archival and recordkeeping practices" (p. 97).

- ***Janke and Iacovino*:** This article traces the history of the struggle for Indigenous cultural and property rights in Australia from 1998 to 2007. The authors note the "difficulties of recognising traditional custodians of Indigenous knowledge within existing copyright law" (p. 97). They contrast cultural rights as human rights, as noted in the 2007 Declaration, with the problematic term Traditional Cultural Expressions (TCE), established by the World Intellectual Property Organization (WIPO).

- ***Boucher Krebs*:** This article examines two initiatives in the United States relating to the Indigenous right to know. The author speaks of an "Indigenous knowledge ecology" (p. 98), arguing that Indigenous knowledge institutions will be agenda setters.

- ***Ormond-Parker and Sloggett*:** This article cites Australian Indigenous community collecting projects to demonstrate how such communities use innovative efforts involving technology. The authors argue for a nationally distributed collection that is community managed, with related protocols.

- ***Castan and Debeljak*:** This article offers a case study of the Australian 2006 *Victorian Charter of Human Rights and Responsibilities Act*, which is significant given the absence of treaties with Indigenous Peoples, constitutional human rights, and federal human rights law (p. 99). The authors use the Charter to frame challenges for archivists and records managers.

- ***Wilson*:** This article "presents a retrospective reflection on the potential power of the record to redress past wrongs and abuses" (p. 100), focused on cases involving Canadian First Nations. The author argues for the critical role of archives in ensuring peace, order, and good government.

- ***Appendix*:** This position statement on archives and Indigenous human rights in Australia states that "Archivists and records managers are often unaware of the individual and collective archives and records-related rights, which are essential to Indigenous self-determination, preservation of culture

and identity as recognized in the UN Declaration" (p. 102).

In the same way that web 2.0 was a response to the change in technology the authors suggest that the approach by governments should also change in the same way the Australian government has: "Government 2.0 implies that records are created in an interactive dialogue between the government organisation and the citizen, requiring the customer or citizen to become a party to the business function, which created the record, a co-creator" (p. 108).

41. McMahon, Thomas. "The Final Abuse of Indian Residential School Children: Deleting Their Names, Erasing Their Voices and Destroying Their Records after They Have Died and without Their Consent." Social Science Research Network, May 4, 2017. http://dx.doi.org/10.2139/ssrn.2812298.

Keywords: residential school system, Survivors, testimonies, Indian Residential Schools Settlement Agreement, Independent Assessment Process, Truth and Reconciliation Commission of Canada, archives, law, privacy, consent, historical justice

Thesis/Description

Crucial records of the Indian residential school system in Canada will be destroyed due to the violation of Survivors' rights to informed consent.

Key Points

- A wide range of records were created and collected due to the Indian Residential Schools Settlement Agreement (IRSSA) and related processes. Many of these are important to preserve for the long term, as they provide crucial evidence of the IRS system, which officially operated in Canada from 1831 to 1996, and of subsequent reparation efforts. These records should be archived at the National Centre for Truth and Reconciliation (NCTR), in full respect of Survivors' wishes as well as access and privacy laws.
- Residential school Survivors' first-hand testimonies have been officially recorded in three separate processes: the Alternative Dispute Resolution (ADR) process and the Independent Assessment Process (IAP), administered by an arms-length secretariat, and the statement gathering program conducted by the Truth and Reconciliation Commission of Canada (TRC).
- The Indian Residential School Adjudication Secretariat (IRSAS) had a legal duty to offer ADR and IAP claimants (Survivors) choice as to the final disposition of their claims documents, but refused, despite the TRC's efforts to get the IRSAS to do so.
- Tens of thousands of Survivors' testimonies will be irrevocably destroyed on September 19, 2027, unless individual claimants request otherwise via a belated and flawed consent program finally launched by IRSAS in 2019. There are many barriers to obtaining Survivors' consent now, including the fact that many have since passed away.
- Archivists share in the responsibility to advocate for appropriate records retention of IRS-related

records.

Summary

This paper reveals the ongoing injustices committed against residential school Survivors who participated in the Government of Canada's official ADR and IAP claims processes. Following Canada's attempt to resolve thousands of residential school–related lawsuits with the aborted Alternative Dispute Resolution program (2003–2007), Canada and the churches responsible for the residential school system reached a settlement agreement with the plaintiffs, which came into effect in 2007. Among other components, the Indian Residential Schools Settlement Agreement (IRSSA) established the Truth and Reconciliation Commission of Canada (TRC), which ran from 2009 to 2015; the Common Experience Payment (CEP); and a new Independent Assessment Process (IAP) to deal with compensation claims for physical and sexual abuse endured by former residential school students. The IAP is directed by a chief adjudicator and administered by the Indian Residential School Adjudication Secretariat (IRSAS), an arms-length organization that reports to the Government of Canada. The IAP claims process ran from 2007 to 2018, with a few cases continuing beyond this time. At the time this article was written in 2017, more than 38,000 Survivors had filed claims with the IAP.

