Balancing Access to Knowledge and Respect for Cultural Knowledge: Librarian Advocacy with Indigenous Peoples’ Self-Determination in Access to Knowledge

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Introduction

On September 13, 2007, the United Nations General Assembly adopted the Declaration on the Rights of Indigenous Peoples (DRIP). The Working Group on Indigenous Populations of the UN Sub-Commission on the Promotion and Protection of Human Rights had been working on this document since 1982. DRIP names indigenous peoples as a plural entity, as a group, rather than a collection of individuals. This significant contribution to documents on human rights requires a shift in information specialists’ understanding of intellectual freedom and supports longstanding calls from indigenous peoples to end the colonial appropriation of their cultural materials, narratives and spaces.

The lengthy process of Western endorsement of DRIP indicates the vast differences between Western and indigenous peoples’ conceptions of human rights, including cultural rights. The four votes against DRIP included Australia, Canada, New Zealand and the United States, nations with histories of cultural imperialism waged against indigenous peoples. A shift in support has resulted in the endorsement of DRIP by Australia, New Zealand, and Canada, as well as moves to begin the endorsement process by the United States.
In consultation with policy documents created in collaboration with indigenous policymakers and librarians, DRIP calls on all information specialists to revise their advocacy for human rights beyond intellectual freedom and an individualistic, state-based framework. This chapter formulates an invitation to develop access to information policies reflective of indigenous peoples’ group rights to the support of indigenous cultural production and to self-determination of access to cultural information.

The chapter draws on indigenous narrative and literature review as methodology in order to create a conversation among indigenous authors here in the text and to emphasize the importance of stories as cultural material in order to protect them from appropriation. The emphasis of this study on stories also identifies Western individualism as one story that perpetuates oppression. Susan Dion explains how a Western worldview practices this violence:

“Canadians ‘refuse to know’ that the racism that fuelled colonization sprang from a system that benefits all non-Aboriginal people, not just the European settlers of long ago. This refusal to know is comforting: it supports an understanding of racism as an act of individuals, not of a system. It creates a barrier allowing Canadians to resist confronting the country’s racist past and the extent to which that past lives inside its present, deep in the national psyche. The need to deny racism in Canada’s past resurfaces again and again in its present” (Dion 2009).

In this chapter information specialists are called upon to cease to refuse to know, to reflect on their participation in systems of oppression, and to commit to partnerships with indigenous communities and librarians in order to develop respectful systems of access to indigenous peoples’ knowledges.

Cultural Knowledge and Cultural Imperialism

Indigenous communities around the world hold their cultural histories in oral form. Linda Tuhiwai Smith describes the function of the story: “The story and the story teller both serve to connect the past with the future, one generation with the other, the land with the people and the people with the story” (Smith 1999). Angela Cavender Wilson spoke of the importance of stories when reflecting on spent with her Dakota grandmother:

“These stories are not told by people who have been “conquered,” but by people who have a great desire to survive as a nation, as Dakota people. Consequently, these are not merely interesting stories or even the simple dissemination of historical facts. They are, more important,
transmissions of culture upon which our survival as a people depends. When our stories die, so will we” (Wilson 1998).

This chapter begins with a story, a true story of something that took place recently in a library in New England in the US. This story has to do with the material culture that remains from a horrific incident in history. On January 1, 1889, a Paiute Indian man named Wovoka had a vision during a solar eclipse. This vision told him to teach other tribal people how to dance a sacred dance, a dance that came to be one aspect of the Ghost Dance Religion. By engaging in this dance, American Indians believed that they could reverse the terrible impact of contact. Their family members who died due to European diseases would come back to life, the buffalo would return, and Indian people would be able to live happily again according to their traditional lifeways. All would take place if they danced this dance. Hungry, desperate, frightened people sought the dance. They dressed in Ghost Dance shirts, shirts of tanned hides that were fringed and painted with spiritual symbols that were said to protect the wearer from the bullets of soldiers. News of the Ghost Dance movement reached the ears of the U. S. military and the military was placed on alert. In the middle of winter, December 29, 1890, a group of Lakota people gathered in South Dakota at a location called Wounded Knee to dance the Ghost Dance. The 7th Cavalry of the U. S. Army, still smarting from their loss at the Battle of Little Big Horn where General George Armstrong Custer and his men were killed, attacked the dancers. They killed two hundred men, women, and children. Many men and women were wounded and left to freeze. Each winter, members of Sitting Bull’s descendents gather for a ride, a ride on horses on December 31 to commemorate Wounded Knee (Streissguth 1998). Those deaths are remembered today, the names of those who died are recalled, and the wounds still feel fresh. In addition to these memories, tangible items remain from Wounded Knee. The U. S. Army hired civilians to bury those killed at Wounded Knee and to remove items from their bodies. Chief among these were the Ghost Dance shirts, taken from the bodies of the dead and dispersed. Major Frank Root bought a number of these materials and, in 1893, when he returned to his home in Barre, Massachusetts he turned over the items from the Dakota dead to the local museum.

One Ghost Dance shirt was moved to Scotland where the Scottish government returned it to the Lakota people in 1999 (Kent 2009). And one is located in New England at the Barre Library Association in Massachusetts at the Henry G. Woods Memorial Library and Museum. In addition to the Ghost Dance shirt, the Museum holds the largest number of items from Wounded Knee, including medicine bags, scalps and pipes (Ring 2007).

In New Zealand, early contact between Māori and sealers, whalers and traders led to a strong demand by the latter for mokoīkōai (tattooed heads), koiwi (body parts), whakairō (carvings) and weapons with many of these later
becoming part of museum and gallery collections in the Western world. Although in many cases these exchanges took place in a fair and relatively equitable manner, it is also true that at times these cultural artefacts were acquired in dubious circumstances (Walker 2004).

