

CASE #3

# Access Policies for Native American Archival Materials in the National Anthropological Archives, Smithsonian Institution

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OVERVIEW:

This case study contributes to the history of collections access protocols by examining one repository's policies and practices over a fifty-year period—those of the National Anthropological Archives at the Smithsonian Institution's National Museum of Natural History. It describes a series of archival programs and projects that occurred before, during, and after the development of the [Protocols for Native American Archival Materials](#) in order to view changes in the archives' access policies within a broader cultural and institutional milieu, presenting a more complex narrative than previously available. The case study assesses the influence of the *Protocols* as well as some challenges to the adoption of several recommendations. Finally, we make several proposals for archival repositories with comparable collections and constituencies.

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## INTRODUCTION AND INSTITUTIONAL CONTEXT

The National Anthropological Archives (NAA) is located within the Department of Anthropology in the Smithsonian Institution's National Museum of Natural History (NMNH). The NAA is dedicated to collecting and preserving historical and contemporary anthropological materials that document the world's cultures and the history of anthropology. Its collections represent the four fields of anthropology—cultural, linguistic, archaeological, and biological anthropology. They include a wide range of formats, especially fieldnotes, journals, manuscripts, correspondence, photographs, maps, sound recordings, film, and video (moving image collections being largely housed within its Human Studies Film Archives, or HSFA). The collections include the Smithsonian's earliest attempts to document North American Indigenous cultures and lifeways, including the research reports and records of the Bureau of American Ethnology (1879–1964), the United States National Museum's Divisions of Ethnology and Physical Anthropology, and the River Basin Surveys. The NAA also holds the records of the Smithsonian's Department of Anthropology and of twenty-five professional organizations, including the American Anthropological Association, the American Ethnological Society, the Council for Museum Anthropology, and the Society for American Archaeology. All told, the archives' holdings include approximately 18,000 cubic feet of material documenting more than 350 cultures and languages worldwide; one million ethnological and archaeological photographs (including some of the earliest images of Indigenous peoples worldwide); 21,000 works of Indigenous art (mainly North American, Asian, and Oceanic); 11,400 sound recordings; and more than 6,000 hours of original film and video materials.

The NAA holds one of the world's largest collections of North American Indigenous language documentation, North American Indigenous photographs, and Native American ledger art. Collections generated by the anthropology department include materials from Indigenous peoples globally, making the NAA's holdings relevant to a wide range of Native American, First Nations, and Indigenous communities. The Smithsonian's broad collection policy and support of anthropological research for over 175 years have made the NAA an unparalleled resource. Each year, the archives are accessed not only by academics, but by journalists, teachers, lawyers, television and film producers, artists, and many others. Native and Indigenous researchers are now the NAA's second most common user group after professional anthropologists. Thus, individuals researching their own culture and history are among the archives' largest constituencies.<sup>1</sup>

Much of the NAA's collections were acquired in colonial contexts, and not always in accord with current ethical standards. Because material was collected from all four of American anthropology's fields, including archaeology and biological anthropology, the NAA holds documentation on Indigenous

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<sup>1</sup> Today, the NAA is the third most visited of the Smithsonian's fourteen archival repositories, based on FY2017 collections and digitization reporting. See also Diana E. Marsh, "Toward Inclusive Museum Archives: User Research at the Smithsonian's National Anthropological Archives," in *Defining the Museum in the 21<sup>st</sup> Century: Evolving Multiculturalism in Museums in the United States*, eds. Y.S.S. Chung, A. Leshchenko, and B.B. Soares (International Committee for Museology Monograph Series, 2019), 129.

archaeological sites, human remains, anthropometric measurements, and other topical areas that can be traumatic for Native and Indigenous peoples.

For more than fifty years, the NAA has worked to acknowledge its history, develop and improve relationships with Native and Indigenous community members, and enact culturally responsive and ethical practices in the spirit of the [Protocols for Native American Archival Materials](#). In this case study, we describe archival programs and projects that occurred before, during, and after the development of the *Protocols* in order to examine the institutional context for and influence of the *Protocols*, as well as challenges to the adoption of some *Protocols* recommendations. In lieu of a strictly linear narrative, the institutional history that follows is comprised of five thematic sections which often overlap chronologically. We begin with the NAA's present access policies, highlighting NAA-specific policies, associated Smithsonian policies that contributed to culturally responsive collections care, and the effects of federal legislation such as NAGPRA and the NMAI Act.

## PRESENT ACCESS POLICIES

The NAA's access policies and practices are guided by the collections management policies of its parent organization, the Smithsonian Institution, a public institution founded in 1846 by an Act of Congress with a mandate for "the increase and diffusion of knowledge." In general, Smithsonian collections are publicly accessible unless they are restricted by laws governing personal privacy and publicity rights or by donor-imposed conditions originating in a deed of gift. However, the Smithsonian's collections management policy (SD 600) gives each of the Institution's fourteen archives and special collections considerable latitude to determine whether specific Native and Indigenous heritage collections in their care will be publicly accessible. The policy encourages collecting units "to consult with Native American tribes and Native Hawaiian groups associated with objects in their collections and to take their interests into account in establishing policies for the management of these collections, provided that such policies are consistent with applicable law and the Smithsonian's duties for the care and management of its collections."<sup>2</sup> The NAA strives to apply this directive to all collections of Native and Indigenous origin.

A second Smithsonian policy concerning digital asset access and use (SD 609) makes clear that "Digital assets, *like the underlying tangible collection objects from which they are derived*, may be subject to a range of policy and other restrictions that have become generally accepted in museum and scholarly communities."<sup>3</sup> Of particular note is the digital access policy's attention to cultural sensitivity (a characteristic feature of many Native and Indigenous collections) rather than to their specific origin:

Sensitive Content is defined in different ways by members of individual communities, nations, tribes, ethnic groups, and religious denominations, but may include materials that

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<sup>2</sup> Smithsonian Institution, Smithsonian Directive 600: Collections Management (2001), Section 11.a.1, <https://www.si.edu/content/pdf/about/sd/SD600andAppendix.pdf>. This language expands upon the applicable requirements of the NMAI Act (discussed below) and was informed by wider public discourse concerning Native American ethics.

<sup>3</sup> Smithsonian Institution, Smithsonian Directive 609: Digital Asset Access and Use (2011, revised 2019), Section VII.B, <https://www.si.edu/content/pdf/about/sd/SD609.pdf>; emphasis added.

relate to traditional knowledge and practices. Such materials may: a) be considered the private domain of specific individuals, clans, cults or societies; b) require an appropriate level of knowledge to view and understand; c) threaten the privacy and well-being of a community when exposed or disclosed to outsiders; and/or d) give offense if inappropriately used or displayed, or when appropriated or exploited for commercial purposes.<sup>4</sup>

This policy was directly informed by the NAA's experience stewarding culturally sensitive heritage collections as well as by Smithsonian directives relating to consultation with Native American tribes and Native Hawaiian groups included in SD 600. The digital asset access and use policy gives a clear mandate to all Smithsonian repositories to remove online content at the request of Native and Indigenous communities and to refrain from placing recognizably sensitive content online, in contrast to other Smithsonian collections access and use policies that are guided by Western copyright and individual privacy laws.<sup>5</sup>

A third institution-wide policy with clear relevance and applicability to Native and Indigenous archival collections is the Smithsonian Institution *Policy on Acquisition of Art, Antiquities, Archaeological and Ethnographic Material, and Historic Objects*. This policy, adopted by the Smithsonian Board of Regents in 2015, states that:

Objects which have been stolen, unscientifically gathered or excavated, or unethically acquired should not be made part of Smithsonian collections. The Smithsonian observes the highest legal and ethical standards in the acquisition of collections. Smithsonian collecting units shall exercise due diligence in the acquisition of collections, including rigorously researching the provenance of the collection item under consideration for acquisition, to determine that the Smithsonian can acquire a valid title to the collection item and the acquisition will conform to all applicable legal and ethical standards.<sup>6</sup>

The NAA's structural position within the Department of Anthropology, the National Museum of Natural History (NMNH), and the larger Smithsonian Institution adds additional complexity to the adoption of cultural protocols. For example, NAA staff are often asked about the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) by researchers and other visitors. Unlike other federal agencies and institutions that receive federal funding, the Smithsonian is not governed by NAGPRA. Instead, the Smithsonian's repatriation-related activities are governed by an earlier Act of Congress, the [National Museum of the American Indian Act](#). The NMAI Act of 1989 established the National Museum of the American Indian (NMAI) and obliged the Smithsonian Institution to: "(1) inventory the Indian human remains and Indian funerary objects in the possession or control of the Smithsonian Institution; and (2)

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<sup>4</sup> SD 609, Section VII.B.1.

<sup>5</sup> See Smithsonian Institution, Smithsonian Directive 118: Privacy Policy (2014), <https://airandspace.si.edu/rfp/exhibitions/files/j1-exhibition-guidelines/3/si-privacy.pdf>; and the [Copyright Act of 1976](#), Pub. L. 94-553, 90 Stat. 2541 (1976).

<sup>6</sup> Smithsonian Institution, Smithsonian Institution Policy on Acquisition of Art, Antiquities, Archaeological and Ethnographic Material, and Historic Objects (adopted by the Board of Regents April 13, 2015). This statement mirrors the *Protocols* recommendation to "Repatriate original records when the records have been obtained through theft or deception and/or the collecting institution cannot prove 'right of possession.'"

using the best available scientific and historical documentation, identify the origins of such remains and objects.”<sup>7</sup> As provided by the NMAI Act, the Smithsonian established a Repatriation Review Committee which serves as an advisory body to the Smithsonian’s Secretary on such matters. Thus, according to SD 600, the “Smithsonian is required to compile information about such material, to disseminate the information to and consult with tribes about collections that may be subject to repatriation, and, in certain circumstances, to return such material to affiliated Native American tribes, Native Hawaiian groups, or specified individuals.”<sup>8</sup>

The Repatriation Office of the NMNH, situated within the Department of Anthropology, works with tribal representatives to determine the disposition of human remains and cultural objects and belongings under the law. While the Repatriation Office regularly draws on NAA archival records to evaluate its requests, it has not yet dealt with archival issues. In fact, the existence of NAGPRA and the NMAI Act have rarely impacted archival practice at the Smithsonian, making even more clear that the *Protocols* are an important set of standards for the NAA. As the First Archivists Circle noted in 2006, NAGPRA did not “reference archival records or traditional knowledge,” and “the national NAGPRA committee and state and federal courts have yet to review a case involving documentary materials as opposed to objects.”<sup>9</sup> Since then, there have remained few cases for the use of NAGPRA to physically return archival documents, although there is one case on record for the use of NAGPRA and the *Protocols* to qualify Pueblo drawings for repatriation.<sup>10</sup> Rather, the Smithsonian has largely dealt with archival “repatriation” through digitization and “digital returns,” as we describe below.<sup>11</sup>

The Smithsonian provides guidance regarding the collection of information about Native and Indigenous people by means of *Smithsonian Directive 606: Research Involving Human Subjects*. Like other academic institutions, the Smithsonian requires its employees and affiliated individuals to submit their research proposals for Internal Review Board (IRB) approval and receive appropriate training. In addition, external researchers who wish to use NAA archival materials *relating to living individuals* must also seek IRB approval if their study includes archival data that would require IRB approval if it were to be collected today. However, the Smithsonian’s definition of research does not include “collections of oral histories and cultural expressions (e.g., stories, songs, customs and traditions and accounts thereof) to

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<sup>7</sup> The National Museum of the American Indian Act of 1989, Pub. L. No. 101-189, 103 Stat. 1336 (1989).

<sup>8</sup> SD 600, Section 11.a.1. SD 600 emerged in 2001 from a retooling of the Smithsonian’s first Institution-wide collections management policy, Office Memorandum 808 (1980). See “Appendix A: Smithsonian Collections: A Brief History,” in *Concern at the Core: Managing Smithsonian Collections* (Washington, DC: Office of Policy and Analysis, 2005), 341, [https://repository.si.edu/bitstream/handle/10088/26385/ConcernAtTheCore\\_II.pdf](https://repository.si.edu/bitstream/handle/10088/26385/ConcernAtTheCore_II.pdf)

<sup>9</sup> First Archivists Circle, *Protocols for Native American Archival Materials* (2006), 16.