Though they are often confused, the ADR and IAP are separate from the TRC's statement gathering program. Whereas the over 7,000 Survivor testimonies contributed to the TRC are now permanently archived at the National Centre for Truth and Reconciliation (NCTR), each of the more than 38,000 testimonies recorded by the ADR and IAP will be irrevocably destroyed on September 19, 2027, unless the claimant has expressly advised IRSAS otherwise via a flawed consent program (My Records, My Choice), which was finally launched in 2019. This was confirmed by the Supreme Court of Canada in 2017, just after McMahon published this article, which discusses the litigation preceding this decision. It is probable that many thousands of claimants will not respond to the belated consent program for a host of reasons, including the fact that many of them will have passed away. Claimants' consent should have been requested at the time of their claims, when they had access to assistance from legal counsel and health support.

The disposition of other records associated with the IRSSA, ADR, and IAP remains unclear. These records contain crucial historical evidence. The author argues that it would be possible to archive many ADR and IAP records in redacted form, and to make non-identifying statistical information available, in full respect of both privacy law and justice for residential school Survivors. He stresses that these, plus CEP records, IRS civil litigation files, police criminal investigation files into IRS abuses, and other records related to the settlement agreement should be archived at the NCTR under appropriate protections. Archivists share in the responsibility to advocate for records retention in this area. There remains much work to be done on securing archival documents that provide evidence of the truth of Canada's colonial history.

42. Mills, Allison. "Learning to Listen: Archival Sound Recordings and Indigenous Cultural and Intellectual Property." *Archivaria* 83 (Spring 2017): 109–24.

***Keywords*:** access, Indigenous cultural property, intellectual property, Indigenous Knowledge

Thesis/Description
This article examines the context, legal status, and ethical standing of Indigenous audio records held in Western archives.

Key Points

- Audio recordings of Indigenous communities are often in a precarious position between Western copyright law and Indigenous property rights. Though many of these materials are in the public domain, there are important questions around ethics that archivists should consider.
- Archivists need to recognize that traditional Indigenous stories and songs are more than just historical facts; they are tied directly to culture, identity, and community.
- Archivists should be aware of the long-term damage and exploitation of Indigenous communities by colonial cultural heritage organizations. This history directly informs the building of today's relationships between Indigenous communities and archives.

Summary
This article contributes to the ongoing discussion of Indigenous protocols in the archives. Mills argues that Indigenous communities have different concepts of ownership and that the ownership of traditional songs and stories are often rooted in relationships to land, people, and culture – not related to the individual, economic-based ownership ideals of Western culture.

This article draws on UNDRIP and the *Protocols for Native American Archival Materials* as a framework for archivists handling Indigenous audio recordings. Mills argues that access to records by Indigenous communities can aid in language revitalization, provide information about cultural sites and traditional territories, and act as a vital political tool for Indigenous communities. Archivists should work in collaboration with Indigenous communities to make decisions regarding intellectual property issues and access related to Indigenous archival materials.

43. Mogyorosi, Rita-Sophia. "Coming Full Circle?: Aboriginal Archives in British Columbia in Canadian and International Perspective." MA thesis, University of Manitoba and University of Winnipeg, 2008. http://hdl.handle.net/1993/3118.

***Keywords*:** Aboriginal archives, holistic, British Columbia, Euro-Canadian, archiving, occidental, land claims, treaty negotiations

Thesis/Description

This MA thesis compares and contrasts recordkeeping practices of Aboriginal peoples in Canada with Euro-Canadian archival practice. It outlines how Aboriginal archives were disrupted and transformed by colonization, and are now being revived in an era of Aboriginal resurgence and reconciliation. This is in turn engendering transformation of Euro-Canadian archival practice as well.

Key Points

- Until the mid-20th century, Aboriginal people in Canada's understanding of "archives" and "archiving" differed significantly from that of Euro-Canadians. While not uniform, Aboriginal methods and traditions of recording, maintaining, and transmitting culture, memory, and identity were traditionally holistic in nature, manifesting in various tangible and intangible forms.
- As Aboriginal and Euro-Canadian societies, cultures, and world views intertwined, particularly over the late 19th and early 20th centuries, various forces (especially direct and indirect results of colonization) began to threaten, disrupt, and even destroy the processes and flow of Aboriginal cultures and knowledge systems from one generation to the next.
- As Canada approached the mid-20th century, there began a period of Aboriginal revival, which led to the current era of reconciliation and renewal. Aboriginal people increasingly found themselves having to access Euro-Canadian archives or to establish their own along similar lines as a reactionary or defensive response to legal, political, and social requirements and forces – including in the context of land claims and treaty negotiations, particularly in BC.
- This reactionary response revealed itself concurrently in the rest of Canada and other colonized countries, including Australia and the United States.
- Aboriginal archives and archiving are now coming full circle and returning to their holistic roots, whether through the use of new technologies or the adaptation of Euro-Canadian methods to suit local needs or simply through their integration into larger heritage centres in communities.
- The future of Aboriginal archives and archiving in BC, and indeed the world, lies in innovation and adaptability – in Aboriginal people taking traditional Euro-Canadian and Aboriginal archival methods and making them their own, pushing boundaries, adapting, and shifting.
- This innovation and adaptability has had the added benefit of challenging and pushing the boundaries of Euro-Canadian archiving methods.

