

CASE #3

Identifying Culturally Sensitive American Indian Material in a Non-tribal Institution

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OVERVIEW:

The case study focuses on culturally sensitive American Indian archival material held by a non-tribal institution, and working with the Native American community to identify best practices. It involves balancing the *Protocols for Native American Archival Material* with one specific aspect each of the Privacy and Judgment portions of the SAA Code of Ethics:

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

American Indian archival material held by non-tribal institutions offers a number of challenges. Seeking the advice of tribal members can help foster working relationships and provide additional context to the material, ultimately enhancing a researcher's experience.

DATE:

September 2014

KEYWORDS:

Access | Access Restrictions | Code of Ethics | Custodial Issues |
Ethics | Privacy | Social Responsibility | Native American |
Culturally Sensitive

Introduction and Institutional Context

Special Collections and Archives, Eli M. Oboler Library, is part of Idaho State University in Pocatello, Idaho. Idaho State University began in 1901 as the Academy of Idaho and since that time evolved into the Idaho Technical Institute (1915), the University of Idaho, Southern Branch (1927), Idaho State College (1947), and since 1963, Idaho State University (hereinafter referred to as ISU). A library has been in place as an integral part of the institution since its early days as an academy. The library serves the university community by providing collections and services in support of the university's teaching and research missions. As the largest state-supported library in eastern Idaho, it also plays a role in the development of university cooperative programs and in the provision of library services to the citizens of Idaho.

The Special Collections and Archives department supports the library's mission by acquiring, preserving, and making accessible research materials that document the historical, cultural, and folk life experience of southeast Idaho, the Intermountain West, and the history of ISU. Strengths of the collections include Congressional records, early pioneer history, Pocatello, and the establishment of Fort Hall. Several of the manuscripts collections either pertain to, or contain information pertaining to, the Shoshone-Bannock and Lemhi tribes that reside on the Fort Hall Reservation, approximately ten miles from the ISU campus.

Established in 1955, Special Collections grew out of the then-named Idaho State College Museum (hereinafter referred to as the ISCM), now the Idaho Museum of Natural History. Several of the ISCM's collections acquired during the 1930s–1940s were transferred at that time to the library's newly formed Special Collections department. Organizationally, today the Special Collections department is part of the Collection Development and Special Projects department within the library, and reports directly to its head.

Within Special Collections and Archives there is a head of the department (hereinafter referred to as the Head of Special Collections and Archives) who supervises one part-time temp, one work study student, one Career Path Intern (hereinafter referred to as the CPI), and a few volunteers. CPI positions are available to undergraduate, graduate, and PhD students at ISU to provide them additional training and work experience in a position, either on or off campus, that is relevant to their particular area of focus. Recently, there have been graduate student interns from the ISU History Department working on specific projects in the archives.

In the fall of 2013, with a new Head of Special Collections and Archives, the staff in the department began several projects, one of which involved processing of photograph collections, including those that had been separated from their manuscripts collections. These photographs in particular had never been processed, had been sitting for years with what appeared to be very limited access, and did not even appear in their respective finding aids.

One of the first collections worked on was the J. A. Youngren Papers. This collection had been acquired by the ISCM during the 1930s and 1940s and was transferred to Special Collections in 1955. Youngren moved to Pocatello in 1910, worked as a salesman, was active locally, and had

a life-long interest in Native Americans. He spent a significant amount of time with the Shoshone-Bannock Tribes at Fort Hall, developed a radio talk show during the 1930s focusing on Native American issues, and was instrumental in establishing Idaho Indian Day. Youngren also photographed members of Fort Hall at various events on and off the reservation, including some that are culturally sensitive.

Culturally sensitive Native American material that is in the care of non-tribal institutions presents a challenge and raises a number of questions regarding access, privacy, and social responsibility. The issues in this case study fall under one specific aspect each of the privacy and judgment portions of the SAA Code of Ethics:

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

Narrative

Identifying Culturally Sensitive Images

With the fall 2013 projects involving the processing and housing of the photograph collections, came the hiring of a CPI for the archives. The CPI was hired as an upper-level undergraduate student majoring in anthropology with a minor in Native American studies. He mainly uses three fields of anthropology: experimental archaeology, cultural anthropology, and linguistics, with a focus on Native American issues. He is an enrolled member of the Bad River Band of Lake Superior Chippewa (Northern Wisconsin) and since living in Pocatello has been actively involved with Fort Hall and its members. He also is a Sun Dancer.