Who owns this cultural material? Where should it reside? How are these decisions made? What will happen next? Should these materials be repatriated to the descendents of those who died at Wounded Knee? What if the communities would plan to bury the returned items? Should someone be allowed to take the clothing that your family member wore when they died, keep it, display it, and prevent you from reclaiming it?

In the United States, federal cultural reparation policy falls short by not addressing private museums or libraries. Museums in the United States that accept federal money must follow legislation called NAGPRA, the Native American Graves and Property Reparations Act. NAGPRA provides a process for the return of sacred and funereal objects to tribal communities. NAGPRA does not apply to the Henry G. Woods Memorial Library and Museum because it is privately owned. There is no equivalent NAGPRA legislation providing guidance for libraries that might also house sacred material in their collections. What should the answer be in this case? The possible outcomes of this story may feel logical: both sides may claim that they own the Ghost Dance shirt, one community by means of original ownership, the other by physical ownership due to some long-past exchange of stolen cultural materials. When money changes hands certainly people feel that ownership also changes hands. In this case, the objects were donated by Major Root but over time they acquired a monetary value of over $2 million. Scotland did return the Ghost Dance shirts that they cared for to the tribal community of origin.

Repatriation of Māori koiwi including mokomokai from foreign museums has been undertaken on a negotiated basis with each collecting institution. As many of the items involved are yet to have their iwi (tribe) of origin identified they have been placed under the care and guardianship of New Zealand’s national museum, Te Papa Tongarewa. New Zealand cultural institutions, particularly museums have vast collections of Māori artefacts and in recent years iwi and hapu (sub-tribes) have been developing inventories of their cultural property held by these institutions (Lilley 2008). For these groups, this is the first stage of a process to start the development of their own cultural centers, with the next step being a negotiated repatriation of these items for inclusion in the centre.

The ghost dancer story and the information about the collection of Māori cultural property by national and international museums places our subsequent discussion in the realms of indigenous culture, traumatic history, and the roles of libraries and archives. As such, it illustrates how discussion of access to traditional knowledge expressions exists in contested territories – but territory that is also ripe for understanding, communication and respect.
A corollary act of appropriating cultural materials is appropriating indigenous narratives through the lack of support for indigenous authors and publishers. This lack of infrastructure and librarian advocacy results in limited access to knowledge created by and for indigenous communities. Literary scholar Daniel Heath Justice asserts that both indigenous literature and indigenous literary criticism are vital cultural knowledge:

“If ‘the truth about stories is that’s all we are,’ as Thomas King asserts, then, the work of the literary scholar has profound implications. Our vocation is the telling, preservation, interpretation, and creation of stories. Stories are what we do, as much as what we are. Stories expand or narrow our imaginative possibilities – physical freedom won’t matter if we can’t imagine ourselves free as well” (Justice 2006).

According to the ethics of advocacy mapped out by feminist philosopher Linda Alcoff, this priority of self-determination in narrative is as significant as in governance: “in some instances speaking for others constitutes violence and should be stopped” (Alcoff 1991). In order to create respectful access to cultural information, indigenous communities, then, must have access to their own narratives. Literary critic Jace Weaver outlines his concept of communitism, a combination of community and activism, to describe literature as creating vital space for connection:

“Literature is communitist to the extent that it has a proactive commitment to Native community, including what I term the ‘wider community’ of Creation itself. In communities that have too often been fractured and rendered dysfunctional by the effects of more than 500 years of colonialism, to promote communitist values means to participate in the healing of the grief and sense of exile felt by Native communities and the pained individuals in them” (Weaver 1997).

If literature and stories are central to imagining a cultural future, access to this literature and such stories depends on support for their creation. The current publishing industry is increasingly exclusionary, as Kay Shaffer and Sidonie Smith explain:

“At this historical moment, telling life stories in print or through the media by and large depends upon a Western-based publishing industry, media, and readership. This dependence affects the kinds of stories published and circulated, the forms those stories take, and the appeals they make to audiences” (Shaffer and Smith 2004).
Indigenous literature as cultural knowledge, then, depends on advocacy for publication and collaboration.

In New Zealand, Māori are recognized as one of the most written about indigenous peoples worldwide. The reality of this statement is that most of this literature has been produced by non-Māori authors, particularly eighteenth and nineteenth century explorers, missionaries, settlers and scholars who viewed Māori cultural beliefs and activities through European lens. Their interpretation and in some instances their distortion of the facts has led to the misrepresentation of tikanga Māori (Māori customs), history and beliefs (Smith 1999). For example, this is particularly evident in the monographs written or edited by Stephenson Percy Smith (1910, 1913), where he manipulated genealogical evidence to support his theories relating to the origins of Māori and his informant’s belief of a creation sequence involving a supreme being known as Io. Over the last thirty years, there has been a growth in publications on Māori topics written by Māori authors and this has to a degree has progressively led to the cultural reclamation of previously mis-represented knowledge. However the New Zealand publishing industry is conscious of the small market for books on Māori issues and the commercial viability or otherwise is a significant influence on whether Māori knowledge is imparted in this manner. Even more precarious is the demand for items published in te reo Māori (Māori language), which like any indigenous languages contains knowledge within the nuances of dialect that cannot be reproduced in translation.

The lack of support for indigenous authorship partnered with appropriation of stories and other cultural materials results in the practice of cultural imperialism by information specialists. Without collaboration with indigenous communities and indigenous information specialists, non-indigenous information specialists cannot create respectful policy for the sharing or protection of cultural knowledge. Alcoff emphasizes that dialogue must be possible:

“Often the possibility of dialogue is left unexplored or inadequately pursued by more privileged persons. Spaces in which it may seem as if it is impossible to engage in dialogic encounters need to be transformed in order to do so” (Alcoff 1991).

This chapter suggests one pathway towards that transformation.

While librarians and library organizations support the theory of intellectual freedom, they need to take this further to actively support production of literature and to advocate with communities for the recognition of group cultural rights that may include limiting access to cultural knowledge.