Summary

This thesis examines the past, present, and future development and nature of Aboriginal archives and archiving in British Columbia from both Canadian and international perspectives. It focuses on Aboriginal archives in BC because the higher number of First Nations there than elsewhere in Canada makes it one of the most prominent and important areas of Aboriginal archiving activity in the country. The thesis begins by introducing the holistic ways in which Aboriginal people in Canada traditionally recorded, preserved, and communicated knowledge and history over time – the methods by which they "archived" up to the mid-20th century – and contrasts and compares this with Euro-Canadian traditions of archiving. It then explores the various forces that directly and indirectly disrupted the processes by

which Aboriginal culture and knowledge, and thus memory and identity, were transmitted from one generation to the next. As a result of these forces and the inevitable intertwining of Aboriginal and Euro-Canadian cultures and world views, Aboriginal people increasingly found themselves having to access Euro-Canadian archives or to establish their own along similar lines. In BC, where historically very few treaties were signed, the documentation created in the context of land claims and treaty negotiations, in particular, meant that such records were couched in occidental rather than Aboriginal cultural terms and thus demanded corresponding storage and use methods. New approaches to Aboriginal archives and archiving were a "reactionary" or defensive response to legal, political, and social requirements and forces, rather than simply a basis for communicating and recording a traditionally "holistic" sense of culture, memory, and identity. This reactionary response was not limited to BC but revealed itself concurrently in the rest of Canada and in other colonized countries such as Australia and the United States. The thesis presents comparative national and international approaches to, experiences with, and views on Aboriginal archives and archiving based on survey results from Australia, Canada, and the US, and concludes by suggesting that Aboriginal archiving is now coming full circle: returning to its holistic roots, having been positively influenced by the power of the reactionary approach, but also newly challenged with varying issues. At the same time, Aboriginal archiving has challenged and contributed to a redefinition of traditional, Euro-Canadian notions of archiving and thus pushed the boundaries of archiving as we know it.

The final chapter outlines the challenge the writer experienced in researching Aboriginal archives in BC and the world for this 2008 thesis – namely, their low visibility and the lack of literature on the topic. Although writing on Aboriginal archives had increased to that point – apparently coinciding with the appearance of "reactionary" archives – very little had been written from the perspective of archives created and run by Aboriginal people. Questionnaire results; information gathered from archives with an online presence; and examination of various innovations and protocols developed in Canada, Australia, and the United States were useful and illuminating for the thesis research in 2008. Ten years later, additional work in these areas has been carried out, and it is hoped the work of the TRC taskforce will add to this groundwork.

44. Nesmith, Tom. "The Concept of Societal Provenance and Records of Nineteenth-Century Aboriginal–European Relations in Western Canada: Implications for Archival Theory and Practice." *Archival Science* 6, no. 3-4 (2006): 351–60.

***Keywords*:** fur trade, provenance, societal provenance

Thesis/Description

The article describes social provenance, using as example a record from the fur trade era influenced by both European and Indigenous technologies and practices.

Key Points

- Records have complex origins, and the social context of creation is important for understanding the record. Analysis of this context should be incorporated into archival description.
- This is particularly important for records created in a context influenced by multiple cultural traditions.
- It may be helpful to consider the Indigenous societal provenance(s) of records created by European authors in the 19th-century Canadian West and North as well as in other colonial contexts.

Summary

The article describes a record created by a German fur trader, working in French and living among Indigenous people in the North. The record is written in French, on birch bark, and describes activities and practices of European and Indigenous people living and working together. Societal provenance incorporates the complexity of this context of records creation, where a traditional conception of provenance would be inadequate.

This example suggests that the concept of societal provenance is useful for archival description in many colonial and intercultural contexts. Societal provenance can also be used to understand how the record has been shaped after the point of creation, through preservation, publication, and other processes.

45. Government of New South Wales. *Protocols for Staff Working with Indigenous People*, version 2. Government of New South Wales State Records, March 2011. https://www.records.nsw.gov.au/sites/default/files/About/Protocols%20for%20Staff%20Working%20with%20Indigenous%20People.pdf.

***Keywords*:** Australia, governance, protocols, intellectual property, accessibility, description, access, staffing

Thesis/Description

These protocols are intended to assist and guide staff when working with Indigenous people and in handling state records that document Indigenous people or have Indigenous content.

