

Special or Sacred?: Tribal Material Stewardship in Special Collections

Throughout the country, there are a multitude of tribal colleges and universities that have their own special collections. To name a few: the Sitting Bull College Library houses a primary source collection of Lakota stories; Fond du Lac College is home to the Anishinaabe Collection; and Stone Child College owns a special collection of Chippewa-Cree materials. These collections, more often than not, are created with concerns of privacy, access, and knowledge in mind as dictated by tribal communities local to the geographic area reflected in the material. The number of non-tribal colleges and universities that have archival and special collections pertaining to tribal material is, of course, much higher, as there are far more American higher education institutions than there are Native ones.

There could very well be tribal archival material lurking in a special collection's manuscript holdings, most likely in non text materials such as photographs and audio or video recordings. As noted in Berger's book *Rare Books and Special Collections*, "There are also manuscripts and other papers of businesses or families not related to the institution, or materials of any other noninstitutional entity. These last categories of materials belong to the special collections department as part of its manuscript holdings."¹ Rare books and manuscripts libraries and departments also often receive donated material directly in the same fashion as archives do.

In both instances, whether receiving materials from a donation, or spillover from an archive, a review process should be employed when processing materials that contain images, manuscripts, or any other items relevant to native culture. Although there are issues of cultural sensitivity built into the ethical guidelines for the American Association of Archivists, the American Association for State and Local History, and the American Anthropological Association², no such guidelines are included in the codes for the American Library Association

(ALA) or the Rare Books and Manuscripts Librarianship section of the ALA. Special collections librarians should assess their collections for potentially sensitive tribal material, and develop best practices and guidelines specific to their holdings. These practices should be guided by two existing documents, the *Protocols for Native American Archival Material* and the *Society of American Archivists Code of Ethics*. This latter document can serve as a framework with particular regard to its Judgement and Privacy sections which state:

- . . . As appropriate, archivists place access restrictions on collections to ensure that privacy and confidentiality are maintained, particularly for individuals and groups who have no voice or role in collections' creation, retention, or public use.
- . . . Archivists are encouraged to consult with colleagues, relevant professionals, and communities of interest to ensure that diverse perspectives inform their actions and decisions.³

The stewardship of tribal materials presents complex problems on several fronts. First, without the input of indigenous tribal people, it's difficult for a non-native person to identify culturally sensitive material. If a librarian does not have a well-informed idea of what he or she is processing, subtleties of cultural nuances and interpretation are lost. As institutions push forward initiatives driven by missions of access and circulation, they should not do so in ignorance of potential spiritual, cultural, and political ramifications for indigenous people. One example of such circumstance of disregard happened at the Eli M. Oboler Library at Idaho State University, when culturally sacred material was only discovered because a student intern that was processing a collection was also a member of the Bad River Band of Lake Superior Chippewa.

While working on the photographs he came across some images that . . . clearly show a Sun Dance in progress. The Sun Dance is a sacred, week-long ceremony that was distinctive of the Great Plains tribes . . . In addition to the photographs of the Sun Dance, there was another image of a Fort Hall tribal member laid out for his viewing and funeral. Dressed in full regalia . . . this image had been placed in CONTENTdm . . .⁴

Another issue that complicates matters is that of copyright. As Underhill points out, "U.S. copyright law causes concerns for Native American communities on several fronts. First,

copyright expires. From a community standpoint, some traditional knowledge should be protected in perpetuity."⁵ In Stuart Schüssel's paper on Alaskan Natives' cultural property, he explains, "Unfortunately, most of the works these groups seek to protect are not eligible for copyright protection because of conflicts with copyright requirements. For instance, the requirement of fixation in a tangible medium of expression would preclude protection for oral folklore and songs."⁶ Though even if material is fixed, and copyright can be claimed or proven, that still does not solve the issue of knowledge surrounding that material about if and when it should be circulated to the general public. At Washington State University libraries, there was an instance of a circulating cassette tape collection that should not be heard by non-native people. Only after a visit from three women of the Confederate Tribes of the Warm Springs Reservation did the library learn of their mistake, and the collection was pulled from general circulation.⁷

Perhaps the most difficult issue regarding tribal material is the matter of what constitutes ownership. If a collection of photographs in a special collection have a known creator, how can a curator be certain that the subjects of the images knew they were being photographed? If a sacred ceremony is documented in this manner, tribal communities could claim they are the owners of the knowledge inherent in the images and it should not be shared with members outside of that particular tribe. This type of incidence would fall under the "the need to recognize and provide special treatment for culturally sensitive materials"⁸ as explained in the Protocols for Native American Archival Materials. The protocols define culturally sensitive materials as "Tangible and intangible property and knowledge which pertains to the distinct values, beliefs, and ways of living for a culture. It often includes property and knowledge that is not intended to be shared outside the community of origin or outside of specific groups within a community."⁹

Another way ownership can be misrepresented is if items in a special collection were "collected" without tribal consent. During the colonization of Native Americans and beyond, artifacts of every imaginable kind have been stolen or forcibly removed from tribal communities, the rightful "owners" of these items. Alison Cullingford makes mention of this issue saying, "This [cultural property issues] is one of the most difficult issues in Special Collections management. Millennia of conflict and trade mean Special Collections have received material from all over the world, sometimes via illegal or ethically doubtful activities by someone in the long chain of transfers."¹⁰ Although the events of history may be a distant memory, processing of collections is happening in the present, as departments continue to review their holdings for weeding, disposition, or preparing material for reformatting and digitization initiatives.