To most librarians in the United States and New Zealand, intellectual/cultural property rights is a murky area, somehow akin to patents, copyrights, trademarks and all of those concepts that shout out “lawyer”. The concept of traditional knowledge is even more foreign. Librarians in both countries are
apt to connect the phrase with conflicts between indigenous peoples and pharmaceutical companies and similar battles between large corporations and innocent, naïve peoples who just are not willing to share what they know with people who can make better use of the products of their plants. They, therefore, think that traditional knowledge does not touch them, the collections they acquire and organize, or the patrons they serve. And when access and traditional knowledge or cultural expressions are referenced, it is more likely to be in the form of “access versus traditional cultural expression”.

What do indigenous peoples want protected? Indigenous cultural expressions include dance, song, stories, oral accounts. Extended from these expressions are their records such as recordings of performances and their written description. These are the materials that might be located within institutions that we know as libraries, museums or archives. The provenance or history of how materials found their way into cultural institutions varies; material could have been sold by individuals, donated, or removed from their cultural origins. Regardless, their location can be viewed by indigenous people as a removal and continuation of cultural loss that reflects the nineteenth century doctrine of Manifest Destiny, a view by white colonizers that their righteous role was to exert progress by taking Native held land areas and eradicating indigenous peoples or at least removing them to contained areas where they might learn to follow newer ways of living based on individual ownership.


> “the meaning of Māori things in New Zealand museums has been transformed at different times, shifting from curio, to specimen, to artifact, to various forms of art, to taonga [treasure]” (McCarthy 2007).

This shifting of views of indigenous cultural material not only relates to audience perceptions but also to a shifting of opinions of those who house, care for, describe, and provide access to these materials. McCarthy cites Ivan Karp and Steven Levine who believe that “The very nature of exhibiting, then, makes it a contested terrain” (McCarthy 2007).

It is easy to extend this statement to suggest that the very nature of housing cultural materials – whether they are the objects themselves or products of their study – places the objects and the products in contestation.

With awareness of a history of cultural imperialism, information specialists can interrupt this pattern of violence. The shifting of views of the importance or perceived value of indigenous cultural heritage has taken different forms. Genealogists want to trace their family history with some seeking evidence for tribal enrollment. Educators desire access to content to share with their students; sometimes they are required by state law to incorporate the his-
tories and contemporary lives of the state’s Native peoples into their curriculum. Individuals – including some scholars, writers, publishers, artists, companies – see personal academic and/or financial gain through contact with indigenous cultural materials. Oppression through ownership is an expression of cultural imperialism – which Laurie Anne Whitt describes as

“a type of cultural acquisition via conceptual assimilation … that turns vitally on legal and popular views of ownership and property, as formulated within the dominant culture” (Whitt 1999).

She goes on to define such acquisition as a practice of cultural imperialism:

“Cultural imperialism, then, embraces a spectrum of expropriative strategies. At one end of this spectrum we find legal theories of acquisition that facilitate the dominant culture’s ownership of indigenous land and of the material remains of indigenous peoples within the land. At the other end, we find theories of acquisition that rely on laws of intellectual property to legitimate the privatization of less tangible indigenous resources” (Whitt 1999).

That is, cultural imperialism supports, in turn, land and governance-based imperialism. Self-determination over cultural knowledge is key to indigenous survival.

Through their participation in ownership of cultural materials, information workers are implicated in cultural imperialism. Information workers sometimes have misguided views of ownership. When misguided, they believe that they own cultural objects located in their collections and they are responsible to no one in providing access – or not providing access – to segments in their collection. They may regard Native peoples as outsiders placing demands on their time to enforce rules on materials that the library/archives/museum owns. The main points of discussion – and possibly, contention – between Native and academic communities are likely to be those that exist between American Indians and archaeologists as they:

“center on various aspects of cultural heritage, that is, who owns the past, who manages the past, and who has the right to tell the stories about the past” (Hunter 204).

While archaeology is often singled out as a traditional offender, people in any discipline, including linguistics and musicology, can both violate or support traditional knowledge customs.

The inability or refusal to permit indigenous peoples to determine access over their cultural materials is a form of oppression. It is demeaning to the ex-
tent that this infers that indigenous peoples are less than human, less intelligent, and incapable to caring for their own materials. This form of cultural imperialism has its roots in the development of the neo-imperial nation-state. Janusz Symonides describes how the exclusion of cultural rights demonstrates their importance. States fear

“that the recognition of the right to different cultural identities, the right of identification with vulnerable groups, in particular minorities and indigenous peoples, may encourage the tendency towards secession and may endanger national unity. For this very reason, the introduction of cultural rights in the Charter of the United Nations was blocked during the San Francisco Conference”

and the cultural rights of minorities excluded from the Universal Declaration of Human Rights (UNHR) (Symonides 1998). This fear of losing the privilege to erase history, however, is not sufficient grounds to sustain oppression.

The connection between self-determination and cultural sovereignty requires the treatment of indigenous cultural knowledge as a collective responsibility rather than as individual property. The Declaration on the Rights of Indigenous Peoples prioritizes cultural rights throughout the document. Article 3 emphasizes the connection between self-determination and control over cultural knowledge:

“Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social, and cultural development” (United Nations. General Assembly. 2007).

Legal scholar Cindy Holder points out that this “connection between cultural integrity and self-determination in documents treating indigenous peoples” emphasizes cultural rights as group rights (Holder 2008). Understanding cultural rights as a community process, in turn, requires recognition that the community must control their own cultural knowledge.