Key Points

- The protocols are based on the guiding principles of respect, cultural diversity, communication, consultation, accessibility, and preservation.
- Guidelines within the document provide guidance and advice on practical ways the State Records staff can implement the protocols.

Summary

The *Protocols for Staff Working with Indigenous People*, issued by the State Records Authority of New

South Wales, Australia, is an effort to provide tools to support and guide State Records staff interacting with Indigenous communities and their records. It is intended to provide practical guidance on numerous aspects of service delivery: the care and handling of secret and sacred material, the use of records depicting deceased people, and the provision of services to Indigenous clients. Within this protocol, the consultation of Indigenous communities is key to making decisions related to the management of holdings and the provision of access. This protocol is worthwhile as a case study in terms of both how it frames guidance and advice to staff and how sensitive elements of a complex custodial relationship are translated into practical tasks and tangible activities.

46. O'Neal, Jennifer. "'The Right to Know': Decolonizing Native American Archives." *Journal of Western Archives* 6, no. 1 (2015): 1–19. http://digitalcommons.usu.edu/westernarchives/vol6/iss1/2.

***Keywords*:** tribal archives, the right to know, access, UNDRIP, self-determination

Thesis/Description

This article provides historical context to the Indigenous archives movement in the United States as a way to provide best-practice examples of decolonizing archival practice and suggestions for archivists working with Indigenous communities.

Key Points

- Information and knowledge are essential to Indigenous sovereignty and independence. Archives have a duty to adhere to the "right to know" principles.
- Indigenous community archives started through activism are a direct response to colonialism and to systematic attempts to eliminate Indigenous culture and knowledge.

Summary

This historically rooted paper examines the proper care for Indigenous archival collections held at non-Indigenous institutions. It also looks at activism by Indigenous groups to establish their own archives and ongoing approaches to relationship building. O'Neal frames her work in relation to Vine Deloria's principal of the "right to know" and William T. Hagan's description of Indigenous communities as "archival captives," without the right to create their own versions of history.

This article traces the Indigenous community archive movement from the 1970s to the present and showcases a need for Indigenous self-determination in relation to archives as well as ways in which settlers can support this work. O'Neal contextualizes contemporary best practices in terms of the *Protocols for Native American Archival Materials* guidelines and advocates for further adoption of the *United Nations Declaration of the Rights of Indigenous Peoples* by archivists.

47. Punzalan, Ricardo L., and Michelle Caswell. "Critical Directions for Archival Approaches to Social Justice." *Library Quarterly* 86, no. 1 (2016): 25–42.

***Keywords*:** social justice, archival scholarship, research trajectory

Thesis/Description

Social justice ideas have had a long, albeit underacknowledged, place within archival discourse over the past 40 years. While the lasting import of social justice to archival studies cannot be denied, much research is still required to demonstrate responsively and productively how certain archival actions contribute to, or sometimes impede, social equality and inclusion.

Key Points

- Social justice, as a concept, is not well defined within archival discourse.
- The authors argue that

  > Social justice is most often apparent in discussions of the following five areas of archival scholarship:
  >
  > - inclusion of underrepresented and marginalized sectors of society
  > - reinterpretation and expansion of archival concepts
  > - development of community archives
  > - rethinking archival education and training
  > - efforts to document human rights violations. (p. 27)

- Continuing the conversation and expanding "the principle of provenance helps liberate archival work from narrow and restricted interpretations of creatorship and ownership" (p. 30).
- ***Archival pluralism*** is defined by Caswell as

  > the acknowledgement of and engagement with, multiple coexisting archival realities – that is, fundamentally differing but equally valid ways of being and knowing – most commonly made manifest in the archival realm by (sometimes) irreconcilably divergent – but still credible – ways of defining, transmitting, and interpreting evidence and memory. (p. 30)

Summary

This article provides a broad overview of North American archival discourse on the topic of social justice and its implications for archival studies. In general, the authors propose that social justice, while still very much underrepresented across archival discourse, is still most visible in discussions of defining archival concepts, training archivists, and developing and maintaining archives and archival materials relating to marginalized communities and violations of human rights. The authors also note that, for archives to further understand the importance of social justice to archival studies, it will be necessary to pursue the following three areas in archival research and scholarship: "going beyond rights-based approaches to the understanding of social justice, examining racial and economic structures of marginalization, and understanding the effects and outcomes of digitization and open access" (p. 31).