<sup>10</sup> See Chip Colwell-Chanthaphonh, “Sketching knowledge: Quandaries in the mimetic reproduction of Pueblo ritual,” *American Ethnologist* 38, no. 3 (2011): 451–467.

<sup>11</sup> See Joshua A. Bell, Kimberly Christen, and Mark Turin, “After the Return: Digital Repatriation and the Circulation of Indigenous Knowledge Workshop Report,” *Museum Worlds: Advances in Research* 1, no. 1 (2013): 195–203; and Joshua A. Bell, Kimberly Christen, and Mark Turin, “Introduction: After the Return,” *Museum Anthropology Review* 7, no. 1–2 (2013): 1–21.

document specific historical events or the experience of individuals without intent to draw conclusions or generalizations.”<sup>12</sup>

In 2019, the NAA adopted a formal *Guidance for Restrictions on Access*. One of the six classifications of restrictions to NAA materials that are described in the document is cultural restrictions, defined therein as “materials containing information considered sensitive and/or proprietary by source community.” It is possible for researchers to request access to restricted material and these requests are considered on a case-by-case basis by NAA staff. In regard to requests to access and use culturally sensitive material that has been restricted, the document states: “The NAA asks that researchers consult with source communities, and as a general matter will restrict culturally sensitive materials at the request of the source community. The restriction may be to require source community permissions for viewing or publishing sensitive materials. The NAA is open to discussing the restriction, management, and co-curation of materials with source communities.” These new guidelines also formalized the NAA’s commitment to the *Protocols* and state that:

The bulk of NAA’s collections date from the early nineteenth century to the present, with some older material. Many of these collections contain Indigenous knowledge or biological data collected in colonial contexts, before current ethical protocols were in place, and sometimes in an extractive or abusive manner. The NAA’s collections therefore contain biological, cultural, and psychological observations of living humans and their descendants, which may require special use protocols or restrictions. While the NAA makes every effort to make its collections accessible to researchers, some collection material must be restricted, and in making those determinations, NAA shall be guided by applicable Smithsonian policies, which include:

- Smithsonian Directive 503: Management of Archives and Special Collections
- [Smithsonian Directive 600: Collections Management](#)
- National Museum of Natural History, Smithsonian Institution, Collection Management Policy, dated December 13, 2017
- [Smithsonian Directive 606: Research Involving Human Subjects](#)
- [Smithsonian Directive 609: Digital Asset Access and Use](#)

Additionally, the NAA is guided by the ethical principles outlined in:

- [Society of American Archivists Code of Ethics](#)
- [Protocols for Native American Archival Materials](#)
- [AAA Executive Board: Principles of Professional Responsibility](#)
- [United Nations Declaration on the Rights of Indigenous Peoples](#)

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<sup>12</sup> Smithsonian Institution, Smithsonian Directive 606: Research Involving Human Subjects (2018). Note that SD 606 makes no specific mention of Native or Indigenous peoples or principles.

If NAA ever is in doubt as to how these policies apply in a particular situation, NAA will consult with the NMNH Registrar, Smithsonian Office of General Counsel, and/or the Institutional Review Board, as appropriate.<sup>13</sup>

These guidelines, created in dialogue with the Smithsonian’s Office of General Counsel, underscore the NAA’s longstanding commitment to promoting ethical access and stewardship as outlined in the *Protocols*. However, even this new guidance retains the NAA’s longstanding case-by-case approach to access to culturally sensitive collections, allowing for flexibility based on guidance from communities and the uniqueness of each collection, document, or subject.<sup>14</sup>

The recently released [Shared Stewardship of Collections](#) policy developed by the Smithsonian Center for Folklife and Cultural Heritage defines curatorial responsibility for cultural heritage collections even more broadly. In that policy’s expansive usage, “shared stewardship refers to sharing authority, expertise, and responsibility for the respectful attribution, documentation, interpretation, display, care, storage, public access, and disposition of a collection item (or belonging), including intellectual property rights generally associated with possession and ownership, in accordance with the advice of the source community.”<sup>15</sup> Smithsonian Secretary Lonnie G. Bunch III has referred to the Center’s policy as a model for the entire Smithsonian.<sup>16</sup>

Collectively, the several Smithsonian-wide policies discussed here establish that public access decisions for all Smithsonian collections should be guided by community consultations and respect for traditional knowledge. Each of these current policies is considerably more progressive, and eminently more useful to archivists, than those which guided the NAA’s professional staff throughout most of the repository’s fifty-two-year history. We turn now to the development of the NAA’s public access policies over the last five decades, viewed within the context of a wide variety of institutional policies and collection-sharing initiatives.

## INSTITUTIONAL HISTORY AND PRESENT CONTEXT

The NAA is the successor to the archives of the Bureau of American Ethnology (originally, Bureau of Ethnology), established in 1879 by an Act of Congress for the purpose of transferring archives, records, and materials relating to the Indians of North America from the Interior Department to the Smithsonian Institution. But from the start, the Bureau's founding director, John Wesley Powell (1879–1902),

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<sup>13</sup> National Anthropological Archives, Guidance for Restrictions on Access (July 22, 2019).

<sup>14</sup> On the importance of leaving open such policies because “what works for one community may not work for another” and the “uniqueness” of each community-based collection, item, or project, see Jennifer R. O’Neal, “From Time Immemorial: Centering Indigenous Traditional Knowledge and Ways of Knowing in the Archival Paradigm,” in *Afterlives of Indigenous Archives: Essays in Honor of the Occom Circle*, eds. Ivy Schweitzer and Gordon Henry (Hanover, NH: Dartmouth College Press, 2019), 56.

<sup>15</sup> Smithsonian Institution Center for Folklife and Culture Heritage, Shared Stewardship of Collections (July 2019): <https://folklife-media.si.edu/docs/folklife/Shared-Stewardship.pdf>.

<sup>16</sup> Elisa Hough, “News and Events: Smithsonian Secretary Promotes New Shared Stewardship Collections Policy at Senate Hearing,” Smithsonian Center for Folklife and Cultural Heritage, November 15, 2019, <https://folklife.si.edu/news-and-events/smithsonian-secretary-bunch-shared-stewardship-collections-policy-senate-hearing>.

promoted a much broader mission: “to organize anthropologic research in America.”<sup>17</sup> Under Powell, the Bureau organized research-intensive multi-year projects; sponsored ethnographic, archaeological, and linguistic field research; initiated publications series (most notably its Annual Reports and Bulletins); and promoted the fledgling discipline of anthropology. It prepared exhibits for expositions and collected anthropological specimens for the United States National Museum (USNM). In addition, the Bureau was also the official repository of documents concerning American Indians collected by the various U.S. geological surveys, especially the Geographical and Geological Survey of the Rocky Mountain Region and the Geological Survey of the Territories. It developed a world-class manuscript repository, library, and illustrations section that included photographic work and the collection of photographs. In 1897, the Bureau of Ethnology's name was changed to the Bureau of American Ethnology (BAE) to emphasize the geographic limit of its interests, although its staff also briefly conducted or sponsored research in U.S. territories including Hawaii, Puerto Rico, and the Philippines.

The BAE's staff included some of America's earliest field anthropologists, including Frank Hamilton Cushing, James Owen Dorsey, Jesse Walter Fewkes, Alice Cunningham Fletcher, John N. B. Hewitt (Tuscarora), William Henry Holmes, Francis LaFlesche (Omaha), Garrick Mallery, Cosmos and Victor Mindeleff, James Mooney, John Stevenson, Matilda Coxe Stevenson, and John Swanton. In the 20th century, its staff included such notable anthropologists as William N. Fenton, Truman Michelson, Frank H. H. Roberts, Matthew Stirling, William Duncan Strong, William C. Sturtevant, and John Peabody Harrington—a prolific linguist who spent more than forty years collecting specimens of endangered languages from their last speakers. The BAE also supported the work of many non-Smithsonian collaborators, notably Franz Boas, Frances Densmore, Washington Matthews, Paul Radin, Erminnie A. Smith, Cyrus Thomas, and T.T. Waterman.<sup>18</sup>

In 1965, the BAE merged with the Smithsonian's Department of Anthropology to form the Smithsonian Office of Anthropology (SOA) within the United States National Museum (now the National Museum of Natural History). In 1968, the SOA Archives was renamed the National Anthropological Archives to reflect its broader mission to serve as a repository for anthropological research materials documenting cultures throughout the world. The BAE's collections were moved from the Smithsonian Castle to the NMNH building where they were physically merged with Department of Anthropology's collections. Soon afterwards, the museum hired its first professionally trained archivists.

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<sup>17</sup> J.W. Powell, *First Annual Report of the Bureau of Ethnology to the Secretary of the Smithsonian Institution 1879–'80* (Washington, DC: Government Printing Office, 1881), xxxiii.

<sup>18</sup> For select histories of the BAE and BAE anthropologists, see Curtis M. Hinsley, *The Smithsonian and the American Indian: Making a Moral Anthropology in Victorian America* (Washington, DC: Smithsonian Institution Press, 1981); Joan M. Jensen and Michelle Wick Patterson, *Travels with Frances Densmore: Her Life, Work, and Legacy in Native American Studies* (Lincoln: University of Nebraska Press, 2015); Darlis A. Miller, *Matilda Coxe Stevenson: Pioneering Anthropologist* (Norman: University of Oklahoma Press, 2007); L.G. Moses, *The Indian Man: A Biography of James Mooney* (Lincoln: University of Nebraska Press, 2002); Nancy J. Parezo, “Matilda Coxe Evans Stevenson,” in *Women Anthropologists: Selected Bibliographies*, eds. Ute Gacs, Aisha Khan, Jerrie McIntyre, Ruth Weinberg (Urbana: University of Illinois Press, 1989), 337–343.



**“The collections are not the playthings of a special segment of the population; the collections belong to all peoples from all backgrounds” — Herman Viola <sup>19</sup>**

Herman Viola, the NAA’s first director (1972–1986), introduced vastly improved collections management practices as well as documentation to enhance and improve public access. Within three years of his arrival, the NAA published both a four-volume reproduction of BAE’s card catalog and a selection of 5,000 photographs of North American Indians with captions.<sup>20</sup> It received a series of grants from the National Historical Publications and Records Commission to microfilm *The Papers of John Peabody Harrington, 1907–1957*, comprising more than 750,000 documents relating to Native American cultures and languages, and contributed its entire collection of 7,000 wax cylinder recordings to the Federal Cylinder Project (ca. 1979–1986) for migration to magnetic audio tape.<sup>21</sup> The NAA also contributed to one of the nation’s earliest electronic museum cataloging efforts using SELGEM, a collections information system developed at the Smithsonian. By 1982, the Department of Anthropology and its archives had created more than 500,000 electronic records, and by 1992—a year before the release of the first web browser—the NAA had contributed nearly 100,000 records to SIBIS, the Smithsonian Institution Bibliographic Information System.<sup>22</sup> In 1992, the NAA distributed its newly printed *Guide to the National Anthropological Archives* to more than 300 American Indian tribes and Alaska Native Corporations, thus ending a century-long period during which the archives was, for nearly all intents and purposes, the exclusive domain of scholars.<sup>23</sup>

The Smithsonian’s eighth Secretary, S. Dillon Ripley (1964–1984), was a passionate advocate for democratizing the Institution’s museums and collections who believed it was time “to let fresh air into the Nation’s Attic.” Soon after his arrival in 1964, he championed the development of the Smithsonian’s Festival of American Folklife (now the Smithsonian Folklife Festival), an annual presentation of living cultural heritage on the National Mall since 1967. “Take the objects out of their cases and make them

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<sup>19</sup> Herman Viola, “American Indian Cultural Resources Training Program at the Smithsonian Institution,” *American Archivist* 41, no. 2 (April 1978): 143–146.

<sup>20</sup> *Catalog to Manuscripts at the National Anthropological Archives*, Dept. of Anthropology, National Museum of Natural History, Smithsonian Institution, Washington, D.C. (Boston: G.K. Hall, 1975); *North American Indians: Photographs from the National Anthropological Archives*, Smithsonian Institution, compiled by Herman Viola (Chicago: University of Chicago Press, 1974).