The development of new technologies, particularly digitization techniques has led to new challenges for indigenous peoples in their relationship with libraries and other cultural institutions, in that information that was previously only available in a physical format in a single institution is now accessible to any person with an Internet connection potentially leading to the mis-appropriation or mis-use of that information. In some respects this can be viewed as the re-colonization of this cultural and intellectual property, with no or very little control over distribution available to indigenous owners of information.
Indigenous Librarianship and Western Individualism

In her poem, *Guidelines for the Treatment of Sacred Objects*, Anishinabe poet Heid Erdrich describes how cultural people and those in contact with indigenous material culture should respond. She considers the librarian as holding a special role in dealing with sacred items:

> Guidelines for the treatment of sacred objects  
> that appear or disappear at will  
> or that appear larger in rear view mirrors,  
> include calling in spiritual leaders such as librarians,  
> wellness-circuit speakers and financial aide officers. (Erdrich 2008)

The Anishinabe are an indigenous people in North America who are also referred to as the Ojibwe or Chippewa. Lois Beardslee’s novel *The Women Warrior Society* emphasizes the role of indigenous librarians by describing indigenous women reclaiming the space of the tribal library:

> “The smoke rises from the carpet to the ceiling, thick and lazy, held in by the bookshelves. The women settle in, in a tight circle, welcoming one another’s place-confirming touch in the darkness. […] They say their names in their own native tongues, and they sing clan songs. And those who do not have clan songs, who have had that part of their history and selves stolen away from them, they are given clan songs” (Beardslee 2008).

Here the library is a sacred space that witnesses history and recognizes identity, validates language and respects indigenous control over indigenous culture. Beardslee’s novel and Erdrich’s poem offer a call for library practice of indigenous peoples’ self-determination and cultural agency within the library.

Non-indigenous information professionals may serve as caretakers for the products of cultural expressions such as books, archival records and artifacts such as beadwork or carvings. They may be of the opinion that once such materials are separated from their creators their content is part of the public domain. Indigenous peoples may view these attitudes as an extension of colonialism and the subjugation of their cultures. Indigenous peoples become remote from materials that they originally created. Hirini Moko Mead refers to the need of indigenous people, in this case the Māori of New Zealand/Aotearoa, to affirm “cultural integrity” since:

> “That portion of the culture held in museums and art galleries is firmly in Pakeha [non-indigenous people of European descent] hands. In such institutions a Māori is most often a manuhiri (visitor)” (Mead 1986).
Tribal libraries and indigenous librarians provide a model for non-indigenous librarians. It is important to recognize the practice of indigenous cultural collections, for example, in tribal libraries. First, some tribal libraries limit access to their collections. Lotsee Patterson explains the roles of diverse tribal libraries, “created and maintained by American Indian people on or near reservations”:

“They typically have collections similar to regular public libraries with a special focus on American Indian history and culture. Some are open to the public, while others serve only the members of the tribal community” (Patterson 2008).

This last detail indicates the importance of limiting access to some materials as part of a practice of self-determination.

Alternatively, those tribal libraries that do not limit access to their collections still prioritize service to indigenous communities. This practice, Reegan Breu points out, counters that of mainstream libraries which, without claiming to do so, prioritize service to white, middle-class communities:

“Band [or, Tribal] libraries highlight the obvious, but rarely discussed: that libraries are ethnic, cultural, and linguistic spaces. Particularly, they render visible that which is invisible, namely, that mainstream libraries largely reflect and meet the needs of English-speaking […], white, middle-class individuals” (Breu 2003).

Unmitigated access to indigenous peoples’ cultural knowledge and a lack of support for indigenous peoples’ own narratives perpetuates cultural imperialism in service of the white, middle-class constituency at the expense of indigenous communities. To counteract this current practice, Breu urges non-indigenous librarians to learn from tribal libraries: “they call on white, middle-class librarians to recognize their positions of power within library spaces and society,” and they “teach us that programs and services for Aboriginal peoples cannot be created in isolation from Aboriginal peoples” (Breu 2003). Like Alcoff’s call to create spaces for dialogue, Breu reminds librarians of a responsibility to:

“create social, physical, and cultural spaces and places where Aboriginal peoples can participate and make decisions about public libraries and librarianship” (Breu 2003).

A discussion about access to indigenous cultural knowledge must take place through the development of such spaces. Research undertaken in Aotearoa/New Zealand with Māori youth however demonstrated that creating the ‘space’
is only part of the answer and needs to be supplemented by actively engaging Māori in their own spaces as they do not use library facilities at the same levels as other ethnic groups in New Zealand (Lilley 2010).

A claim to academic study may seem to support a dangerous resistance to such dialogue. Part of the script of the contact between indigenous and non-indigenous peoples is the academic pursuit of indigenous culture. As anthropology developed as a discipline, so did the collection of indigenous material culture and publication of interpretations of content. Over time, the study of interests in indigenous lifeways has extended across the academic disciplines. Technical processes including archival processing, cataloging, exhibits management and labeling were used to describe and arrange collections of cultural material in ways that mirrored Western thought. Thus, when museums, libraries, and archives housed indigenous materials they became removed not only from their cultural origins but from their cultural contexts.

The discipline of librarianship further reproduces this decontextualization that seems to absolve non-indigenous librarians of a responsibility to educate themselves and to reflect on their own identities and decisions. Library human rights scholar Toni Samek describes the use of neutrality as this type of decontextualization: “Historically, the profession’s claim to library neutrality has drawn a line between professional issues such as literacy and so-called non-library issues such as war. A similar line has categorically divided library advocacy and library activism” (Samek 2007). To interrupt this history, Samek calls on “the international library movement known in the twenty-first century as critical librarianship, that aims to blur these lines and to expose them as both counter-intuitive and counter-productive to the development of more humanistic (and less techno-managerial) library and information work” (Samek 2007). Access, then, must not simply be an issue of techno-managerial information work, just getting the information out, but it must be an issue of humanistic, human rights, critical analysis.