In going beyond the dominant, rights-based approaches to understanding social justice, the authors offer the counter-perspective provided by feminist theory. Through an "ethics of care," we can view "the ways people are linked to each other and larger communities through webs of responsibilities" (p. 32). Examples of an "archival ethics of care" include

> the feminist analyses of appraisal policies that bolster social inclusion and place archivists within the ever-changing dynamics of community; the creation of descriptive systems that allow for differential access based on historical and social context; the reconceptualization of outreach programs in response to legacies of inequity, mistrust, and colonialism; and greater attention to affect in all aspects of the archival endeavor. (p. 32)

In examining racial and economic structures of marginalization, the authors speak to the need to address racial and ethnic homogeneity within the profession and to acknowledge white privilege, which still largely defines archival theory and practice. The authors suggest that archival pluralism is very much required in order to counter these structures – to include marginalized, non-Western ways of being and knowing and to challenge the cultural foundations upon which archival theory is based.

The authors propose that archives can use a fuller understanding of the effects and outcomes of digitization and open access to create alternative ways to provide meaningful, community-controlled digital access to materials without further promoting the uneven power dynamic that inspired the original creation and/or collection of such community records in the first place (pp. 34–35).

48. Pylypchuk, Mary Anne. "A Documentary Approach to Aboriginal Archives." *Archivaria* 33 (Winter 1991–92): 117–24.

***Keywords*:** documentation strategy, documentary plan, Aboriginal archives

Thesis/Description

Archivists must "be aware of all types of records along the pre-literate-post-literate continuum, and must heed the responsibility of record creators to respect the needs of past, present and future generations" (p. 123).

Key Points

- Aboriginal documentary heritage changed significantly between 1969 and 1989.
- There has been an increase in archives by and about Aboriginal people.
- Archival theory must be applied in a new way to the appraisal of Aboriginal archives.

Summary

While this article is over 25 years old, it is a good refresher in terms of general archival theory and methodology as well as the history of Aboriginal rights and records creation. Pylypchuk – who presented this article as a paper at the ACA conference in 1991 – is now deceased but was a student in the MAS

program at UBC. Her piece reviews evidential value, total archives, documentary heritage, and both documentation strategy and documentary plan. She also touches on the rejected 1969 Statement on Indian Policy and the rise of ethnohistory in the 1970s. Pylypchuk argues that an adapted documentation strategy or plan could be usefully applied to Aboriginal archives in Canada (pp. 119–20) by analyzing records creators and appraising documentary heritage. She also delves into Hugh Taylor's work on pre-literate and post-literate societies, arguing that a "recording of an oral tradition is a contradiction in terms" (p. 122). She further argues for independent Aboriginal archives, giving "community greater control over outside research into itself" (p. 122).

49. Stevens, Mary, Andrew Flinn, and Elizabeth Shepherd. "New Frameworks for Community Engagement in the Archive Sector: From Handing Over to Handing On." *International Journal of Heritage Studies* 16, no. 1-2 (January 2010): 59–76.

***Keywords*:** community archives, community engagement, ethnography, United Kingdom

Thesis/Description

Traditional archival institutions and community-based archives have much to gain from collaboration. This article uses case study examples to look at the successes and challenges of long-term engagement between traditional archives, communities, and community archives.

Key Points

- Community archives are defined by the ongoing involvement of members of the source community in making decisions around accessibility and collection.
- Traditional archives engage with community archives in five main areas of practice: custody, collection, curation/dissemination, advice, and consultancy.

Summary

The case study examples in this article are drawn from the Community Archives and Identities: Documenting and Sustaining Community Heritage project undertaken by the Department of Information Studies at University College London. It uses ethnography to approach community engagement practices and looks at the top ways in which traditional archives interact with community archives.

The authors found that many community archives remain cautious when working with traditional archives and are deeply concerned about maintaining their own independence. The article concludes that many professional archivists lack an understanding of how community archives work and do not grasp the financial and physical challenges faced by many community archives. Despite these barriers, there are still a number of ways in which community archives and professional archivists can work together; however, this collaboration often requires a shifting of priorities and building understanding across divides.

50. Thorpe, Kirsten. "Protocols for Libraries and Archives in Australia: Incorporating Indigenous Perspectives in the Information Field." Paper presented at the World Library and Information Congress: 79th IFLA General Congress and Assembly, Singapore, August 17–23, 2013. http://library.ifla.org/99/1/125-thorpe-en.pdf.

***Keywords*:** Indigenous Australia, protocols, library, archives, community engagement

Thesis/Description

This paper discusses examples of protocols for libraries and archives from Australia, including those developed by the Aboriginal and Torres Strait Islander Library, Information and Resources Network (ATSILIRN), State Records Authority of New South Wales (NSW), and the Aboriginal and Torres Strait Islander Data Archive (ATSIDA).

Key Points

- Many Australian cultural heritage institutions are utilizing protocols as a way to manage collections with respect to Indigenous cultural values and aspirations.
- Indigenous protocols for libraries and archives are an important tool both for two-way conversations between communities and institutions, to establish dialogue about respectful management of collections, and for implementing change.
- Education and training are important in preparing information professionals to be responsive to the needs of diverse communities and to transform their practice.