<sup>21</sup> *The Papers of John Peabody Harrington in the Smithsonian Institution, 1907–1957. A Guide to the Field Notes*, eds. Elaine L. Mills, (Millwood, NY: Kraus International Publications, c1981–c1988); see also “Papers of John Peabody Harrington, 1907–1957,” National Historical Publications and Records Commission Publishing Projects Catalog Index, National Archives, <https://www.archives.gov/nhprc/projects/catalog/john-peabody-harrington>. The Federal Cylinder Project was a collaborative effort of the American Folklife Center, the Bureau of Indian Affairs, and the NAA; see Judith Gray, “Audiovisual Archives: Bridging Past and Future,” in *The Oxford Handbook of Musical Repatriation*, eds. Frank Gunderson, Robert C. Lancefield, and Bret Woods (Oxford: Oxford University Press, 2019), 133–144.

<sup>22</sup> T. Gary Gautier, “National Museum of Natural History, Smithsonian Institution,” in *Museum Documentation Systems: Developments and Applications*, eds. Richard B. Light, D. Andrew Roberts, Jennifer D. Stewart (Butterworth-Heinemann, 2014); Mary Elizabeth Ruwell, “The National Anthropological Archives,” in *Preserving the Anthropological Record*, second edition (New York: Wenner-Gren Foundation for Anthropological Research, 1995). For a full history of the adoption of SELGEM in the Department of Anthropology, see Hannah Turner, *Cataloguing Culture: Legacies of Colonialism in Museum Documentation* (Vancouver: University of British Columbia Press, 2020), 138ff.

<sup>23</sup> Funding for this distribution was provided by the NMNH Repatriation Office; see James R. Glenn, *Guide to the National Anthropological Archives*, Smithsonian Institution (Washington, DC: National Anthropological Archives, 1992), xii. A revised edition was published in 1996.

sing,” he said.<sup>24</sup> Ripley’s vision of the Smithsonian as a *conservation organization*, bridging interdisciplinary research on cultural and environmental preservation, inspired his plan to merge the BAE and the Department of Anthropology in 1965.<sup>25</sup> He was no less an advocate for democratizing their newly combined ethnographic archives. “In the past,” he wrote to a prospective donor, “Indians have had little knowledge even of the existence of the rich materials here and were, unfortunately, at times subjected to subtle pressures which discouraged them from using the collection at all. When Dr. Herman Viola, the present director of the Archives, came to us two years ago [in 1972] he sensed both the problem and the opportunities and has attempted to correct conditions.”<sup>26</sup>

Indeed, when Viola had first become director, he heard from Native people visiting Washington the importance of “knowledge about and access to the surviving records of their past.”<sup>27</sup> In 1973, having been invited by some of these tribal members, Viola visited Navajo and Crow communities and participated in a seminar with members of Ute, Nez Perce, Southern Cheyenne, Arapaho, and Zuni tribes, who expressed interest in the development of a training program at the Smithsonian designed for Native researchers. In June of that year, Viola began the American Indian Cultural Resources Training Program, through which the NAA hosted Native participants selected by their own communities for a week to three months.<sup>28</sup> As Viola recognized even then:

Despite the rich holdings relating to the Native Americans, very few of them visited the archives before 1973. Even worse, many seemed to think that the archives were closed to everyone except important scholars, an attitude expressed by several members of the Indian Community.<sup>29</sup>

*Protocols* contributor Jennifer O’Neal (Confederated Tribes of Grand Ronde) has referred to the program as “one of the most successful and innovative for reaching out and working with tribal communities to conduct archival research on their cultural history.”<sup>30</sup> Here’s how one participant, Wenonah Silva (Wampanoag), described her own experience in the archives:

Information on Wampanoags seemed scant and hard to locate, and I wanted to find out why. I began by reading the work of historians and anthropologists who declared that the Wampanoags (including my branch, the Pocanockets) are extinct. . . . Although I found only a few direct leads, I managed to follow them to substantial amounts of information on the

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<sup>24</sup> “Legacy Honorees: S. Dillon Ripley,” Smithsonian Center for Folklife and Cultural Heritage, <https://folklife.si.edu/legacy-honorees/s-dillon-ripley/smithsonian>.

<sup>25</sup> S.D. Ripley, “The Festival – A Living Museum,” in *1973 Festival of American Folklife*, eds. Gerald L. Davis and Ralph Rinzler (Washington, DC: Smithsonian Institution and National Park Service, 1973), 4.

<sup>26</sup> S. Dillon Ripley to Edward F. McGee, June 11, 1974, Smithsonian Institution Archives, Record Unit 98, Box 8, Folder: National Anthropological Archives 1974–75.

<sup>27</sup> Viola, “American Indian Cultural Resources Training Program,” 143.

<sup>28</sup> Viola, “American Indian Cultural Resources Training Program”; also see William Hagan, “Archival Captive—The American Indian,” *American Archivist* 41, no. 2 (1978): 141.

<sup>29</sup> Hagan. “Archival Captive,” 143.

<sup>30</sup> Jennifer O’Neal, “Respect, Recognition, and Reciprocity: The Protocols for Native American Archival Materials,” in *Identity Palimpsests: Archiving Ethnicity in the U.S. and Canada*, eds. Dominique Daniel and Amalia Levi (Sacramento: Litwin Press, 2014), 139 n. 19. Kylie Message provides a critical overview of the program in *Museums and Social Activism: Engaged Protest* (New York: Routledge, 2014), 132–134.

Pocanockets, Wampanoags, and the Algonquian Confederacy of which the Wampanoags were a part . . .

We really need the kind of information I have gathered, in order to preserve our historical and cultural identity. I plan to use it to help establish a cultural program for our children, and it can help us as adults, too. Many of us are the products of white schools, white history and white culture. We have been conditioned to think white, and need to refresh ourselves with the facts of our historical and cultural heritage. Thus I hope to write a history of the Wampanoags for use in our community.

Fortunately, the “experts” were wrong—Wampanoags do live today, speaking a more forceful language than we have since King Philip’s War back in the 1600’s. Strengthened and reinforced in number by those dedicated to the preservation of our history and culture, we will speak again and again. We are attempting to regain our Common Lands through a Federal Court. This will help us preserve what is ours . . . This time, we will be heard. The Cultural Resources program, in addition to helping make information available to my tribe, is promoting understanding among different Indian tribes . . . Through such an exchange we lay the groundwork for better understanding among all Native Americans.<sup>31</sup>

Over the next decade, 80 individuals from 58 Native communities participated in this program.<sup>32</sup> Onsite visits to the NAA as well as reference inquiries increased dramatically during this period due to the NAA’s increased visibility within the anthropological community (from whose members the NAA was now regularly soliciting collections) as well as increased interest by Native Americans in materials relating to their own cultural heritage.<sup>33</sup> Their increased familiarity with and use of archival documentation led in multiple directions, social and political. As Merrill, Ladd, and Ferguson remarked in their discussion of NMNH repatriation initiatives during this era:

The expanding participation of American Indians in formal museum activities has been paralleled by a dramatic increase in the number of requests by American Indians for the return of objects from museum collections. Reflecting the increased awareness of American Indian people of the content of museum collections across the country, these requests have generated considerable discussion about the legal and moral justification for museum collections and the basis upon which native peoples can legitimately lay claim to them.<sup>34</sup>

Such programs enabled new lines of communication between Native people and the NAA; and the archives began to recognize the “special needs of Indian communities” so that the NAA could better orient its efforts towards those community needs.<sup>35</sup> Those efforts were often focused on the tribal

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<sup>31</sup> Wenonah Silva, “A Wampanoag at the Smithsonian,” Newsletter of the Coalition of Eastern Native Americans. Smithsonian Institution Archives, Record Unit 98, Box 8, Folder: National Anthropological Archives 1974–75.

<sup>32</sup> Herman J. Viola, “Tribal Archives Programs: Past & Present,” *American Indian Libraries Newsletter* 6, no. 2 (Winter 1982): 1.

<sup>33</sup> Mary Elizabeth Ruwell, “The National Anthropological Archives,” 18.

<sup>34</sup> William Merrill, Edmund J. Ladd, and T.J. Ferguson, “The Return of the Ahayu: da: Lessons for Repatriation from Zuni Pueblo and the Smithsonian Institution,” *Current Anthropology* 34, no. 5 (1993): 524.

<sup>35</sup> Viola, “American Indian Cultural Resources Training Program,” 146.

recognition process, which intensified following the Bureau of Indian Affairs' adoption of regulations for recognizing Indian nations in 1978.

### **Equal is Not Equitable**

Like other public repositories that care for collections relating to Native and Indigenous cultural heritage, the NAA strove to balance the interests of multiple constituencies, applying collections access policies uniformly for both academic and heritage researchers throughout the latter part of the twentieth century. But in retrospect, equal was not necessarily equitable. Former NAA Director Robert Leopold (2005–2010) recalls that when he joined the NAA in 1996, Native and Indigenous researchers encountered collections that “may only be viewed by serious scholars,” an inherently discriminatory practice that was ultimately abandoned. Soon afterwards, in the course of his review of the NAA's donor deposit agreements, Leopold discovered that anthropologists with good intentions had nonetheless occasionally placed restrictions on their collections that the NAA's staff could not legally or ethically adhere to. One deed of gift, apparently intended to protect the reputation of various community members of a Pacific island, made the anthropologist's fieldnotes available to everyone except the subjects of his research—which is to say, those with the most interest in them.<sup>36</sup>

A second vexing access issue concerned the cultural sensitivity of ethnographic documentation in the NAA that was produced or acquired by BAE and USNM ethnographers within colonial contexts, both in the U.S. and abroad.<sup>37</sup> These nineteenth- and early twentieth-century ethnographers generated extensive fieldwork-based cultural documentation many years before the emerging profession of anthropology had developed a unified sense of its ethical sensibilities and responsibilities.<sup>38</sup> Even if one grants that Native and Indigenous interlocutors shared their knowledge with these ethnographers freely and willingly, neither party could have foretold the ease with which their contributions would eventually circulate, or the myriad possibilities for their use and, occasionally, their misuse. An overview of the NAA's collection-sharing initiatives illuminates some of these issues.

### **Early Knowledge 'Repatriation' and Return Initiatives**

Throughout most of its existence, the BAE exchanged copies of its manuscript and photographic holdings with libraries, museums, and other government agencies, as well as with those scholars who were fortunate enough to know about them, but actual programmatic exchanges with Native and Indigenous

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<sup>36</sup> Robert Leopold, “The Second Life of Ethnographic Fieldnotes,” *Ateliers d'anthropologie* 32 (2008), <http://ateliers.revues.org/3132>. DOI: 10.4000/ateliers.3132.

<sup>37</sup> The colonial context is apparent in John Wesley Powell's *First Annual Report of the Bureau of Ethnology to the Secretary of the Smithsonian Institution 1879–80*, where he relates that: “In pursuing these ethnographic investigations it has been the endeavor as far as possible to produce results that would be of practical value in the administration of Indian affairs, and for this purpose especial attention has been paid to vital statistics, to the discovery of linguistic affinities, the progress made by the Indians toward civilization, and the causes and remedies for the inevitable conflict that arises from the spread of civilization over a region previously inhabited by savages”; Powell, *First Annual Report [...]*, xiv. In addition to documentation concerning North American Indian tribes, the archives received ethnographic documentation relating to overseas territories including the Philippines.

<sup>38</sup> The earliest pronouncement apparently was “Statement on Problems of Anthropological Research and Ethics.” Adopted by the Council of the American Anthropological Association, March 1967.

individuals and their communities did not occur until after the establishment of the NAA in 1968. Beginning in 1973, participants in the American Indian Cultural Resources Training Program returned to their communities with copies of heritage materials for their tribal archives, museums, and Indian public schools.<sup>39</sup> At the same time, the NAA also encouraged Native and Indigenous researchers (apparently with some success) to share copies of their own photographs in exchange for related images in the archives.<sup>40</sup> In 1985, the NAA began distributing “Information Please” forms, which asked researchers to contribute or correct knowledge about the archives’ collections.<sup>41</sup> This practice continues to this day.