Given his background, the CPI was charged with the task of processing and housing the photographs that are part of the J. A. Youngren Papers. While working on the photographs he came across some images that were taken in the late 1920s at Fort Hall and clearly show a Sun Dance in progress. The Sun Dance is a sacred, week-long ceremony that was distinctive of the Great Plains tribes during the eighteenth and nineteenth centuries. Since that time, it has been incorporated into those of other tribes and typically lasts four days. The CPI called this to the attention of the Head of Special Collections and Archives and was able to explain, based on the images, which day of the dance was taking place.

In addition to the photographs of the Sun Dance, there was another image of a Fort Hall tribal member laid out for his viewing and funeral. Dressed in full regalia including headdress and identified as a chief, this image had been placed in CONTENTdm as part of the Bannock County Images digital project that had been completed prior to the Head of Special Collections and Archives' arrival at ISU.

Knowing that the Sun Dance is a sacred ceremony and the images were most likely taken without the knowledge or consent of tribal members, and knowing that funerary ceremonies and rituals vary from culture to culture, the Head of Special Collections and Archives and the CPI discussed how to best handle access to the images. With the assistance of his supervisor, the CPI was tasked with drafting a letter to the Director of the Shoshone-Bannock Tribes Language and Cultural Preservation Department (hereinafter referred to as the Director). In the letter, the Director was made aware of the images in question, sixteen in all, and in keeping with recommendations from the *Protocols for Native American Archival Material*,¹ ISU archives staff requested an initial meeting with him to ensure proper handling of the images given their sensitive content. In the meantime, the Head of Special Collections and Archives decided to remove the funerary image from the digital collection until consulting with members of Fort Hall. If after meeting and viewing the photograph they were comfortable with the image being included in the digital collection, she was willing to place it back online.

Meeting with Members of Fort Hall

In late November 2013, the Head of Special Collections and Archives and the CPI met with the Fort Hall Tribal Archivist and the Ancestral Researcher at the ISU main campus. The Director was unable to attend. Prior to their arrival, archives staff had pulled all of the 124 images from the Youngren Papers that pertain to Fort Hall, including the sixteen that were in question. The four of them sat together and went through each image, starting with those that the Head of Special Collections and the CPI had questions about regarding privacy and access. The Tribal Archivist and the Ancestral Researcher had never seen the images before nor were they even aware that ISU had such images in its collections. They informed ISU archives staff that the tribe would never have consented to anyone photographing the Sun Dance, and that they were requesting the Head of Special Collections and Archives to restrict access to those images. They approved access to images which show tribal members from a distance gathering outside the center of the Sun Dance, but not the interior images showing the Sun Dancers and the ceremony in progress.

When shown the funerary image and told of its presence online and its subsequent removal, the Tribal Archivist thanked the Head of Special Collections and Archives for removing it from the digital collection. The Tribal Archivist and the Ancestral Researcher informed ISU archives staff that the gentleman in the image, although laid out in full regalia, was not a chief, nor had he ever been. They then proceeded to explain who he was and requested that access to this particular image be restricted as well.

ISU archives staff then proceeded to show them the remaining images of Fort Hall and its members from the Youngren collection. Again, the Tribal Archivist and the Ancestral Researcher stated they had never seen these images, nor were they aware of their presence in ISU's Special

¹ *Protocols for Native American Archival Material*, <http://www2.nau.edu/libnap-p/protocols.html>.

Collections. The two looked through the images and as they did so, commented on them, and identified people, locations, and events.