Summary

The paper concludes that "Indigenous protocols for libraries and archives are a significant tool in raising the awareness of the needs of Indigenous people to their cultural heritage resources" (p. 10). It argues that "education and training for library, archive and information science professionals is a key factor in establishing a foundation for dialogue to continue about Indigenous information needs" (p. 10). The work references the author's experience in working with three Australian protocols and the varying ways in which those organizations worked with Indigenous communities.

51. Tuck, Eve, and K. Wayne Yang. "Decolonization Is Not a Metaphor." *Decolonization, Indigeneity, Education and Society* 1, no. 1 (2012): 1–40. http://decolonization.org/index.php/des/article/view/18630.

***Keywords*:** decolonization, settler colonialism, Indigenous land, decolonizing education, unsettling

Thesis/Description

Decolonization is not merely about giving priority to Indigenous ways of thinking and knowing. Decolonization requires returning land to Indigenous people and allowing for the restoration of relationships with that land.

Key Points

- An understanding of settler colonialism is essential for any form of decolonization work. All decolonization work must move beyond metaphor and be actively unsettling.
- We need to differentiate between social justice work and decolonizing work.
- Settlers need to actively address their "moves to innocence," which are often used to alleviate guilt without giving up privilege or land.

Summary

This article examines the use of decolonization as a metaphor in settler society. The authors unpack approaches to decolonization and highlight the ways in which settler colonialism has co-opted the term without actual decolonial work or meaning. It is crucial that settlers be uncomfortable with discussions around decolonization and that attempts are made to actively unsettle mainstream narratives. Tuck and Wayne challenge much of the popular discussion around decolonization and provide Indigenous perspectives on relationships and settler colonialism that are rooted in space-place pedagogy.

52. Underhill, Karen. "Protocols for Native American Archival Materials." *RBM: A Journal of Rare Books, Manuscripts, and Cultural Heritage* 7, no. 2 (2006): 134–45.

Keywords: protocol, Native American, tribal communities, cultural property rights, partnership

Thesis/Description

"Collecting institutions and Native American communities share a commitment to preservation and dissemination of knowledge for present and future generations" (p. 137).

Key Points

- This article came out of a conference held in April 2006 to "develop best practices for culturally responsive care and use of American Indian archival material held by non-tribal organizations" (p. 134) and to produce the draft document, *Protocols for Native American Archival Materials*.
- The protocols "address ten policy, legal and human rights topics" (p. 135):
  - consultation/concurrence with tribal communities
  - understanding of values/perspectives
  - rethinking of accessibility/use
  - recognition/special treatment of culturally sensitive material
  - culturally responsive context
  - intellectual/cultural property rights
  - copying/sharing/repatriation of certain materials
  - community-based research protocols/contracts
  - reciprocal education/training
  - awareness within information professions

Summary

In this article, Underhill elaborates on both the conference and the resulting protocol. She notes that "non-Indian archivists in mainstream institutions often lack training in the many nuances of caring for such collections" (p. 134). Her article provides context for the protocol that includes international declarations, including similar Australian guidelines. Underhill notes that "a strong partnership between a Native American community and a collecting institution involves communication, negotiation, patience, respect, and concurrence" (p. 137). The article offers a thorough breakdown of the Native American protocols developed at the conference and cites numerous practical and relevant examples. The date of publication should be noted, as the protocol may have been redrafted and strengthened in its application over the course of the past decade.

53. United Nations Human Rights Council. Report of the Office of the United Nations High Commissioner for Human Rights on the Seminar on Experiences of Archives as a Means to Guarantee the Right to the Truth. A/HRC/17/21. April 14, 2011. https://www2.ohchr.org/english/bodies/hrcouncil/docs/17session/A-HRC-17-21.pdf.

***Keywords*:** Human Rights, Right to Truth, truth commissions

Thesis/Description

Archives play a key role in comprehending and addressing violations of human rights, including missing persons, disappearances, and executions. Preserving and providing access to records concerning these violations of rights may be difficult, particularly through transitional periods. States must develop appropriate national archival frameworks to protect these key records.

Key Points

- Archives play a key role in comprehending and addressing violations of human rights, including missing persons, disappearances, and executions, and must preserve and provide access to records concerning these violations of rights.
- Archives are important to both individual rights and the rights of people to know the truth about their nation's past.
- Repressive regimes and transitional periods create a context where records are important but are also at risk for destruction. Archivists must be proactive in preserving and maintaining fair access to these records.
- States must develop appropriate national archival frameworks to protect records, including the records of repressive regimes. If the state is unable to protect and provide access to these records, they may be better protected by an intermediate archival institution.

Summary

This report summarizes the discussions held at a seminar regarding the role of archives in realizing the right to truth, particularly in instances of human rights abuses, murders, and disappearances.

Participants included experts from Argentina, Chile, Guatemala, Serbia, Spain, South Africa, Switzerland, Timor-Leste, the United States, and the former Yugoslavia.