In 1990, the NAA participated in its first extensive collection repatriation. “In a model initiative,” wrote Nigel Holman, then director of the A:Shiwi A:wani (Zuni) Museum and Heritage Center, “the American Indian Program at the National Museum of Natural History has underwritten the reproduction of entire collections of images held by the National Anthropological Archives for several Native American communities. Zuni, the largest New Mexican Pueblo, received 3,000 copy prints through this program in 1990. These collections are extraordinarily important resources for tribal communities seeking to understand their history and traditions and to pass them on to future generations.”<sup>42</sup> The photographic prints from the NAA became the core of the new museum’s collection as well as the focus of its inaugural exhibit, *The Pueblo of Zuni as Seen through the Eyes of Pioneer Photographers from 1879 to 1902*. Zuni responses to the return of the photographs proved challenging to the A:Shiwi A:wani Museum and Heritage Center, as Gwyneira Isaac has described:

Although these [images] had been accessible to the U.S. public, Zuni religious leaders were unaware of the extent of photographs depicting religious events. When community members were exposed to these images, fundamental issues were raised about the role of the museum as a purveyor of esoteric knowledge. In response, the museum developed a program in which religious leaders reviewed these images, separating out photographs containing esoteric objects. These were transferred to the Zuni Heritage and Historic Preservation Office, where only initiated members of the religious societies were given access. Although the division of the photographic collection applied restrictions that were contrary to national guidelines guaranteeing equal access, then-director Nigel Holman defended the decision, arguing that acquiring knowledge in Zuni and specifically acquiring religious knowledge came with exacting

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<sup>39</sup> S. Dillon Ripley to Edward F. McGee, June 11, 1974. Smithsonian Institution Archives. Record Unit 98, Box 8. Folder: National Anthropological Archives 1974–1975.

<sup>40</sup> Herman Viola to Clifford Evans, July 9, 1974. Monthly Report for May 1974. Smithsonian Institution Archives. Record Unit 98, Box 8. Folder: National Anthropological Archives 1974–1975.

<sup>41</sup> National Anthropological Archives Administrative Records, Box 163.

<sup>42</sup> Nigel Holman, “Curating and controlling Zuni photographic images,” *Curator* 39, no. 2 (1996): 108–122. According to Alison Devine Nordstrom, NAA photographic collections were subsequently copied for Comanche, Crow, and Mohave cultural representatives as well: “As planned, Washington makes no restrictions on the way these images are to be used, although the actual return is accompanied by appropriate ceremonies to mark their significance.” Alison Devine Nordstrom, “Persistent Images: Photographic Archives in Ethnographic Collections,” *Continuum: The Australian Journal of Media & Culture* 6, no. 2 (1992), <http://www.mcc.murdoch.edu.au/ReadingRoom/6.2/6.2.html>.

responsibilities about its maintenance. Unless the museum followed local protocols for the treatment of knowledge, it would not be accepted by the community. . . .<sup>43</sup>

In a letter to the NAA four years after the repatriation of the Zuni photographs, the Governor of Zuni Pueblo related that a group of Zuni elders had identified 1,025 culturally sensitive photographs in NAA collections and expressed his concern that they were “available for unrestricted public use and research.” He stressed the importance of conducting “meaningful discussions on this issue.”<sup>44</sup> But despite continued dialogue over the next few years, the Anthropology Department’s policy on public access to Native American collections in 1994 remained identical to its policy twenty years earlier when NAA director Herman Viola, responding to a complaint by anthropologist and activist Beatrice Medicine (Standing Rock Sioux), wrote that “Most of the material in our custody is in the public domain and therefore we cannot prevent or restrict access to it by anyone who has a legitimate research interest. What I am trying to do through my program is to ensure that members of the Indian community become aware of the cultural materials in this archives so that they have as much opportunity to use and publish it as have non-Indians.”<sup>45</sup>

The NMNH Anthropology Department’s American Indian Program, which sponsored the Zuni photograph project, was also responsible for funding SWORP, the Southwest Oregon Research Project. Between 1995 and 1997, the NAA photocopied approximately 50,000 pages of documentation including maps, microfilm, and photographs. The collection was brought back to the University of Oregon, stored in Special Collections of the Knight Library, University of Oregon, and given by potlatch to five western Oregon Tribes; Grand Ronde, Siletz, Cow Creek, Coquille, and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw; and two Northern California Tribes; Smith River and Elk Valley. Stage Two of the project, which included the National Archives and Records Administration, began in 1998. An additional 60,000 pages of documentation was assembled from NAA and NARA collections. The Coquille Tribe and the University of Oregon initiated the second potlatch in June 2001, giving additional documentation to seventeen greater Oregon Tribes and copies of the inventory to an additional forty-four.<sup>46</sup>

The NAA also began to change its on-site visitor policies during this period. By 1991, the NAA had added a statement to its “Application to Use Materials” form, advising researchers that “Certain American

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<sup>43</sup> Gwyneira Isaac, “Whose Idea Was This? Museums, Replicas, and the Reproduction of Knowledge,” *Current Anthropology* 52, no. 2 (April 2011): 220, citing Holman, “Curating and controlling Zuni photographic images.”

<sup>44</sup> Robert E. Lewis to John P. Homiak, July 28, 1994. William C. Sturtevant Papers, 1952–2007. NAA. Box 399, Folder: [NAA Zuni Images]. JoAllyn Archambault subsequently traveled to Zuni Pueblo where she met with a team of traditional leaders associated with the museum and discussed the issue of cultural sensitivity, but neither she nor any other department member appears to have ever received the list of sensitive images. (Archambault to Leopold, personal communication, June 22, 2007.)

<sup>45</sup> Herman Viola to Bea Medicine (Standing Rock Sioux), October 16, 1974. William C. Sturtevant Papers, 1952–2007. NAA. Box 80 Folder: [Viola, Herman], 1974.

<sup>46</sup> David G. Lewis and George Wasson Jr., “Natives in the Nation’s Archives: The Southwest Oregon Research Project,” *Journal of Western Archives* 6, no. 1.4 (2015), <https://digitalcommons.usu.edu/westernarchives/vol6/iss1/4>; David Lewis, “20 Years of the Southwest Oregon Research Project,” *ND History Research: Critical and Indigenous Anthropology*, August 21, 2016, <https://ndhistoryresearch.com/2016/08/21/20-years-of-the-southwest-oregon-research-project/>.

Indian tribes are interested in learning of current research concerning themselves. Researchers may wish to consider providing notifications about their research to appropriate groups.”<sup>47</sup>

### **Digital Return and Protocols for Online Access**

By 2000, the establishment of a full-fledged digital imaging lab and a newly acquired capacity to display images within the NAA’s online catalog records drove archives staff to develop guidelines for the online display of culturally sensitive images. However, there was little available professional guidance, particularly for a collection that was worldwide in scope. Initially, NAA staff relied upon their own judgement and the collective experience of the Department of Anthropology to identify areas of possible cultural concern; but the range of any one staff member’s ethnographic expertise and cultural knowledge was (and always is) necessarily limited.

A further challenge for the development of comprehensive guidelines was the sheer volume of cultural documentation in NAA collections, then estimated to include 635,000 photographs. In the interest of sharing the greatest possible number of these images with communities of origin who might not otherwise have seen them, the NAA elected to place the vast majority of its digitized photographs and associated catalog records online, rather than to place a moratorium on the online display of these materials until each of them could be vetted through community consultation (as was then NMAI’s policy). Public feedback to this new wealth of images was immediate and rewarding. In summer 2000, just weeks after posting online a collection of photographs taken in 1886 on Rapanui (Easter Island), the NAA received a message from an anthropologist there who had accessed the online catalog via dial-up modem. “The Rapanui were very pleased to have seen their ancestors,” he wrote, “something they never thought would be possible. It makes for a special role for places like the Smithsonian: guardians of multiple family albums for the world’s peoples.”<sup>48</sup> In lieu of community consultation, the NAA relied upon an image take-down policy which addressed individual community concerns as they arose. This policy, while not ideal, resulted in fewer requests for removal than the staff had anticipated. We discuss this approach further in the Conclusion.<sup>49</sup>

The fifteen digital imaging projects described below are among the most extensive undertaken by the NAA between 2003 and 2018, and indicate the varied case-by-case approaches the NAA has taken in community projects. When the imaging project included culturally sensitive materials, we note how the NAA and its partner institutions and collaborators addressed issues of public access.<sup>50</sup> Several of these projects were tribally funded. When project dates span several years, this generally indicates that the project included both mass digitization and lengthy project discussions.

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<sup>47</sup> National Anthropological Archives Administrative Records, Box 65, FY91 Visitors.

<sup>48</sup> Grant McCall to Robert Leopold, personal communication, July 15, 2002.

<sup>49</sup> For a critical discussion of take-down notices in the context of risk management for institutions, see Martin Nakata, Vicky Nakata, Gabrielle Gardiner, Jill McKeough, Alex Byrne and Jason Gibson, “Indigenous Digital Collections: An Early Look at the Organisation and Culture Interface,” *Australian Academic & Research Libraries* 39, no. 4 (2008): 223–236.

<sup>50</sup> Stephanie Ogeneski Christensen, “Accessing Anthropology: Digital Collections at the National Anthropological Archives,” *Archiving 2010 Final Program and Proceedings* (Society for Imaging Science and Technology, 2010), 24–27.

- **NAVAJO NATION HISTORIC PRESERVATION DEPARTMENT** (2003) — By request, the NAA digitized virtually all Navajo photographs in its collections, including historic vintage prints and glass plate negatives. Navajo ceremonial practitioners reviewed 1,100 digital images before the NAA placed them online and requested that the NAA refrain from sharing 25 of them online. A note was included in the relevant NAA catalog records (“Image not displayed by request of the Navajo Nation”) to indicate the NAA’s rationale for excluding the digital surrogates and its interest in removing similar materials in other online collections (a solution that the World Intellectual Property Organization has called “a possible model of best practice”).<sup>51</sup>
- **LAKOTA WINTER COUNTS** (2002–2007) — This online exhibit, developed at the request of Lakota educators to make primary source materials more accessible, provided unprecedented access to the world’s largest collection of Lakota winter counts (*waniyetu wowapi*)—pictographs of memorable events created to mark the passage of time.<sup>52</sup> The online exhibit featured 16 calendars from NMNH and NMAI collections. It also included an interactive database of historical explanations by 19th century winter count keepers, supplemented with additional commentary by the Smithsonian; four hours of video interviews with Lakota men and women with personal connections to the winter-count-keeping tradition, relating the Indigenous calendars to a wide range of historical and contemporary concerns, both local and global; and a 33-page Teachers' Guide providing curriculum materials and suggestions for enhancing K–12 classroom instruction with primary historical sources.<sup>53</sup> This project was vetted by Lakota collaborators at various stages of its development.<sup>54</sup>
- **ARTSTOR DIGITAL LIBRARY** (2003–2006) — The Andrew W. Mellon Foundation, which funded this international initiative to provide online access to canonical works of art, was receptive to the NAA’s suggestion that the online library include ca. 2,000 Plains Indian ledger drawings depicting historical events from a Native perspective as well as a collection of ca. 10,000 historic photographs of Native American people and their cultural heritage made from glass plate negatives—a resource of continuing inspiration for Native artists and educators as well as the first Indigenous materials in an online resource that now reaches 1,400 institutions worldwide.
- **CHACO RESEARCH ARCHIVES** (2004–2008) — The NAA contributed ca. 7,100 images to this “collaborative effort to create an online archive and analytical database that integrates much of the widely dispersed archaeological data collected from Chaco Canyon from the late 1890s

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<sup>51</sup> Martin Skrydstrup, *Towards Intellectual Property Guidelines and Best Practices for Recording and Digitizing Intangible Cultural Heritage: A Survey of Codes, Conduct and Challenges in North America* (Geneva: World Intellectual Property Organisation, 2006), 108.

<sup>52</sup> The online exhibit began as a book project; see Candace S. Greene and Russell Thornton (eds.), *The Year the Stars Fell: Lakota Winter Counts at the Smithsonian* (Lincoln: University of Nebraska Press, 2007).