A critical reading of access to indigenous cultural knowledge must then address the differences between Western, individualistic rights frameworks and group rights frameworks. While indigenous peoples consider cultural heritage communally owned, Western view credits ownership by the individual. This focus on the individual is most evident when discussions of copyright overwhelm consideration of traditional knowledge. Copyright allows individuals limited protection over their products for a time during which they might receive the greatest economic benefit. It does not recognize community ownership over time and it eventually opens the intellectual products to the public domain:

“By declaring the intellectual and cultural properties of indigenous peoples to be in the public domain – that is, to belong to everyone – the stage is equally well set for their conversion into private property” (Whitt 1998).
Thus, copyright not only does not respect traditional ownership, it opens up indigenous cultural expressions to appropriation and commodification. Whitt more simply opines that “copyrights offer legal and intellectual cover for cultural theft” (Whitt 1998).

This individualistic conception of property rights only perpetuates cultural imperialism. For example, in existing copyright law, legal scholar Alexandra Xanthaki explains:

“[c]opyright protection may not apply to traditional knowledge, where the material is deemed unoriginal and in the public domain, or where the misappropriation is a legitimate adaptation under copyright law. Also, current rules defy duration, as after a certain period of time, the object becomes part of public domain, and require a fixed object, rather than oral and expressive forms of culture” (Xanthaki 2009).

While contemporary discussions of access to knowledge largely support a radical departure from copyright, self-determination and control of cultural material is, as this chapter establishes, vital to current life and future generations of indigenous communities. DRIP thus protects, in Article 12, “the right to the use and control of their ceremonial objects” (United Nations. General Assembly 2007).

The group formulation of indigenous cultural rights also challenges the figure of the individual in Western human rights frameworks. The danger of the Western individualist framework is its perpetuation of the work of forgetting, as Ulf Johansson Dahre explains:

“The essential liberal attribute of the individual is ahistorical and universal. Human rights are therefore logically entailed by recognizing those attributes” (Dahre 2008).

Indigenous human rights documents thus offer a different framework which invites information specialists to bring their disciplinary respect for the archival past into the consciousness of their practice. While archives are beginning to acknowledge their role in documenting collective memory, archivists view their roles differently: “archival documents are not representations of collective memory and archival institutions are not storehouses of collective memory” (Hedstrom 2010). Indigenous human rights documents remind us of the vital truth that all collections are indeed storehouses of collective memory.
Librarians and the Declaration on the Rights of Indigenous Peoples

Worldview is the concept often used to describe common beliefs held by indigenous peoples. It denotes an interrelationship or guardianship between peoples and with the land. Worldview describes the commitment of indigenous peoples to serve as advocates for future generations. These beliefs are passed down from generation to generation and are evident in indigenous oral histories of origin, emergence, and migration (Battiste and Henderson 2000).

Acknowledging an indigenous worldview, in turn, makes obvious the substantial influence of the non-neutral Western worldview. Tellingly, Linda Tuhiwai Smith describes this worldview as the West’s cultural archive, drawing on Michel Foucault’s language. Individualism, for example, is part of the West’s cultural archive (Smith 1999). Recognizing this divergent worldview makes obvious the impossibility of neutrality, that claim so dear to the library profession. Stavenhagen applies this concept to human rights: “Human rights policies are not entirely neutral because they are the result of values shared by the majority or dominant culture in any given society at any one time. The fact that they are dominant does not necessarily make them universal” (Stavenhagen 2001). This explanation helps one to understand that the concept of access as a benefit is not universal and can violate indigenous peoples’ cultural rights.

Information specialists and indigenous peoples view the objects and cultural materials in collections differently. Librarians have a body of professional codes – from the American Library Association’s (ALA’s) key action areas, Core Values, Code of Professional Ethics, and the Library Bill of Rights, along with its interpretations. These documents support the librarian’s caretaking and advocacy roles. On the other hand,

“indigenous people don’t separate their interests in cultural heritage and history from other elements of their lives. In general, people want control and ownership of their own cultural places and the remains of their ancestors and their history as part of their struggle for social justice, self-determination, and sovereignty. These things are closely linked to Indigenous people’s relationship to land, and their desire for land rights” (Colley 2002).

A brief exploration of how information specialists’ conceptions of human rights differ from indigenous peoples’ conceptions of rights demonstrates the need to shift that understanding to include indigenous peoples’ human rights documents. A growing emphasis within librarianship on supporting human rights indicates a positive shift away from the false neutrality Samek criticized. A critical look at human rights, however, will strengthen information specialists’ ability to learn from and advocate with marginalized peoples. Kathleen
Balancing Access to Knowledge and Respect for Cultural Knowledge

McCook and Katherine Phenix identify the UDHR as a useful tool for librarians promoting “the principles of human rights in practice,” and they document the ALA’s Resolution on IFLA’s position on Human Rights and Freedom of Expression, which supports UDHR, Article 19:

“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers” (McCook and Phenix, 2006; United Nations. General Assembly. 1948).

While access to information is vital, it can be problematic when used as a tool of cultural imperialism; such a perspective suggests that human rights are sometimes relative rather than universal. Stavenhagen explains that, even at the drafting of the UDHR in the 1940s

“American anthropologists considered it to be embodying the values of only one culture, and they questioned the automatic applicability of these standards to other cultures” (Stavenhagen 2001).

The result of an individualistic framework for copyright and freedom of expression, for example, has resulted in cultural appropriation of indigenous knowledge and the support of a business model of speech rights.

Shiraz Durrani and Elizabeth Smallwood explain that the too-general language of the ALA and intellectual freedom advocacy for “neutrality” policies result not in actual (impossible) neutrality, but in a collection and practice defined by corporate interests. Globally, they argue, libraries have

“become increasingly isolated from the majority of people in their local communities. Forces of corporate globalization then push them even further from their communities by offering to save staff time and mental effort by supplying pre-packaged ‘best sellers’, guaranteed to meet the wants of 30% of the population – and to boost the profit margins of transnational publishers and booksellers” (Durrani and Smallwood 2008).