The report sets out the experiences and practices of a number of archives and explores four themes: "(a) the preservation of archives and the right to the truth; (b) using archives in criminal accountability processes; (c) using archives in non-judicial truth-seeking processes; and (d) the placement of archives of repressive regimes" (p. 1).

Care must be taken to protect archives and records at the end of repressive regimes and during transitional periods. The records will be needed for prosecutions, rehabilitation, reparations, and truth commissions. Access to these records may be difficult, may cross national boundaries, and will be dependent on the availability of inventories. Military and police records present particular challenges of access. Transferring records to a "safe" third country or other intermediate institution may support their protection.

No specific Canadian examples are discussed, and there are no examples that refer specifically to the rights of Indigenous Peoples.

54. Union of BC Indian Chiefs Resource Centre. *Ethical Research Policy*. Union of BC Indian Chiefs Resource Centre, n.d. https://d3n8a8pro7vhmx.cloudfront.net/ubcic/pages/1166/attachments/original/1507335847/Ethical_research_policy.pdf?1507335847.

***Keywords*:** British Columbia, research, consultation, band council resolution, ethics, transparency

Thesis/Description

This one-page policy applies to all research conducted at the UBCIC Resource Centre when the focus is on Aboriginal people or culture. It outlines how research should be carried out to ensure it is of benefit to Aboriginal peoples and protects and acknowledges their interests, resources, rights, and sensitivities.

Key Points

- Ethical and professional practices must be adhered to.
- Researchers may need to consult with appropriate contacts or request a Band Council Resolution or other documentation in support of research that impacts Aboriginal interests in any way.
- Researchers must acknowledge and protect Aboriginal "rights, interests, and sensitivities," and must "honestly and accurately represent" any bodies involved in the research.
- Research methods must be open and transparent.
- Resource Centre staff should be consulted if there are concerns about sensitive materials.

Summary

The policy is just one page and appears to be a draft. However, the primary aim is that appropriate respect be "given to the cultures, languages, knowledge and values of Aboriginal peoples" when research is conducted at the UBCIC Resource Centre. The policy points out that researchers are not only "collectors of information" but also "producers of meaning."

55. University of British Columbia. *Indigenous Peoples: Language Guidelines, Version 3.0*. Vancouver, BC: University of British Columbia, 2021. https://assets.brand.ubc.ca/downloads/ubc_indigenous_peoples_language_guide.pdf

***Keywords*:** Indigenous Canada, terminology, language, style, communication.

Thesis/Description

This guide was produced to help UBC communicators navigate the terminology and meanings associated with this subject matter to produce the best – and most respectful – results, with the recognition that, as time passes, the terminology is subject to change and the guide will continue to be refreshed.

Key Points

- Canada's historical relationship with the first inhabitants of the land has been shaped by its imperial and colonial history. Columbus's misnomer of Indigenous people as "Indians" has been superseded by a succession of terms, such as *Native*, *Aboriginal*, *First Nations*, *Indigenous*, and others. All these terms carry connotations that can be functional or harmful, depending on context, and their usage by powerful social institutions such as universities makes a difference.
- Terminology matters; be respectful.
- Communication evolves; consultation and dialogue are essential to determine respectful, non-hierarchical, and inclusive language.

Summary

This guide provides an easy-to-digest explanation of current terminology with regard to Indigenous Peoples and recommended guidance on usage. It is a valuable style guide for respectful communication. The guide appears to have been authored by Dr. Linc Kesler, Director of the First Nations House of Learning and Senior Advisor to the President on Aboriginal Affairs, and Kevin Ward, Research and Communications Officer from the First Nations House of Learning, UBC. The guide is clear in its acknowledgement that language and usage are ever-changing, and that while it attempts to provide current guidance, it will and ought to be updated regularly as language evolves. It also states that anyone in doubt about using any terms should make every effort to consult and discuss, to ensure respectful communication.

56. Vézina, Brigitte. "Cultural Institutions and the Documentation of Indigenous Cultural Heritage." In Callison, Roy, and LeCheminant, *Indigenous Notions of Ownership and Libraries, Archives and Museums*, 89–105.

***Keywords*:** cultural heritage, intellectual property, ownership

Key Points

- Cultural institutions collect and preserve Indigenous materials – not always with the consent of Indigenous communities.
- Cultural institutions should be aware of the risk of misappropriation and the scope of intellectual property and legal aspects relating to Traditional Knowledge.