Conclusion

The Head of Special Collections and Archives worked with the CPI in identifying culturally sensitive images as part of the J. A. Youngren Papers. She felt it necessary and proper to remove the funerary image from the digital collection until members of Fort Hall were consulted. During consultation with the appropriate members of Fort Hall, they requested digital copies of the Fort Hall images. In exchange for providing digital copies of all the images pertaining to Fort Hall and its members, the Fort Hall Tribal Archivist and the Ancestral Researcher agreed to properly identify the photographs and provide that information to the Head of Special Collections at ISU.

Regarding the images of the Sun Dance and the funerary image, an agreement was reached whereby ISU Special Collections and Archives would restrict access to the images. The agreement stipulates that the copies held by Fort Hall will remain in their department files and used only in family information and history. Families of those depicted in the images may look at them, but duplicates will not be made. Release of these images to the general public is prohibited. The original photographs housed at ISU will adhere to the same restrictions; and should access be requested by a family member, verification from Fort Hall would need to be obtained.

Outcome

As a result of consulting with members of Fort Hall regarding best practices for culturally sensitive material held by a non-tribal institution, a base was established for building a relationship of mutual respect and working collaboratively. The Head of Special Collections and Archives felt confident in her decision to remove the digital image and for initiating a meeting with members of Fort Hall. Both parties are still working on this particular collection, but it has opened the door for potential future collaboration. Once completed, the information provided by the Tribal Archivist and the Ancestral Researcher will place the photographs in a stronger context than before, and will enhance researcher's experiences. Tribal members are interested in knowing of other collection material held by ISU's Special Collections department that pertains to Fort Hall. As archives staff works its way through other collections, they are keeping them apprised and will be seeking their assistance in identifying, interpreting, and providing better context for the material it holds.

Discussion

Introduction

In hindsight, the sequence of events that led to contacting and ultimately meeting with members of Fort Hall was appropriate in this particular situation. The Head of Special Collections and Archives and the CPI discussed how to best handle the culturally sensitive material, and both felt ethically responsible to consult with members of Fort Hall and seek their advice as to the appropriate course of action. Archivists deal with privacy issues with other collections, and it was decided that this should be no different.

Knowledge and Understanding

It is important to know, understand, and even recognize differences in cultures and to seek consultation with others when caring for culturally sensitive material. What may seem appropriate to a non-tribal institution to make public, may not necessarily be the case. According to the *Protocols for Native American Archival Material*, “For Native American communities the public release of or access to specialized information or knowledge—gathered with and without informed consent—can cause irreparable harm.”² Acquiring that knowledge by reaching out to a tribal community for assistance offers an opportunity to educate one’s self, and each other. Acknowledging these differences leads to the building of relationships of mutual respect, and enhances collections by providing better contextualization. This in turn leads to a more clarified understanding of the material and ultimately leads to access of materials and information that is interpreted intelligibly.

There are a number of questions that come to mind when caring for culturally sensitive material in non-tribal institutions. In this particular case archives staff knew which community to consult, but who within the community should be consulted? How would they react to knowing a non-tribal institution held these materials? Were we comfortable with restricting access to information? What is our social responsibility to another culture? How does the archivist provide information about material that is restricted? The questions are challenging but necessary to ask if one is to care for culturally sensitive material in a respectful and ethical manner.

Responsibility

All collections come with a level of responsibility. Archivists are required to answer a multitude of questions with all collections from selection and appraisal to preservation to privacy issues to copyright, and more. Culturally sensitive material held by non-tribal institutions presents a unique opportunity to grapple with questions that may typically be out of our comfort zone. How do we balance access to information with material that is culturally sensitive? What is our social and ethic responsibility when caring for these types of collections?

² *Protocols for Native American Archival Material*, <http://www2.nau.edu/libnap-p/protocols.html>.

Regardless the questions, the results when answered far outweigh the possible effects had the *Protocols* not been taken into consideration. While there are those who believe restricting access to information may be shortsighted,³ the opportunity to collaborate with another archivist (and in this case, the closest one geographically to ISU) and build a stronger collection contextually would have been lost.

³ Clement Meighan, "Another View on Repatriation: Lost to the Public, Lost to History," *Public Historian* 14, no. 3 (1992): 43, 45.