In the name of the free market, these library scholars point out, libraries are losing ground. This trend towards the appropriative blockbuster and away from truly diverse expression, Cees Hamelink observes, is buoyed by individualistic property rights:

“There is presently an almost monopolistic control over the world’s cultural heritage and the small individual or communal producers of
literature, arts or music hardly benefit from the current international legal protection” (Hamelink 2003).

That is, current ‘universal’ rights are protecting the Western free market rather than protecting or advocating for marginalized peoples. In fact, the UDHR does not mention indigenous peoples or minority groups.

Considering cultural rights as group rights can provide a counterbalance the imperialist dangers of an individualistic right to free speech. Holder describes one view that “cultural rights are the collective corollary to individual rights of free expression. Cultural rights are the rights of collectives and those who constitute them to express themselves as collectives” (Holder 2008). Significantly, this framework also shifts from a property model of rights to a relationship model of rights:

“Rights to physical objects, material conditions, and distinctive patterns of familial or political relationships are included in cultural rights not because these are the constitutive elements of indigenous cultures, but rather because access to and control over them is necessary for indigenous peoples to be cultural on terms of their own choosing” (Holder 2008).

Cultural rights, then, can temper individualistic intellectual freedoms to support the self-determination of indigenous peoples.

A look at the Declaration on the Rights of Indigenous Peoples (DRIP) offers a useful tool for information specialists. DRIP formulates the two efforts we are calling for in this chapter: the support of indigenous cultural production and the respect for indigenous self-determination of their cultural materials and texts. Articulating a foundation for both of these objectives, Article 12 of DRIP states:

1. Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.
2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs. (United Nations. General Assembly. 2007)
Other articles throughout the document echo these terms. The call for support of indigenous cultural production appears in Article 12 as “the right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies”; Article 15 states “the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information”; and Article 16 advances “the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination” (United Nations. General Assembly. 2007). The call for the recognition of indigenous self-determination of access to cultural knowledge appears in counterparts of the same articles. For example, Article 12 reads “States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned,” and Article 15 advances that “States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society” (United Nations. General Assembly. 2007). The interweaving of these two sets of rights emphasizes the centrality of cultural knowledge to indigenous communities and the need for self-determination to counteract cultural imperialism.

The articles within DRIP, relate directly to other declarations previously developed by indigenous peoples, most notably the Mātaatua Declaration on Cultural and Intellectual Property Rights of 1993, which stated that “the first beneficiaries of indigenous knowledge (cultural and intellectual property rights) must be the direct indigenous descendants of such knowledge” (Mātaatua Declaration 1993).

Professional Organizations on Cultural Materials Policy

Driven by the work of indigenous information specialists and organizations, profession-wide information organizations are creating the scaffolding to advocate indigenous self-determination and modeling collaboration with non-indigenous allies.

In Australia, the Aboriginal and Torres Strait Islanders Library and Information Resource Network (ATSILIRN) not only was involved in developing national protocols but supported a study of the status of their implementation (Aboriginal and Torres Strait Islander Library Information and Resource Network 1995, 2005; Aboriginal and Torres Strait Islander Library Information and Resource Network 2006).

In 2002, the Governing Board of IFLA (International Federation of Library Associations and Organizations) approved the “Statement on Indigenous
Traditional Knowledge.” This statement provides among the most balanced professional opinion on the role of librarians:

“IFLA acknowledges the intrinsic value and importance of indigenous traditional knowledge and local community knowledge, and the need to consider it holistically in spite of contested conceptual definitions and uses” (IFLA 2002).

Access is supported by making resources available and promoting their existence while IFLA also recognizes the need to protect traditional knowledge and “encourage the recognition of principles of intellectual property to ensure the proper protection and use of indigenous traditional knowledge and products derived from it” (IFLA 2002). A Special Interest Group on Indigenous Matters was formed in December 2008 that will review this and other IFLA documents as well as address key issues impacting libraries worldwide.

The International Indigenous Librarians’ Forum (IILF) met for the first time in 1999. At its 2003 meeting in Santa Fe, the IILF developed a manifesto that called for libraries and other cultural institutions to develop policies and practices that are culturally responsive. The manifesto explains the significance and necessary components of such policies as:

Initiatives to exert control over their intellectual and cultural property, to retain language, to preserve cultural practices are equally important goals shared in common. Therefore, the need to understand these issues in relationship to library information services, the following set of principles apply:

i. Traditional knowledge is the intellectual property of indigenous peoples;

ii. Protection of their cultural heritage is the right of indigenous peoples; and

iii. The primary rights of the owners of a culture must be recognized by library information providers, which should adopt strategies proposed in Aboriginal and Torres Straits Islander Protocols for Libraries, Archives and Information Services (International Indigenous Librarians Forum 2008).

The ALA is in the process of developing guiding documentation for its Council which will determine whether the IILF manifesto should be incorporated into ALA policy. ALA’s Washington Office and its Office for Information Technology Policy (OITP) is represented at WIPO meetings and these bodies have felt that ALA needs to have a policy statement to bring forward at those gatherings. The Washington Office hosted the meeting, “Cultural Heritage and Living Culture: Defining the United States Library Position on Access and
Protection of Traditional Cultural Expression” November 12-14, 2008. Attending were representatives from not only the academic, legal, museum, and tribal communities within the United States but also representatives from Australia, New Zealand and Switzerland. A group emerged from this information that worked for a year to draft the document “Librarianship and Traditional Cultural Expressions: Nurturing Understanding and Respect” (ALA 2010).