Summary

This chapter addresses the use of material in the collections of cultural institutions without permission, acknowledgment, or compensation to their indigenous holders. Concisely, some worry that the very process of documentation of the cultural heritage of indigenous peoples, whatever the purposes, goals, objectives, or outcomes, may open the door to its misappropriation (Vézina 2010). More broadly, the activities aimed at documenting cultural heritage pose unique and complex cultural, legal, and ethical questions and introduce the question of intellectual property law, policy, practice, and management into the preoccupations of cultural institutions. This chapter will try to identify the role that cultural institutions could play in preventing such misappropriation and in ensuring respect for the intellectual property rights and interests of indigenous peoples. (p. 92)

57. Wareham, Evelyn. "'Our Own Identity, Our Own Taonga, Our Own Self Coming Back': Indigenous Voices in New Zealand Record-Keeping." *Archivaria* 52 (Fall 2001): 26–46.

Keywords: archival services, Maori, New Zealand, Treaty Rights

Thesis/Description

An overview of the impact of Maori on archival practices in New Zealand, including services to users.

Key Points

- Archives can change their practices to work toward decolonization.
- The use of archives by Indigenous people in New Zealand has risen significantly in the past few decades.
- Archives in New Zealand have improved services to Maori and care for their records, including by creating finding aids and research guides, providing copies of records, and appropriately restricting access to information.
- Further steps toward reconciliation are needed, including changes to governance and repatriation of cultural heritage.

Summary

Archival records include significant records by Maori as well as others written by European settlers about Maori. These records include maps, images, sound and video recordings, and carvings. As much Traditional Knowledge has been lost, the written records take on increased significance to living people. Maori, and their increasing use of archival records in New Zealand, have impacted archival practices in many ways, examples of which can benefit the decolonizing work of archives in other countries as well.

Treaty Rights and claims settlement processes are a significant use of archival records and have influenced government recordkeeping and archival services. Family history and land claims research are also popular. There is high awareness of the usefulness of archival records for these purposes; in 1998, approximately 10 percent of users of archival records were Maori.

Government institutions have been working to implement biculturalism. This article provides examples of archival institutions adopting Maori language, culture, and perspectives in their operations and services. It has been challenging to recruit Maori staff into some roles, but doing so is key to including Maori perspectives and implementing biculturalism. Finding aids and research guides, which are well used, have been a simpler starting point. Other projects centre on copying and increasing access to key records series. Online access to other records has been restricted, respecting the rights of Maori groups to control their own information.

Beyond these steps, repatriation of heritage and true partnerships are needed. Collaboration and consultation to date have been helpful but are not a complete solution. The author suggests that structures of dual leadership or advisory boards would improve governance. Repatriation of records to Maori facilities is also suggested, particularly as Western institutions have frequently mishandled and not properly respected cultural objects. Maori have a right to control their cultural information; this is recognized under treaty rights but has not yet been fully realized.

58. Wood, Stacy, Kathy Carbone, Marika Cifor, Anne Gilliland, and Ricardo Punzalan. "Mobilizing Records: Re-Framing Archival Description to Support Human Rights." *Archival Science* 14, no. 3-4 (2014): 397–419.

***Keywords*:** human rights, respect des fonds, original order, provenance, archival description

Thesis/Description

"When one re-envisions archival activities, including description, from a human rights framework, it becomes impossible to separate the record from the politics of its origins, as well as from its consequences, affects, or most importantly, the human life to which it is related" (p. 398).

Key Points

This article outlines discussions about the following questions at an international symposium:

> How can archivists describe records in ways that not only reflect the contexts of the record's creation but that open up spaces for those mentioned in or related to the records to contribute their voice? How can archival description allow and make room for the multiplicity of voices in archives to speak? How do we re-conceptualize regimes of evidentiary value and archival authority that are inclusive and at the same time divergent? How can institutions foster trust by rethinking their protocols, policies and practices with respect to description? (p. 401)

Summary

This article has its roots in the 2013 UCLA Human Rights Archives Symposium, The Anatomy of Forgetting: Global Perspectives on Human Rights Archives. It elaborates on two main streams of discussion by a symposium group that looked at the ethics and priorities of archival description. The first stream "problematize[d] the foundational archival precept of respect des fonds and its sub-principles of original order and provenance," and the second "concern[ed] transforming institutional policies and standards to foster trust and transparency, and identifying structural or system wide strategies for ameliorating past abuses" (p. 399). Theoretical concepts such as archival representation and liberatory description are referenced, but the article also notes that tangible examples are not included (p. 401).

Respect des fonds faces new challenges in terms of the immediate needs of users who are survivors of abuse. It is argued that original order is less meaningful in the digital world, given multiple, simultaneous means of organization (p. 402). Provenance is countered in its focus on the record over the people it may document. In the context of Australian Indigenous rights, the authors argue for a participant-driven model of provenance, where subjects of records are also co-creators. A lengthy case study is offered as an example of complex, problematic provenance (p. 404). The 1997 Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families is cited as evidence of users' need to access records held by the programs that had oppressed them (p. 408). The Plateau People's Web Portal is offered as an example of transitioning from a custodial relationship to one of stewardship, where the three tribes the portal represents have the ability to add, edit, and control access (p. 411).