<sup>53</sup> “Lakota Winter Counts,” UN World Summit on the Information Society, <https://www.worldsummitawards.org/winner/lakota-winter-counts/>.

<sup>54</sup> NMNH ceased hosting the exhibit following an institutional moratorium on Flash-based web content in 2017. An HTML-only version is available via the Internet Archive: [https://wayback.archive-it.org/all/\\*/http://wintercounts.si.edu/](https://wayback.archive-it.org/all/*/http://wintercounts.si.edu/).



through the first half of the 20th century.”<sup>55</sup> The image gallery notes that images depicting human remains are not present in the searchable database due to their cultural sensitivity.

- **MUSEUM OF THE CHEROKEE INDIAN** (2004–2008) — The Eastern Band of Cherokee Indians’ tribally affiliated museum with the support of NEH’s Documenting Endangered Languages Program initiated a multi-year project to digitize manuscripts written in the Cherokee syllabary; ethnographic accounts of Cherokee culture, language, and medicine; songs and musical transcriptions; lists of Cherokee personal names and place names; early maps and censuses; copies of Cherokee treaties; and a wealth of ethnobotanical material (ca. 8,200 images). In 2006, the NAA requested guidance on culturally sensitive materials and received a statement summarizing various Cherokee perspectives. A formal request to remove culturally sensitive images from the Smithsonian’s online public access catalog was received and honored in 2017. Leopold has written elsewhere about the roles of the two institutions in this digital return project as well as the assumptions that informed their respective decisions regarding the online presentation of culturally sensitive traditional cultural expressions.<sup>56</sup>
- **MESCALERO APACHE TRIBE OF NEW MEXICO** (2006) — By request, the NAA produced ca. 1,800 images to help create a digital archive on the reservation, for use in the local museum, and for a documentary film concerning the Chiricahua Apache Prisoners of War (1886–1913).
- **ROSETTA PROJECT** (2006) — A collaboration to make a collection of more than 200 historic sound recordings of endangered Native California Indian languages produced by John Peabody Harrington and his associates available online for language revitalization and scholarly research, including those of the Cahuilla, Chimariko, Chumash, Costanoan, Juaneño, Luiseño, Miwok, Salinan, Tolowa, and Tubatulabal. Shortly after the NAA placed the recordings online, the Pechanga Band of Luiseño Indians requested that the archives remove two specific recordings: “Even though most of the recordings are in Luiseño or Spanish,” wrote archivist Lisa Woodward, “the main concern is the funerary and mourning ceremony songs. Very few people would be able to understand the Luiseño, but the songs can easily be learned if available online. The funeral songs are only supposed to be sung at certain times. Additionally, most songs were ‘owned’ by the singers or their families and if the person singing the song was not the owner, they had to get permission to sing them from the person or family who owned them. This tradition is still practiced and if the songs are available online people could appropriate them and bypass this protocol.”<sup>57</sup> The NAA no longer provides online access to these two recordings.
- **COUSHATTA TRIBE OF LOUISIANA** (2007–2008) — A collaboration to digitize 11,600 pages of Koasati language manuscripts under a Documenting Endangered Languages grant that the

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<sup>55</sup> “About,” Chaco Research Archive, <http://www.chacoarchive.org/cra/about/>.

<sup>56</sup> These issues are explored at greater length in Robert Leopold, “Articulating Culturally Sensitive Knowledge Online: A Cherokee Case Study,” *Museum Anthropology Review* 7, no. 1–2 Special Issue: Digital Return: Indigenous Knowledge and the Circulation of Culture (2013): 85–104, <https://scholarworks.iu.edu/journals/index.php/mar/article/view/2051/4568>.

<sup>57</sup> Lisa Woodward (Pechanga Cultural Resources Department) to Laura Welcher and JD Ross Leahy (Rosetta Project), personal communication, January 3, 2007; subsequently forwarded to Robert Leopold.

National Science Foundation awarded to the Coushatta in 2007. Digital surrogates of the collection were made available online through the Smithsonian's online catalog as well as in the Heritage Center which the Coushatta Tribal Council was then building in Allen Parish, Louisiana, to preserve its heritage and revitalize its language. The tribe has used the images in interactive displays, learning websites, and video games for younger generations.

- **SIX NATIONS OF THE GRAND RIVER LANGUAGE PROJECT (2007–2011)** — By request, the NAA digitized 6,147 pages of language manuscripts from the John N.B. Hewitt collection. The digital imaging manager's recognition that a digital return may unwittingly contain culturally sensitive items is evident in the letter that accompanied the return: "As you have not indicated any concerns about material being placed in our online catalog, we will be adding all these digital surrogates to our online database. If you later become aware of materials that you believe should be less widely available, please let us know. We will be glad to work with you on such issues."<sup>58</sup>
- **PLATEAU PEOPLES' WEB PORTAL (2008–present)** — The NAA serves as an institutional partner for this collaboratively curated and reciprocally managed online, interactive digital archive of Plateau people's cultural materials. The NAA has contributed photographic images and associated metadata relating to the Spokane Tribe of Indians, the Confederated Tribes of the Colville Reservation, the Confederated Tribes of the Umatilla Indian Reservation, the Coeur d'Alene Tribe of Indians, the Confederated Tribes of Warm Springs, the Confederated Tribes and Bands of the Yakama Nation, the Confederated Salish and Kootenai Tribes of the Flathead Reservation, and the Nez Perce Tribe.
- **OSAGE (2008–2011)** — A collaboration to produce ca. 2,200 images of language-related documentation produced for the American Indian Studies program at the University of Illinois, Urbana-Champaign and in turn provided to the Osage Nation Language Program.
- **BAE NUMBERED MANUSCRIPT COLLECTION (2009–2011)** — A project funded by the Save America's Treasures program to assess and conserve ca. 8,000 pages of vocabularies, grammars, lexicons, synonymies, questionnaires, elicitations, texts and narratives—ranging from a Poosepatuck Indian vocabulary collected by Secretary of State Thomas Jefferson to nineteenth century illustrations of Plains Indian sign language—and produce ca. 60,000 digital surrogates.
- **DIGITIZATION OF THE JOHN P. HARRINGTON MICROFILM COLLECTION (2012–2014)** — A grant from the Arcadia Fund allowed the NAA to provide online access to nearly 500,000 pages of manuscript material. It provided integrated online access to previously digitized sound recordings and photographs and served as a prototype for online access to Indigenous ethnobotanical knowledge. The Harrington collection has been of foundational value to numerous projects including the Harrington Database Project, the National Breath of Life Archival Institute for Indigenous Languages (discussed below), and ethnobotany projects at the

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<sup>58</sup> Stephanie Christensen (NAA) to Dawn Martin-Hill (Six Nations Polytechnic), personal communication, October 12, 2011.

Santa Barbara Museum of Natural History and the USDA Natural Resources Conservation Services, California.

- **ARCADIA ENDANGERED LANGUAGE PROJECT (2013–2016)** — Receipt of this one-million-dollar grant from the Arcadia Fund allowed the NAA to digitize and make accessible online ca. 4,000 ethnographic sound recordings, nearly 19,000 pages of associated texts, and more than 65,000 pages of Indigenous linguistic materials from more than 100 languages worldwide. The sound recordings project represents collections assembled between 1907 and 1996, nearly the entire span of the twentieth century, and involved diverse formats including wax cylinders, wire, aluminum discs, ¼-inch reel-to-reel tape, and audiocassettes.<sup>59</sup>
- **MIAMI-ILLINOIS LANGUAGE REVITALIZATION PROJECT (2018)** — A collaborative project to support the digitization of two linguistic manuscripts comprising 8,300+ data cards documenting the Miami-Illinois language for a robust, research-based language and culture program run by the Myaamia Center at Miami University. The revitalization of the Miami-Illinois language has been possible by more than 30 years of rigorous linguistic analysis of archival documentation from repositories around the world. The process has involved careful annotation, transcription, translation and analysis of the documentation and subsequent output for language teaching and cultural education.

In regard to cultural sensitivity concerns with the resulting images from these projects, the NAA has often maintained distinct policies for on-site versus online access or dealt with complex issues surrounding digitized collections on a case-by-case basis. For instance, for some of the collections described above, on-site reading room access to these collections was available to both academic and community researchers, in deference to Anthropology Department precedent and traditional archival access standards. By contrast, culturally sensitive materials destined for online display were subject to restriction by the Anthropology Public Program Committee, NAA archivists, or communities themselves. These practices reflected an understanding that ethnographic materials and Indigenous belongings are used and experienced differently online and on-site. For example, community researchers working on-site have an opportunity to select and review specific heritage collections purposefully, in accordance with their own cultural protocols; whereas community researchers searching for heritage collections online are apt to encounter “troublesome” collections inadvertently, sometimes merely by searching the name of their ethnic group or a place name. Archivists also have an obligation to assure that primary ethnographic source materials do not casually appear online.<sup>60</sup> As Leopold has written elsewhere, “anthropological fieldnotes circulate farther and faster online than in print and have a greater chance of

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<sup>59</sup> Jeanine Nault, Jake Homiak, and Joshua A. Bell, “Digitizing Endangered Language Materials in the National Anthropological Archives at the Smithsonian’s National Museum of Natural History,” *Museum Worlds* 4, no. 1 (2016): 210–211.

<sup>60</sup> Robert Leopold, “Skeptical Remarks on Placing Ethnographic Fieldnotes Online,” paper presented at the Archiving Culture in the Digital Age Conference (Princess Maha Chakri Anthropology Centre, Bangkok, August 6, 2008).

losing their original context and meaning.”<sup>61</sup> Today, however, some materials, whether they are or are not available online, are also subject to restriction on-site.

## COMMUNITY COLLABORATIONS AND ENHANCED COLLECTION ACCESS

As was also true decades ago with the Smithsonian’s American Indian Cultural Resources Training Program, the NAA’s most effective means of engaging communities has been through programs that bring communities into the archives. The first and most crucial of these currently is [Recovering Voices \(RV\)](#), a partnership program between NMNH, NMAI, and the Smithsonian’s Center for Folklife and Cultural Heritage (CFCH). The program, founded in 2009, “partners with communities around the world to revitalize and sustain endangered languages and knowledge.”<sup>62</sup> RV’s flagship program is the Community Research Program (CRP) which seeks to improve access to the Smithsonian’s collections and support diverse approaches to the work of knowledge revitalization. Through the CRP, RV provides logistical assistance and funding of up to \$10,000 for groups from Indigenous communities to visit the Smithsonian and conduct research to further their own revitalization efforts. As of 2020, RV has supported 29 groups from around the world to access material culture collections and archival materials at the Smithsonian. These visits also provide additional opportunities for the NAA to foster stronger relationships with Indigenous communities and to learn about the archives’ collections and their ethical parameters.<sup>63</sup>

Each CRP visit is unique, as its focus is directed by the visiting community and developed in collaboration with RV and SI staff. Who is part of the group, which Smithsonian repositories (archives or cultural object collections) they visit, how much time they spend at each, which materials they spend time with, etc., are all decided upon by the community group based on the specific needs of their project and what is logistically possible given the timeframe of the visit. Typically, visits last one week, though some groups with other funds have extended their time. When groups come to the NAA as part of the CRP trip, NAA staff provide some accommodations that differ from the experience of a typical researcher in the archives. During a CRP visit, NAA staff close the reading room to other researchers so that groups are better able to have discussions about the materials and so that staff can provide more focused attention on the needs of the group and each individual researcher. This procedure also ensures that culturally sensitive issues can be discussed without non-community members (outside of staff) present. CRP groups also begin their time in the archives with an orientation on how to navigate the NAA’s collections and on researching in archives more generally. During orientation, staff members acknowledge the historic relationship between Indigenous communities and colonial institutions like the Smithsonian. Staff also try to remain cognizant of the power imbalance inherent in serving materials to researchers. They explain why the NAA might have rules around handling materials for preservation

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<sup>61</sup> Oona Schmidt, “Inside the National Anthropological Archives: An Interview with Robert Leopold,” *Anthropology News* 49, no. 1 (2008): 33.

<sup>62</sup> “Recovering Voices,” National Museum of Natural History, <https://naturalhistory.si.edu/research/anthropology/programs/recovering-voices>.