This last point introduces a new urgency to the matter of stewardship of tribal material held in special collections, as reformatting for web mounting projects continue to grow. Digitization efforts are driven by one overarching mission: access. But access as a concept known to American librarians is an ideal grounded in Western beliefs, some of which are in direct opposition to how tribal communities view perceptions of knowledge. Most Native American tribes believe unilaterally that knowledge is a gift bestowed upon a person by his creator, not a prize collected by landing on the right web page. The Tulalip Tribes of Washington explain this elegantly by stating:

In indigenous cosmology, knowledge is a gift from the Creator . . . there is no public domain in traditional knowledge . . . although individuals might hold knowledge, their right is collectively determined, and it is rare that individuals have the right to use knowledge in a free and unconstrained manner. They are bound by the laws of their tribe and of the Creator. Even knowledge shared and used widely does not fall into public domain.¹¹

Tribal special collections without tribal input are almost guaranteed to be problematic. Timothy Powell described his feelings while working on a digital project as a "painful awareness

of the unforeseen problems that arise when projects about Native American culture are conducted without the expertise of any tribal members, even if the digital work is done by the best intentioned, most highly skilled, and impeccably credentialed non-Native staff and scholars."¹²

Perhaps adding insult to injury, another problem that stems from the age of digitization in special collections is that of further distancing material from its rightful owners. After all, most of the current efforts aimed at supporting preservation and access are happening at *non*-Native institutions. Any future efforts of special collections stewards seeking to decolonize their holdings must also turn an eye to sharing these cultural resources with the actual inhabitants of the cultures they represent. In her discussion of Mukurtu, the open source content management system designed specifically *for* tribal communities, Siobhan Senier points out:

The barriers to digitize indigenous history are therefore not solely about the need to tread carefully with indigenous intellectual property, although that is certainly a critical part of the picture. These barriers reflect an ongoing and in some instances worsening digital divide: between those who have broadband access and those who don't, between those who can apply for funding because they can demonstrate 'viability' and those who cannot.¹³

Hopefully as libraries, archives, and museums continue to try and bridge gaps between their institutions and the native communities that surround them, new ways of presenting and preserving indigenous materials will continue to emerge. The next generation of Special Collections librarians should thoroughly familiarize themselves with the *Protocols for Native American Archival Material* and the *Society of American Archivists Code of Ethics*. In doing so, they can create new policies in their institutions that adequately address the complex nature of culturally sensitive indigenous material.

As Special Collections continue to ingest new material and process backlogs, librarians must keep indigenous cultures in mind. There must be a vigilant awareness of what they have

been entrusted to preserve, and a humble questioning of their role in both protecting and sharing indigenous history and memory. What lies at the heart of all librarianship is getting the right information into the hands of the right people at the right time. No matter where tribal material in a special collection originated from, or what medium it exists in, it is ultimately the role of the special collections librarian to steward the items in their purview in a thoughtful, informed, and socially responsible manner. Controversies surround indigenous peoples' material, both from native tribes themselves, non-native researchers, and the public at large based on theoretical, political, and even spiritual differences. But belonging to a profession that is guided by ethics, the special collections librarian must begin with their own sense of the information they care for, no matter how foreign the material may seem on initial inspection. So when a tribal item crossed the desk of a special collections librarian, their very first question should be, "Is it special, or is it sacred?" The answer to that question may involve research, consultation of state and federal laws, meetings with native tribal elders, and more. But answering that question definitively is the only way to satisfy this particular ethical responsibility.

ENDNOTES

¹ Sidney Berger, *Rare Books and Special Collections* (Chicago: Neal-Schuman / ALA, 2014), p. 62.

² Karen J. Underhill, "Protocols for Native American Archival Materials." *RBM: A Journal Of Rare Books, Manuscripts, & Cultural Heritage* 7, no. 2 (2006); p. 135.

³ Society of American Archivists, "SAA Core Values Statement and Code of Ethics." Retrieved from http://archivists.org/statements/saa-core-values-statement-and-code-of-ethics#code_of_ethics, April 28, 2017.

⁴ Ellen M. Ryan, "Identifying Culturally Sensitive American Indian Material in a Non-tribal Institution." *SAA Case Studies in Archival Ethics*. Retrieved from http://www2.archivists.org/sites/all/files/AmericanIndianMaterial_CEPC-CaseStudy3.pdf, April 29, 2017; p. 3.

⁵ Underhill, p. 141.

⁶ Stuart Schüssel, "Copyright Protection's Challenges and Alaska Natives' Cultural Property." *Alaska Law Review* 29, no. 2 (2012); p. 314.

⁷ Kimberly Christen, "Tribal Archives, Traditional Knowledge, and Local Contexts: Why the "s" Matters." *Journal of Western Archives*, 6, no. 1 (2015); p. 2.

⁸ First Archivist Circle. "Protocols for Native American Archival Materials." 2006. Retrieved from <http://www2.nau.edu/libnap-p/protocols.html> April 29, 2017.

⁹ Ibid.

¹⁰ Alison Cullingford, *The Special Collections Handbook* (London: Facet Publishing, 2011), p. 140.

¹¹ "Statement by the Tulalip Tribes of Washington on Folklore, Indigenous Knowledge and the Public Domain." Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, Fifth Session, Geneva, July 5-17, 2003. Retrieved from <http://www.sipo.int/tk/en/igc/ngo/tulaliptribes.pdf>, April 29, 2017.

¹² Timothy Powell, "A Drum Speaks: Partnership to Create a Digital Archive Based on Traditional Ojibwe Systems of Knowledge," *RBM: A Journal of Rare Books, Manuscripts and Cultural Heritage*, 8(2), fall 2007, pp. 170-171.

¹³ Siobhan Senier, "Digitizing Indigenous History: Trends and Challenges." *Journal of Victorian Culture* 19, no. 3 (2014); p. 402.