At the ALA 2010 Midwinter Meeting, the Chair of ALA’s Committee on Legislation determined that the document was not adequately vetted and crafted for sharing with ALA Council. Subsequent to the meeting, ALA President, Camila Alire, appointed a new Presidential Task Force that was charged with:

- Reviewing the background and development of the “Librarianship and Traditional Cultural Expressions” document;
- Reviewing other relevant material, including communication brought by groups within ALA or external groups with interests in the topic;
- Proposing any needed revisions to the original document; and
- Preparing a revised draft document for discussion and approval by the ALA Council at the 2011 ALA Midwinter meeting (Alire 2010).

Members of this Presidential Task Force illustrate the wide ranging interest in the topic. Co-chaired by representatives of the OITP Advisory Committee and ALA’s International Relations Committee, members were selected to represent other ALA Committees (Intellectual Freedom Committee, Committee on Legislation, and ALA Joint Committee on Archives, Libraries and Museums), a division of ALA (the Association of College and Research Libraries) and members of the five ethnic library associations affiliated with ALA – the American Indian Library Association; the Asian Pacific Library Association; the Black Caucus of the American Library Association (BCALA); the Chinese American Library Association; and, REFORMA (the National Association to Promote Library and Information Services to Latinos and the Spanish Speaking).

Digitization and aspects of providing electronic access to information has further prompted discussions of access. Still, while espousing open access and network neutrality, even professional statements declare that “library access should be crafted in collaboration with communities to reflect local needs and conditions” (ALA 2003). The United States Association of Research Libraries released its “Principles to Guide Vendor/Publisher Relations in Large-Scale Digitization Projects of Special Collections Materials” in 2010. Principle 1, “Distinct Collections Demand Extra Vigilance in Digitization,” recommends that “at a minimum, careful consideration should be given to copyright, privacy (including the presence of personal identifying information), moral and cultural heritage concerns” (Association of Research Libraries 2010).

In New Zealand the introduction of a professional registration scheme for library and information professionals in 2007 has led to a requirement for reg-
istrants to demonstrate that they have knowledge and have undertaken continuing professional development in the area of mātauranga Māori (Māori knowledge). Furthermore institutions offering library and information education programs are required to incorporate mātauranga Māori into their curriculums. The net impact of these requirements is the expectation that Māori and non-Māori library and information professionals will have an understanding of Māori worldviews, knowledge structures, information needs and relevant information resources and services (Library and Information Association of New Zealand Aotearoa 2010).

Suggestions for Library Practice: Policies from Protocols

What concerns do information professionals have about the development of such principles?

1. There is concern that opening agreements with indigenous communities will open the floodgates for approaches from other groups that claim they should have control over traditional cultural expressions.
2. There is concern with definitions, starting with who is indigenous. Isn’t everyone from somewhere and, therefore, an indigenous person? What do we mean by cultural property? What about indigenous cultural expression? How are these terms related to traditional knowledge and indigenous intellectual property?
3. There is concern that other groups will claim control in order to make monetary claims on cultural expressions.
4. There is concern that indigenous communities and others will not only require changes in access to content but will also request return of materials.
5. There is concern that communities will reclaim materials and then be unable to care for them properly.
6. There is concern that limiting access will lead to reduced options for scholarship and academic study.
7. There is concern that any change in practice will be burdensome for libraries, archives, and museums.
8. There is thinking that copyright and patents provide adequate and rightful protection of intellectual content.

Tribal communities may have protocol that guides human interactions especially on tribal homeland areas. Often, tribal protocol is tied to tribal religious beliefs; sacred knowledge may be treated differently from social or everyday life. In other cases, protocol may be based on long standing disregard for tribal members’ privacy, such as guidelines governing any kind of photography.
Statements on expected behavior may be publicly posted on the entrance of tribal lands.

In 2006, a gathering of nineteen Native and non-Native representatives from cultural institutions drafted “The Protocols for Native American Archival Materials.” The Native American Archivists Roundtable of the Society of American Archivists (SAA) presented the Protocols to the SAA Council. As a result of initial comments, SAA opted to host open meetings from 2009 through 2011. Given that concepts surrounding traditional cultural expressions are novel and challenging to many SAA members, the three years will allow for at least some members to become more aware of the issues. The 2010 address by the SAA President, Peter Gottlieb, illustrates a flexibility in thought that might have been unheard of prior to the drafting of the protocols:

“Cultural property issues challenge us as archivists because they have many facets. They require us to think not only about different ways to appraise, to describe, and to provide access to collections, they also require us to think about fundamental archival principles and values, like diversity, equal and open access, and even justice” (Gottlieb 2010).

Protocol can extend to the creation of new content based on witnessing cultural expressions. One example is the tribal website of the Pueblo of Ysleta del Sur in Socorro, Texas, USA. This information is provided especially for visitors to feast day events:

“Ysleta del Sur Pueblo celebrates several feast days in honor of Catholic saints throughout the year. The feast day celebration is a merging of the traditional Tigua seasonal rites, such as planting and harvesting, with Catholicism. The feast day dances are religious ceremonies, not social gatherings or performances. The tribe asks that visitors be respectful of tribal observances and be considerate by not interrupting ceremonies or tribal dances. Any photos or videos need to be approved by the Tribal Council Office. Attending tribal events such as ceremonial dances and feast days can bring visitors closer to an understanding of the proud Tigua heritage” (Ysleta del Sur Pueblo 2010).

With widespread access to digital content through the Internet, ownership and use of representations of cultural materials is more difficult to control. The degree of how indigenous peoples control the dissemination of information on the Internet is intensified by statutory harvesting of websites by national institutions. In New Zealand, this statutory responsibility is managed by the National Library which has a legal requirement to collect all New Zealand information published physically or electronically and to make this information available
for use by members of the public. If Māori wish to ensure that their private information and knowledge is not harvested for public use they must ensure that it is either available in a secure, passworded Web environment or not make this information available in this format (National Library of New Zealand 2010).