<sup>63</sup> Joshua A. Bell, “A View from the Smithsonian: Connecting Communities to Collections,” *Practicing Anthropology* 37, no. 3 (2015): 14–16. Also see Joshua Bell, “Recovering Voices: Documenting and Sustaining Endangered Languages and Knowledge,” *AnthroNotes* 32, no. 2 (2011): 7–9.

purposes, for example, while also understanding that community members have a right to handle materials in ways that feel comfortable. RV is structured such that those kinds of institutional and cultural disconnects can be confronted openly as part of orientation to the program and to archival visits. As we discuss below, NAA staff are also able to warn community visitors that the security process at its offsite government facility may feel alienating and colonial.

A typical day during a CRP visit begins with an informal gathering—usually over breakfast and coffee—of the community group members, RV staff, and staff from the Smithsonian repository that the group will visit that day. Introductions are made during these breakfast gatherings and research plans for the day or the trip overall are discussed. Time is allotted for prayer, smudging, or other cultural activities (if so desired) after breakfast each morning and at the end of each day, as well as at whatever intervals throughout the day that the community members want. The Museum Support Center—the Smithsonian’s Maryland-based facility where the NAA is situated along with the majority of the NMNH’s collections—has dedicated indoor and outdoor ceremonial spaces for this purpose; and the indoor ceremonial room is equipped with ventilation units and stocked with a variety of materials available to visitors for ceremonial use. Most of the day is spent on research and discussing the materials, with breaks scheduled as needed by the group. NAA staff, RV staff, and the community group all eat lunch together. This informal time that everyone spends together is a very important component in developing the relationships that are one of the main goals of RV and the CRP. Many groups end each day with time for reflection and discussion about the day’s research and strategizing for the next day.

Groups can elect to have their entire visit filmed, with audio to capture the discussions about collections. RV staff encourage frequent feedback about this documentation process from the group to ensure the recording is stopped when issues of privacy or cultural sensitivity arise. After the visit, these recordings are processed by RV staff who produce a detailed, timestamped index of the audiovisual record in order to make many hours of video into a usable, accessible resource in the group’s continued revitalization efforts. The video, audio, and index are distributed to every member of the community group and preserved in perpetuity on the Smithsonian digital asset management system. The preservation copies of these visit recordings are only accessible to RV staff and are not used for any other purposes. Recording the visit, and capturing the organic discussions generated by the materials being viewed, allows the community researchers to worry less about capturing information learned and shared during their short time in Washington. It also helps the groups to show the rest of their community what they did and saw.

The NAA’s relationships with Native and Indigenous communities are further shaped by its institutional position within the NMNH. The NAA sits within the Collections Program of the NMNH’s Department of Anthropology. Uniquely, the NAA is thus staffed by archivists but is primarily overseen by anthropologists. As a discipline, anthropology made the move toward reflexivity and decolonizing methodologies fairly early among social science and humanities disciplines, in the 1980s. Beginning with works such as *Writing Culture* and *Anthropology as Cultural Critique*, anthropology began to reflexively

examine its own power, practices, and histories.<sup>64</sup> And indeed, conducting studies of the history of anthropology (drawing on archival sources) became part of anthropology's approach to this movement.<sup>65</sup>

Emerging from this tradition, anthropologists in the department engaged in research, public programs, collections acquisitions, and community work of a nature that would soon be advocated in the *Protocols*. Moreover, the Department of Anthropology began deeper engagement with Indigenous communities in conjunction with repatriation concerns, predating the passage of the NMAI Act.<sup>66</sup> Many such initiatives, research projects, and community relationships have continued to the present, including innovative work in the 3D digitization of cultural objects.<sup>67</sup> For instance, as was mentioned earlier in this paper, Gwyneira Isaac has maintained a longstanding project with Zuni community members and the A:Shiwi A:wam museum. Isaac recently received a collaborative Earth Optimism grant with Curtis Quam at Zuni to continue this work on archival images of Zuni, both in terms of returns and cultural guidelines for access.

The Anthropology Department also has a Collections Advisory Committee (comprised of curators in the department and collections staff) that reviews potential acquisitions with community ethics in mind. One of the department's categories is "Contextual Information," where the committee reviews information provided for an item or collection's "cultural context for the collection as a whole."<sup>68</sup>

In addition to participating in Smithsonian-sponsored programs and department work, the NAA also has been an active participant in many outside programs that bring communities and community knowledge into the archives. One of the most critical of these has been the National Breath of Life Archival Institute for Indigenous Languages (National BOL), a two-week-long workshop modeled on the Advocates for Indigenous California Language Survival in partnership with the University of California, Berkeley that began in 1993.<sup>69</sup> Workshops bring linguists and Indigenous language speakers and community members

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<sup>64</sup> James Clifford and George E. Marcus, *Writing Culture: the poetics and politics of ethnography* (Berkeley: University of California Press, 1986); George E. Marcus and Michael Fischer, *Anthropology as Cultural Critique* (Chicago: University of Chicago Press, 1986).

<sup>65</sup> George W. Stocking, Jr., *Observers Observed: Essays on ethnographic fieldwork*, Vol. 1. (Madison: University of Wisconsin Press, 1983), 4.

<sup>66</sup> For broader accounts of repatriation at the Smithsonian, see Stephen D. Ousley, William T. Billeck, and R. Eric Hollinger, "Federal Repatriation Legislation and the Role of Physical Anthropology in Repatriation," *Yearbook of Physical Anthropology* 48 (2005): 2–32; and Bill Billeck, Jacquetta Swift, John Beaver, Andrea Hunter, and T.J. Ferguson, "Repatriation at the Smithsonian Institution," *Anthropology News* (March 2010): 25. For an excellent overview of the repatriation process, see Roger C. Echo-Hawk, *Keepers of Culture: Repatriating Cultural Items Under the Native American Graves Protection and Repatriation Act* (Denver: Denver Art Museum, 2002). See also Merrill, Ladd, and Ferguson, "The Return of the Ahayu: da"; Gillian A. Flynn and Deborah Hull-Walski, "Merging Traditional Indigenous Curation Methods with Modern Museum Standards of Care," *Museum Anthropology* 25, no. 1 (2001): 31–40.

<sup>67</sup> Eric R. Hollinger, Edwell John Jr., Harold Jacobs, Lora Moran-Collins, Carolyn Thome, Jonathan Zastrow, Adam Metallo, Günter Waibel, and Vince Rossi, "Tlingit-Smithsonian Collaborations with 3D Digitization of Cultural Objects," *Museum Anthropology Review* 7, no. 1–2 (2013): 201–253; Gwyneira Isaac, "Perclusive Alliances: Digital 3-D, Museums, and the Reconciling of Culturally Diverse Knowledges," *Current Anthropology* 56, no. S12 (2015): S286–296.

<sup>68</sup> Internal document.

<sup>69</sup> Olivia N. Sammons and Wesley Y. Leonard, "Breathing new life into Algonquian languages: Lessons from the Breath of Life Archival Institute for Indigenous Languages," in *Papers of the Forty-Third Algonquian Conference: Actes du Congrès des Algonquistes*, eds. Monica Macauley and J. Randolph Valentine (Albany: State University of New York Press, 2015), 207–

to archives to search for endangered language resources.<sup>70</sup> In 2011, 2013, 2015, and 2017, the NAA acted as partner and host for a broader iteration of the program in Washington, DC, funded by the National Science Foundation's Documenting Endangered Languages program.<sup>71</sup> Each of these BOL workshops brought between 30 and 65 researchers into the reading room to learn about navigating and researching archival collections for language revitalization projects.<sup>72</sup> As Gahegan and Rappaport relate, the *Protocols*, especially the guidelines for action around welcoming communities in reading rooms and examples of potentially sensitive archival material, were essential to planning the program and training interns who served as additional staff support throughout.<sup>73</sup>

The NAA has also participated in community-driven archival projects such as the Plateau Peoples' Web Portal, which uses Mukurtu CMS to host NAA collections in a community-based site that connects its collections to other Plateau collections of community interest.<sup>74</sup> However, the NAA has not yet implemented further decolonizing initiatives as a follow up to these partnerships, such as incorporating Traditional Knowledge labels in its descriptive records, as the American Folklife Center at the Library of Congress has done for the Passamaquoddy cylinder recordings in its collection.<sup>75</sup>

To that end, however, the NAA is involved in the development of the Mukurtu Shared platform. Mukurtu Shared is an open source platform built in partnership with Indigenous communities and the Washington State University Center for Digital Scholarship and Curation to manage and share digital cultural heritage. One of the goals for the Mukurtu Shared platform is to facilitate relationship-building and help sustain long-term partnerships between Native and non-Native collecting institutions in order to ethically share stewardship of digital collections. The NAA has been involved with the Mukurtu Shared project since the early planning stages and, along with NMAI and the Library of Congress, is currently participating in an ongoing Mellon Grant project to further develop the platform. Two fellows have split their time between these repositories to research archival collections and share them with community partners—taking a thorough, “slow” approach to research not often available to community members

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224; Susan Gehr, “Breath of Life: Revitalizing California’s Native Languages through Archives,” (master’s thesis, San Jose State University, 2013).

<sup>70</sup> Leanda Gahegan and Gina Rappaport, “A Small Shop Meets a Big Challenge: Finding Creative Ways to Assist the Researchers of the Breath of Life Archival Institute for Indigenous Languages,” in *Reference and Access: Innovative Practices for Archives and Special Collections*, ed. Kate Theimer (New York: Rowman & Littlefield, 2014), 83.

<sup>71</sup> Additional support has been provided by the American Folklife Center of the Library of Congress, the Smithsonian Consortium for World Cultures, Endangered Languages Fund Native Voices Endowment, National Museum of Natural History, Recovering Voices, and the National Museum of the American Indian.

<sup>72</sup> Gahegan and Rappaport, “A Small Shop Meets a Big Challenge”; Daryl Baldwin, Leanne Hinton, and Gabriela Pérez Báez, “The Breath of Life Workshops and Institutes,” in *Routledge Handbook of Language Revitalization*, eds. Leanne Hinton, Leena Huss and Gerald Roche (New York: Routledge, 2018), 188–196; also see Sammons and Leonard, “Breathing new life into Algonquian languages.”

<sup>73</sup> Gahegan and Rappaport “A Small Shop Meets a Big Challenge,” 87.

<sup>74</sup> See Kimberly Christen, Alex Merrill, and Michael Wynne, “A Community of Relations: Mukurtu Hubs and Spokes,” *D-Lib Magazine* 23, no. 5/6 (2017); Kimberly Christen, “Opening Archives: Respectful Repatriation,” *American Archivist* 74, no. 1 (2011): 193; also see Kimberly Christen, “Tribal Archives, Traditional Knowledge, and Local Contexts: Why the ‘S’ Matters,” *Journal of Western Archives* 6, no. 1 (2015): 1–19; and Michael Shepard, “Review of Mukurtu content management system,” *Language Documentation & Conservation* 8 (2014): 315–325.

<sup>75</sup> Jane Anderson and Kimberly Christen, “Decolonizing Attribution: Traditions of Exclusion,” *Journal of Radical Librarianship* 5 (2019): 113–152.

themselves.<sup>76</sup> Through this partnership with federal repositories and tribal partners and regionally affiliated tribes, work is now being done to test and evaluate the platform’s capabilities and to consider more concrete ways the NAA might implement decolonizing “disruptive” information strategies, whether through cultural restrictions or more culturally-responsive metadata.<sup>77</sup>

The NAA has also participated in the IMLS Early Career Award received by Ricardo Punzalan, whose project aims to understand community uses of the NAA’s John Peabody Harrington collection, which contains vast knowledge of Indigenous languages.<sup>78</sup> The NAA gained feedback from community users at a two-day workshop at the University of Maryland in April 2018. The following year, Leopold and NAA media archivist Daisy Njoku accompanied Punzalan on a weeklong visit to the yak tit’u tit’u yak ti’hini Northern Chumash Tribe of San Luis Obispo County to better understand community uses and concerns for those collections. The NAA also continues to center community voices in ongoing research about its collections, such as with the National Science Foundation postdoctoral fellowship discussed in the “Challenges” section below.

The NAA has also worked to incorporate the spirit of the *Protocols* into its daily operations. Because Native and Indigenous researchers now constitute its second-largest user group, the NAA tries to accommodate the specific needs of community members as visitors.<sup>79</sup> For example, the Museum Support Center’s ceremonial room is available for use by all researchers for smudging or other cultural activities during their visits to the archives. As a matter of course, researchers are encouraged to contact relevant Indigenous communities about their research projects when they are utilizing materials relating to those communities. Language to this effect has been added to the Visitor Agreement Form that all researchers visiting the NAA are required to sign.

Recently, NAA-sponsored talks, tours, and other public events have begun to include a land acknowledgement. A recent NMNH exhibit, *Documenting Diversity: How Anthropologists Record Human Life*, featuring NAA materials uses the following: “We acknowledge the traditional landowners whose territory the Smithsonian inhabits, and the continued presence and resilience of Indigenous, Migrant and Displaced communities and nations today.” This was the first exhibit at the NMNH to make a land acknowledgement of this kind.

One internal project has begun to experiment with new methods to improve Native and Indigenous access to collections. In 2015, linguist Gabriela Pérez Báez and NAA reference archivist Caitlin Haynes began a pilot project to create subject guides for communities represented in NAA collections. The project follows earlier print models, such as the Guide to Kiowa Collections produced in the 1990s.<sup>80</sup> There are currently seventeen subject guides that are ready to share with researchers and an additional

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<sup>76</sup> See Kimberly Christen and Jane Anderson, “Toward Slow Archives,” *Archival Science* 19, no. 2 (2019): 87–116.

<sup>77</sup> Christen and Anderson, “Toward Slow Archives,” 92.

<sup>78</sup> Diana E. Marsh and Ricardo L. Punzalan, “Studying and Mobilizing the Impacts of Anthropological Data in Archives,” in *Anthropological Data in the Digital Age—New Possibilities, New Challenges*, eds. Jerome W. Crowder, Mike Fortun, Rachel Besara, Lindsay Poirier (New York: Palgrave Macmillan, 2020).

<sup>79</sup> Diana E. Marsh, “Research-driven Approaches to Archival Discovery,” *IASSIST Quarterly* 43, no. 2 (2019): 5.

<sup>80</sup> William L. Merrill, Marian Kaulaity Hansson, Candace S. Greene, and Frederick J. Reuss, “A Guide to the Kiowa Collections at the Smithsonian Institution,” *Smithsonian Contributions to Anthropology* 40 (1997).



four guides in process. The NAA has been able to share these subject guides with researchers on an individual, ad hoc basis, and staff are currently working on ways to share them more broadly.

## **IMPACTS OF THE *PROTOCOLS***

Over the years, the NAA has made efforts to develop and improve relationships with Native and Indigenous community members and enact culturally responsive and ethical practices. In 2006, Robert Leopold, then director of the NAA, participated in the workshop at Northern Arizona University where the *Protocols for Native American Archival Materials* were drafted. He was the sole participant representing Native collections held in federal repositories and one of four non-Native participants. The workshop provided an ideal opportunity for the NAA to take stock of its policies and practices in light of Native and Indigenous concerns and interests, continuing an important discussion with several *Protocols* contributors that began at an earlier gathering in Chicago.<sup>81</sup> Like the workshop itself, the publication of the *Protocols* the following year bolstered NAA policies and practices that were undertaken earlier in the spirit of the *Protocols* and prompted new considerations.

Several of the *Protocols'* primary proposals—such as reciprocal education and training, the importance of consultation, rethinking public accessibility and use of materials, the need to consider copying, sharing, and/or repatriation of materials, and providing proper context for them—were already common practice at the NAA.<sup>82</sup> Another key proposal—the recommendation to consider tribal archives as suitable repositories for heritage collections—supported the NAA's interest in re-aligning acquisitions to its core mission. Over the years the NAA had acquired the records of Native American professional organizations and collections of personal papers that were outside its remit to collect and preserve anthropological documentation, based on requests from donors and fewer alternatives at the time. The opening of NMAI on the National Mall in 2004 had provided a welcome opportunity to transfer culturally and historically significant archival collections to a Native-driven repository where they would be both appreciated and widely consulted by Native researchers.<sup>83</sup> Following the publication of the *Protocols*, the NAA began regularly asking prospective donors whether a tribally-affiliated repository would be more suitable for their collections in consideration of community need and interest, physical location and accessibility, or issues of cultural privacy.

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<sup>81</sup> "Lines of Communication: Opening a Dialogue with Tribal Archivists on the Goals of the Council for the Preservation of the Anthropological Record," was organized by Willow R. Powers and Joe Watkins at the Newberry Library in Chicago in August 1999. See Nancy J. Parezo, Don D. Fowler, and Sydel Silverman, "Preserving the Anthropological Record: A Decade of CoPAR Initiatives," *Current Anthropology* 44, no. 1 (2003): 111–116.

<sup>82</sup> Gayle Yiotis, *A Research Guide to the Native American Collections in the National Anthropological Archives, Human Studies Film Archives* (Washington, DC: Smithsonian Institution Native American Repatriation Review Committee; National Anthropological Archives & Human Studies Film Archives; National Museum of Natural History, 2002).

<sup>83</sup> The transferred collections included the Records of the National Congress of American Indians (NCAI), the National Tribal Chairmen's Association, the American Indian Tribal Court Judges Association (aka Arrow, Inc.), and the personal papers of James E. Curry (a prominent Indian land claims attorney) and Helen Peterson (NCAI executive director 1953–59). The collections transfer in 2006 coincided with an SI wide initiative: "The OP&A study team believes the time is right for units to carefully review their holdings with an eye to identifying materials that are less significant or less relevant to their missions, programs, and patterns of collections use." *Concern at the Core*, 15.

The *Protocols* also influenced NAA staff's perspective on intellectual property rights. Although the vast majority of NAA collections had been created by professional (mostly white or "Western") anthropologists, who control their IP rights unless they transfer or waive them, most cultural anthropologists conduct research in collaboration with Native and Indigenous interlocutors whose own intellectual contributions are seldom recognized in standard collection deposit agreements nor, subsequently, in archival finding aids.<sup>84</sup> Following the publication of the *Protocols*, the NAA began to ask prospective donors whether their collection included materials created by other parties, such as research collaborators; whether other collaborators had been consulted about the disposition of their contributions; and whether proposed restrictions on public access had been discussed with relevant communities.

In sum, NAA staff welcomed the *Protocols* and advocated for their adoption as a means to further conversation and collaboration among archivists and Native and Indigenous peoples. Some aspects of the *Protocols* recommendations were already in development, and some were adopted directly, while others—namely those relating to more holistic Native sovereignty over collections and their access—have still not been implemented fully. Certainly, a decade and a half after the workshop where they were drafted, the *Protocols* can be seen as having helped drive the NAA's public access policy from one of unrestricted access to one of Native and Indigenous stewardship for relevant heritage collections.

## CHALLENGES

In 2016, the NAA received a grant from the National Science Foundation to support a three-year postdoctoral fellow to conduct research that would lead to better alignment between archives and anthropology, and, in turn, improved discovery and use of archival resources. In the first year of the project, Diana Marsh conducted interviews on barriers to access with a range of researchers, including a number of community-based researchers who shared some of the cultural, logistical, and historical barriers to using the NAA's collections. One finding from interviews (that had been heard only anecdotally previously) is that the security process and the logistics of coming to the NAA's government building can evoke historical trauma for researchers. As mentioned above, acknowledgement of this has been incorporated into CRP research visits and visit planning.

Marsh's research has also suggested that, because of search tendencies among community-based users, the subject guide approach piloted at the NAA and implemented holistically by the [American Philosophical Society](#) might be a productive way forward for community-driven access.<sup>85</sup> Indeed, the

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<sup>84</sup> The saliency of this issue was brought home to NAA staff when a distinguished Egyptian-American anthropologist conducting research in the NAA discovered fieldnotes written in her own hand among the papers of the anthropologist she worked for decades earlier in Nubia. Dr. Fadwa El Guindi's notebooks form part of the Charles Callender Papers, National Anthropological Archives. See also Roger Sanjek, "Anthropology's Hidden Colonialism: Assistants and Their Ethnographers," *Anthropology Today* 9, no. 2 (1993): 13–18; Lyn Schumaker, *Africanizing Anthropology: Fieldwork, Networks, and the Making of Cultural Knowledge in Central Africa* (Durham, NC: Duke University Press, 2001).

<sup>85</sup> Marsh, "Research-driven Approaches to Archival Discovery," 5. See "Guide to the Indigenous Material at the American Philosophical Society," American Philosophical Society, <https://indigenousguide.amphilsoc.org/>.

reinvention of subject guides (an old discovery tool) in the new web environment has gained traction elsewhere, especially in libraries, although less has been done to test such approaches with users.<sup>86</sup>

An additional finding of the grant has been the need for more Native and Indigenous guidance on NAA policies and procedures. The NAA is working with NMNH leadership to argue for the creation of a Native Advisory Board to the museum that would help guide the NAA and other NMNH units on future decisions, policies, and stewardship issues, following on the successful model of the Center for Folklife and Cultural Heritage's Shared Stewardship of Collections policy. NAA staff reviewed these guidelines during their drafting and hope they will act as a model for a more proactive policy at the NAA.

Since the mid-1980s, the NAA has collected "Information Please" forms to try to collect information about problematic or incomplete catalog records as well as ethical issues in the collections. Unfortunately, until very recently, relatively little had been done with these forms and the information they contain. In the summer of 2018, an intern with the Natural History Research Experience, Ciara Bernal, began organizing and analyzing these forms, but existence of these forms has not resulted in significant changes to catalog records or other policies due to lack of staff and staff time to implement such changes.

As of 2020, access to some collections has been hindered by the redesign of the NMNH website. Many discovery and descriptive tools provided there were removed, including many finding aids existing only as PDF documents and therefore not available in the Smithsonian's EAD and MARC based collections search platforms. Public access to archival collections was also inadvertently impeded when the Smithsonian's various collections information systems were aggregated into a new portal, the Collections Search Center. The NAA hopes to use community feedback to ensure the revival of access to contextual and historical information about the John Peabody Harrington collection, previously provided through a website about the collection (which can still be accessed in a limited form through the Internet Archive's Wayback Machine).<sup>87</sup> A current project to convert twenty legacy PDF finding aids to

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<sup>86</sup> Nedelina Tchangalova and Amanda Feigley, "Subject Guides: Putting a New Spin on an Old Concept," *Electronic Journal of Academic and Special Librarianship* 9, no. 3 (Winter 2008); Leslie G. Adebonojo, "Libguides: Customizing Subject Guides for Individual Courses," *College & Undergraduate Libraries* 17, no. 4 (2010): 398–412; Maurice Wakeham, Angharad Roberts, Jane Shelley, and Paul Wells, "Library Subject Guides: A Case Study of Evidence-Informed Library Development," *Journal of Librarianship and Information Science* 44, no. 3 (2012): 253; Trina J. Magi, "What's best for students? Comparing the effectiveness of a traditional print pathfinder and a web-based research tool," *portal: Libraries and the Academy* 3, no. 4 (2003): 675; Jeanne Boston, Charles W. Dean, Hugh Phillips, and Nolan F. Pope, "The Public Electronic Library: Web-Based Subject Guides," *Library Hi Tech* 16, no. 3/4 (1998): 80–88; Jimmy Ghaphery and Erin White, "Library Use of Web-Based Research Guides," *Information Technology and Libraries* 31, no. 1 (2012): 21; and Tammy Stitz, Shari Laster, Frank J. Bove, and Casey Wise, "A Path to Providing User-Centered Subject Guides," *Internet Reference Services Quarterly* 16, no. 4 (2011): 183–98. Luigina Vileno, "From Paper to Electronic, the Evolution of Pathfinders: A Review of the Literature," *Reference Services Review* 35, no. 3 (2007): 434–51. For examples, see Luigina Vileno, "Testing the Usability of Two Online Research Guides," *Partnership: The Canadian Journal of Library and Information Practice and Research* 5, no. 2 (2010): 1–21; Barbara Beaton, Jen Bonnet, Bill Dueber, Shevon Desai and Julie Piacentine, *LibGuides Usability Task Force Guerilla Testing: Usability Report University of Michigan Library* (2009); Dana Ouellette, "Subject Guides in Academic Libraries: A User-Centred Study of Uses and Perceptions," *Canadian Journal of Information and Library Science* 35, no. 4 (2011): 436–51; and Alec Sonstebly and Jennifer DeJonghe, "Usability Testing, User-Centered Design, and Libguides Subject Guides: A Case Study," *Journal of Web Librarianship* 7, no. 1 (2013): 83–94.