There are some examples of successful collaborations between Native peoples and the institutions that house their cultural materials: The Plateau Peoples’ Web Portal at http://libarts.wsu.edu/plateaucenter/portalproject/index.html is hosted by Washington State University (WSU), USA, to provide an electronic environment to share and discuss materials held in the university’s special collection and in the campus’ Museum of Anthropology. Partners in this project included not only the academic faculty in the University’s Plateau Center for American Indian Studies but also members of three tribal names – the Umatilla, the Coeur d’Alene and the Yakama. These collaborations extended from selection of content to be digitized to digital curation. Tribes are given access to an “admin” or administrator space for the Web portal. As an administrator, the tribes can select various levels of access to cultural knowledge. They decide whether images or text can be shown on culturally sensitive topics. Tribal members can also add content in text, audio, and video formats. This Web portal employs Web 2.0 features that allow online visits to sort content to create their own virtual collections, leave comments or add tags. Kimberly Christen, Assistant Professor at WSC is project director. WSU Special Collections librarian Trevor Bond describes how local academics and tribal communities view the Plateau People’s Web Portal: “Unlike other online tools, Professor Christen has developed her portal with the values of indigenous peoples in mind” (Siegle 2009).

Previously, Christen was one of four researchers who collaborated with the Warumungu aboriginal community in Australia to create the Mukuru Archive available at http://www.mukurtuarchive.org/. Background on the homepage compares the virtual collection to a dilly bag, an aboriginal tote bag.

“The archive, like the dilly bag, is not meant to close off or hide knowledge. The archive uses Warumungu cultural protocols to facilitate access to content. In doing so, the archive mirrors a system of accountability in which many people engage in the responsible reproduction and transmission of cultural knowledge and materials” (Christen 2008).

In this case, the database provides access thousands of images according to tribal protocol, protecting, for example, images of women’s rituals or women’s work and allowing families to provide permission to view images of the deceased.
An example of a similar collaboration from New Zealand includes the repatriation by the University of Auckland Library of copies of nineteenth century manuscript material prepared by noted Māori scholar Whatahoro Jury to Ngāti Kahungunu in the Wairarapa region (University of Auckland Library 2008).

These cases illustrate that what is needed is not so much a legal response to handling traditional cultural experiences than a set of principles that promote discussion and collaboration. Stamatopoulou explains that cultural rights offer the promise of such possibility for collaboration and policy:

“Cultural rights are of profound significance both because they have to do with identity and because they are a means of attaining economic and political objectives that cannot be attained more directly. The implementation of minority and indigenous cultural rights, far from being a soft agenda, can achieve, if taken seriously, transfer of resources to them from the dominant society and thus mend age-old injustice and discriminatory practices” (Stamatopoulou 2004).

By attending to indigenous peoples’ cultural rights, information specialists can work to acknowledge and interrupt colonial histories in the present.

Conclusion: Librarians in the Age of the Seventh Fire

This chapter has emphasized the dual role of indigenous peoples’ cultural rights for access to knowledge: the need for support of indigenous cultural production and the vital importance of indigenous peoples’ self-determination of access to cultural knowledge. These cultural rights are founded in indigenous worldview and codified in the Declaration on the Rights of Indigenous Peoples. This discussion thus calls on information specialists to recognize that the claimed neutrality of their profession and universalism of human rights are constructed by historical moments and require reflection to understand our role in either oppressing or supporting indigenous peoples’ cultural rights. Indigenous librarians, tribal librarians, and professional organizations are in the process of developing documents that will inform respectful library, museum, and archive policies on support for the development of and restrictions on access to cultural information. Reegan Breu reminds readers that service to indigenous peoples requires a commitment (Breu 2003). Attending to these documents is the first step in committing to collaboration with indigenous communities and indigenous information specialists to generate informed library, museum, and archive policies.

Librarians have long faced challenges in providing patrons with access to information. Their beliefs in open access are confirmation of a strong founda-
tion built on the philosophy of intellectual freedom. Long before the profession of librarianship developed, indigenous peoples around the world survived within strong beliefs – a worldview – that were supported through the development of protocol or codes of behavior. While superficial thought sees a gap between library advocacy for intellectual freedom and control of traditional cultural expressions, these two belief systems can not only coexist, they can also be supportive of each other. The profession can look for guidance in cultural stories, such as the prophesies of the Anishinabe.

The Anishinabe people are dreamers and predictors. Among their dreams and predictions are the Prophecies of the Seven Fires (Peacock and Wisuri 2002). Hundreds of years ago the people moved east until they lived on the shores of the Atlantic Ocean. Over time, seven prophets arose, predicting that the Anishinabe would return, through a sequence of seven moves, to the west and stop when they found food growing on water near an island shaped like a turtle. Each move would guarantee the survival of the people; if they chose not to move, then they would not live. The first prophet told them to follow the sign of a cowrie shell, the grand megis. This was the Prophecy of the First Hearth Fire. Their second move or fire was prompted by the prediction that a young boy would help them recover their traditional lifeways; they continued to follow the rivers during their third move toward the land where food grew on water. The fourth prophet predicted the arrival of Europeans as people whose faces of death would be mistaken as the faces of brotherhood. The fifth fire was the prediction of the loss of traditional religious expression. The sixth prophet told of a time of great sadness and even greater loss of culture, including language erosion, disruption of traditional family life, economic strife and health challenges. Today, the Anishinabe are emerging from the sixth fire. The seventh prophet predicted that a new people would emerge in the seventh fire. This new people, or Osh-ki-bi-ma-di-zeeg, have the potential to recover lost elements of the culture, if they make the right decisions. This right road of life would ignite a final fire of peace and brother/sisterhood. If they take the wrong road, then the result could be degradation of the natural resources and death to all peoples.

The authors predict that librarians’ role in this impending age of the seventh fire is a critical one. It may be up to librarians to help ensure that the communities they serve have the information to choose the right path. The library can provide the social space to lead the lighting of the eighth fire, a fire that will flourish through not only providing information but also respecting and protecting cultural knowledge.
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