<sup>87</sup> See

[https://web.archive.org/web/20170909142325/http://anthropology.si.edu/naa/harrington/manuscripts\\_microfilm.html](https://web.archive.org/web/20170909142325/http://anthropology.si.edu/naa/harrington/manuscripts_microfilm.html).

EAD-encoded finding aids that are available online, funded by an internal FY2019 Collections Information Systems funding pool, is a model that NAA staff hope to build upon in the future. That project has also spurred discussions about a sensitivity statement that can be implemented on historical finding aids that have problematic, racist, or culturally insensitive terminology as they are converted.

Overall, the NAA's current labor and funding needs, as well as the size and scope of the NAA's collections, are limiting factors, but the archives remains committed to the *Protocols* and further implementation of its standards and goals.

## CONCLUSION

The NAA has a long history of involvement with, and programmatic work in the spirit of, the *Protocols for Native American Archival Materials*. Since the creation of the *Protocols*, the NAA has participated in a number of internal and external programs and collaborations that have promoted Native and Indigenous use and access of its collections. The repository is still navigating how to implement a fully realized program of shared stewardship with Indigenous community partners. Below are some lessons learned from the NAA's experiences.

- **Scale is limiting:** The NAA has 18,000 cubic feet of materials of potential relevance to Native American and Indigenous communities, yet does not have finding aids or inventories for many of its collections (although it expects to expand its pilot project to create subject guides). Likewise, the scope of digitization is also small relative to the overall number of collections holdings, despite a huge amount of grant money being put toward that goal (e.g., \$1 million from the Arcadia Foundation for language materials). The archives' scale is an impediment to implementing digital knowledge sharing as a key function of the archives' activities, as is the case at the American Philosophical Society (see Carpenter's case study in this series). And with collections representing thousands of communities, the NAA cannot logistically form meaningful, sustained, mutually beneficial relationships with them all. The NAA's digital image take-down policy, which was implemented instead of a consultation-first policy, was one solution to this challenge, but has meant some images went online that should not have. And while many meaningful projects have been accomplished in partnership with Native and Indigenous communities, not all of these relationships have been sustained. Large repositories must grapple with this challenge, and no viable solution has been found at the NAA.
- **Lack of staff:** With a meager staff of permanent archivists and additional contract positions reliant on soft money, it has been difficult to commit to long-term projects or to major institutional change. The NAA has also never had the staffing resources to include uniform information about restrictions and potentially offensive content in catalog records and legacy finding aids, or to incorporate uniform culturally-responsive thesauri. Staff struggle to keep up with the basics of running the archives, processing and maintaining collections, and serving researchers, so major projects to holistically rethink metadata or re-describe collections have not been possible. The fluctuation and discontinuity of staff in contract positions has also

created difficulties in sustaining relationships. Many NAA staff build rapport with researchers and communities and acquire through their work the nuanced communication skills needed to handle complex requests from both community and non-community researchers. Such “soft skills” and relationships are often lost or must be rebuilt as staff come and go.

- **Culture clash:** The NAA’s bureaucratic position within one of the nation’s most visited museums, nested within the world’s largest museum complex, along with its physical location within a large, shared collections facility, has meant that the NAA staff’s desire to make the repository more culturally welcoming has not always been feasible. As mentioned above, Smithsonian-wide security policies for guests can evoke historical trauma for Native and Indigenous visitors. Being in a department with archaeologists, biological anthropologists, and cultural anthropologists sometimes causes a cultural clash between perspectives and approaches. What is considered acceptable or appropriate among biologists and other museum scientists (such as showing human remains on tours or in exhibitions) is not considered appropriate by NAA staff and cultural anthropologists, but there is no formal policy dictating more appropriate procedures across departments or sub-departments. Despite some nascent discussions at the NMNH, there is not yet a formal policy of making a land acknowledgement at museum talks or in any museum spaces, although this practice has been adopted within the Department of Anthropology by some staff and has been adopted, as noted above, by NAA staff. As Jennifer O’Neal has written, it may be the case that although staff “personally have the ethics and dedication to implement changes in the stewardship of these collections, we are faced with navigating the bureaucracy of colonial institutions that lack the malleability to support these changes.”<sup>88</sup>
- **Small projects and gradual change:** Much of the NAA’s positive momentum has been driven by small projects. In a very large institution, undertaking small projects that need less higher-level approval has been a more realistic way to proceed without being mired in bureaucracy (or never accomplishing anything). The NAA has thus made small, precedent-setting moves through projects rather than through sweeping changes that required top-down approval. This has resulted in gradual culture change and acceptance at higher levels, leading eventually to more acceptance of culturally-responsive policies. The 2019 NMNH Collections Stewardship plan specifically states that the museum stands at the “forefront of efforts to . . . engage the many Federally-recognized tribes and other indigenous groups in the nation and world.”<sup>89</sup> To this end, the NMNH just elected its first Indigenous board member, AlexAnna Salmon (Yup’ik/Aleut), a further affirmation of the museum’s commitment to sound, culturally responsible stewardship. Recently the NMNH has begun discussions about implementing a land acknowledgment policy. We see such developments as the outcome of many small projects and a gradual push toward institutional change through the work of NAA staff, as well as many of our colleagues in the Repatriation Office and wider Department of Anthropology.

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<sup>88</sup> See Jennifer R. O’Neal, “From Time Immemorial,” 54.

<sup>89</sup> Smithsonian Institution, National Museum of Natural History Collection Stewardship Plan, July 25, 2019.

- Sovereignty and ‘Western’ models of ownership:** Despite the recent adoption of shared stewardship policies and guidelines at the Smithsonian, there are still challenges to making communities the primary stewards of the NAA’s collections and their access. Despite many digital knowledge sharing and collaborative projects, it is clear that power, decision-making, and ownership still lie primarily with the institution. Further, the NAA has never repatriated physical archival documents, despite the *Protocols* recommendation to “repatriate original records” in cases where records were obtained through “theft or deception” (such as the photographs deceptively obtained by BAE ethnologist Matilda Coxe Stevenson during her fieldwork among the Zuni in 1879).<sup>90</sup> As stated in the *Protocols* and as outlined above, most transfers of ownership at the Smithsonian must go through a formal repatriation process covered by the NMAI Act, instigated by community members, which is complex, expensive, and difficult for most communities to undertake. Archival materials have not been repatriated formally at the Smithsonian, and there are few precedents outside the Institution for undertaking that process. Neither have there been any deaccession projects to physically return archival collections, as has been done elsewhere (see Pringle’s case study in this series). One possible model for archives at large federal institutions to consider is a pilot project such as the one running currently at the NMAI called the Community Loans Initiative, which makes long-term loans of object collections to communities.
- Partnerships:** With a small staff, the NAA has found it crucial to accomplish positive change through partnerships both within the Smithsonian (such as RV and the Transcription Center) as well as outside it. One highly successful collaboration mentioned throughout this case study is the Documenting Endangered Languages (DEL) program, jointly funded by the National Endowment for the Humanities and the National Science Foundation, for which the NAA has served as a research host and repository. Since its establishment in 2004, the program has supported hundreds of projects that contribute to data management and archiving, and to the development of the next generation of researchers. Funding has supported fieldwork, digital recording, documenting, and archiving of endangered languages.<sup>91</sup> The National Breath of Life Archival Institute for Indigenous Languages as well as two digital return projects discussed earlier—those of the Museum of the Cherokee Indian and the Coushatta Tribe of Louisiana—have received DEL support. Additional examples of strategic partnerships and collaborations that have helped amplify the NAA’s efforts to provide culturally responsible access to its collections include the Center for American Indian Languages at the University of Utah (for jointly sponsored conferences, publications and archiving); the SAA pre-conference symposium, “Ethnographic Archives, Communities of Origin and Intangible Cultural Heritage” (co-sponsored

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<sup>90</sup> See Nigel Holman, “Curating and Controlling Zuni Photographic Images,” *Curator: The Museum Journal* 39, no. 2 (1996): 108–122; and Matilda Coxe Stevenson, “The Zuni Indians: Their Mythology, Esoteric Fraternities, and Ceremonies,” in *Twenty-Third Annual Report of the Bureau of American Ethnology, 1901–1902* (Washington, DC: Government Printing Office, 1904), 17.

<sup>91</sup> For an overview, see “Reflections on the Impact of DEL-funded Research Over Fifteen Years: A series of NSF-funded events at the 2020 Annual Meeting of the Linguistic Society of America,” <https://iris.siue.edu/delfifteen/>. In 2019, the name of the DEL program changed to “NSF Dynamic Language Infrastructure - NEH Documenting Endangered Languages (DLI-DEL): data, infrastructure and computational methods.”

by the American Folklife Center, NAA, HSFA, and the Society of American Archivists' Native American Archives Roundtable)<sup>92</sup>; workshops with staff from the Library of Congress and NARA; videos produced with the Sustainable Heritage Network; and work with the Mukurtu Shared project.

- **Complexity in consultation:** The NAA holds ethnographic documentation relating to Native and Indigenous heritage that was collected or produced in communities that have subsequently experienced significant cultural and political change. Some of these communities, once solidary, are represented today by numerous distinct political entities: a state of affairs that occasionally poses novel challenges for repositories seeking concurrence for the culturally responsive care and management of their heritage-related documentation and associated knowledge. Who speaks for the heritage materials in our archives? To whom is a repository responsible? What role might a repository play in shaping digital outreach and digital return projects that share heritage collections broadly and, at the same time, responsibly? As the Shared Stewardship of Collections policy of the Center for Folklife and Cultural Heritage cautions, communities:

may have multiple cultural custodians with differing perspectives on access and use of a collection following its digital return. Moreover, the traditions preserved in early archival collections may not have living tradition bearers today and may have different cultural custodians in the future. We recognize that our engagement with particular cultural custodians and descendent communities may contribute to contestations over meaning and new terms of ownership.<sup>93</sup>

The NAA affirms the *Protocols'* recommendation to document agreements with communities, something which it has not always done systematically and seeks to improve. Its experience attests that digital return projects are most successful when arrangements for the community's access and use of the returned collections have been thoroughly discussed with all concerned parties, well documented in memoranda of understanding throughout all project stages, and widely publicized to community members such that the digital return project's initial goals and final outcomes are clearly understood by all.

New research on collections use and the adoption of new ethical policies in day-to-day operations have solidified the NAA's commitment to the *Protocols*, while also suggesting areas for further development and institutional commitment. The authors of this case study have viewed reflecting on the NAA's past

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<sup>92</sup> Society of American Archivists Pre-Conference Symposium (Library of Congress, August 2, 2006), <https://www.loc.gov/folklife/SAASymposium/>

<sup>93</sup> Smithsonian Center for Folklife and Cultural Heritage, Shared Stewardship of Collections. See also Ann McMullen, "The Currency of Consultation and Collaboration," *Museum Anthropology Review* 2, no. 2 (2008): 54–87; Jocelyne Dudding, "Visual Repatriation and Photo-elicitation," *Journal of Museum Ethnography* 17 (2005): 218–231; Gray, "Audiovisual Archives"; Robert C. Lancefield, "On the Repatriation of Recorded Sound from Ethnomusicological Archives" (M.A. thesis, Wesleyan University, 1993); Leopold, "Articulating Culturally Sensitive Knowledge Online"; Sylvia Nannyonga-Tamusuza and Andrew N. Weintraub, "The Audible Future: Reimagining the Role of Sound Archives and Sound Repatriation in Uganda," *Ethnomusicology* 56, no. 2 (2012): 206–233.

history, projects, and policies here as a critical step in acknowledging its successes, addressing future challenges, and shaping future policies to ensure ethical access to these important collections.

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