

Broken Promises: A Case Study in Reconciliation

By Elizabeth Joffrion and Lexie Tom

ABSTRACT: This article examines a long-term collaboration between a nontribal and a tribal organization—Western Washington University and the Lummi Nation. The narrative describes efforts to share and understand the Native cultural resources acquired by the university in the years prior to the development of professional practices for the appropriate management and use of Native American archival materials and explores a series of moral and ethical challenges from both the Native and non-Native perspectives. The article offers strategies for sharing expertise, knowledge, and cultural resources that can assist in addressing historical injustices, misunderstandings, and mistrust founded in the misappropriation of Native heritage by non-Native institutions.

Introduction

The Native American Graves Protection and Repatriation Act (NAGPRA) became law on November 16, 1990. This watershed legislation describes the rights of Native American lineal descendants, Indian tribes, and Native Hawaiian organizations with respect to the treatment, repatriation, and disposition of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony. These resources are referred to collectively in the statute as cultural items with which interested parties can show a relationship of lineal descent or cultural affiliation.¹ The passage of NAGPRA empowered Indigenous nations to take important steps toward reasserting and reaffirming their cultural heritage and patrimony through the legal and rightful transfer of cultural resources from outside institutions to community-based cultural organizations.² In fact, tribal museums, libraries, and archives are often founded to locate, acquire, and provide context for cultural and historical documentation, much of which may be housed in non-Native institutions. Within this context, many tribal cultural organizations first contact a nontribal cultural organization to research, and possibly repatriate, the stories, documents, and artifacts held by them. These institutions are often unfamiliar with the traditional knowledge and culturally sensitive nature of the documentation they hold.

When tribal and nontribal institutions work together to address Indigenous knowledge, culturally sensitive items, or sacred sites, it is important to recognize that these relationships exist within a cultural divide grounded in differing worldviews. From the Native perspective, NAGPRA was created in the context of a Western system of thought, and the modern cultural heritage institutions impacted by NAGPRA were created within and for the benefit of a dominant Western world. Due to a long history of oppressive and assimilative laws and policies that supported settler colonial society, the Western social order will always be linked to forced changes to ancient cultures with the intent

of re-creating a society more recognizable to Western norms.³ For Indigenous cultures, colonization disrupted the inherent rights associated with centuries-old cultural knowledge. Linda Tuhiwai Smith examined settler colonialism and the Indigenous perspective in her work, stating, “It angers us when practices linked to the last century, and the centuries before that, are still employed to deny the validity of indigenous peoples’ claim to existence, to land and territories, to the right of self-determination, to the survival of our languages and forms of cultural knowledge, to our natural resources and systems for living within our environments.”⁴ Working together, Native and non-Native representatives have an opportunity to understand this history and move forward with respectful protocols and partnerships.

Although NAGPRA created a context for respectful collaboration across cultural barriers, the legislation does not address the disposition of rights associated with archival materials, leaving staff at cultural institutions scrambling for guidance in the ethical management of Indigenous cultural heritage found in archival records, manuscripts, photographs, and audio and video recordings. It would take another 16 years before a group of Native and non-Native cultural resources professionals created the *Protocols for Native American Archival Materials*, a set of best professional practices developed for the culturally responsive care and use of Native American archival materials.⁵

Lummi Nation History and Culture

There is a saying in the Lummi language: *Nilh tu o*. This describes the very beginning of time, when everything was dark. In the Lummi belief system, the creation stories explain that the Creator came around and gave life to this place now called the Salish Sea. The Creator brought the people tools they needed to survive. The Creator said to the people, “These are yours now—take them.” These tools included language, oral histories, and teachings. The people were taught not only to pass these down to future generations, but to uphold the integrity of these knowledge(s) and to protect them. Central to this teaching is an inherent responsibility to protect Lummi traditional knowledge. The Lummi Nation acknowledges the need for balance between respecting cultural traditions and creating a future in the modern world. This philosophy is central to the Lummi’s engagement with the broader regional community, and, today, the Lummi Nation is recognized as a leader in education.

In 2013, the Lummi Nation presented the first performance of a historic stage play entitled *What About Those Promises?* to the local Bellingham community. The play, produced by tribal leader Darrell Hillaire, tells the story of the Lummis’ historical relations with the United States government, beginning with the 1855 Treaty of Point Elliott. This wrenching tale of unfulfilled and broken promises is also one of intense pride in the Lummi way of life, as documented through stories, artifacts, archival records, and photographs. The performance was a powerful moment for both Native and non-Native attendees, as collectively the audience reconsidered its past through the lens of Indigenous knowledge and came to understand the power of cultural heritage materials to document and interpret a shared and controversial history.

The 1855 Treaty of Point Elliott was one of many treaties that year transferring large areas of land in the American West to the US government, which promised reserved lands, health care, and schools. In January of that year, 13 Lummi leaders gathered their belongings and filled their canoes for a journey. It was the middle of winter, and they traveled by water with children and elders. Survival depended on these leaders ensuring that their families would have food to eat, warm clothing, and the safest routes. They endured this dangerous journey with the goal of guaranteeing the rights of future generations. The 82 Coast Salish leaders who signed the treaty reserved the rights of their people to fish, harvest, and hunt in their “usual and accustomed grounds.” The treaty, ratified by Congress on April 11, 1859, quickly set off a historic battle for fishing rights, with Indigenous peoples increasingly restricted from fishing and from exerting their rights under the treaty. This injustice was not redressed until over a century later, when, in 1974, Judge George Boldt issued a landmark decision that affirmed the rights of Indian tribes in Washington State as specified under the Point Elliott Treaty.⁶ But for the Lummi, this fight for legal rights continues, and, in many instances, documentation central to the history of this struggle is archived in nontribal archives, museums, and libraries throughout the region, including Western Washington University.

Sovereignty, self-determination, and self-governance are primary goals of Indigenous nations, and gaining control over their stories, documents, and artifacts is critical to that process. The Lummi Nation Archives and Records and the Lummi Library are state-of-the-art facilities that serve this central mission by “preserving and protecting the historical and business records of the tribe” and by providing “research, informational and recreational resources that enhance life-long learning.”⁷ The Lummi Library and the Lummi Archives and Records Department are separate entities serving the Lummi community. Established in 1984, the Lummi Library is housed on the campus of Northwest Indian College (NWIC). The college originated in the Lummi Indian School of Aquaculture and Fisheries, which served as a trade school to Lummi Community College, a two-year degree-granting institution. Later renamed Northwest Indian College, it is chartered by the Lummi Indian Business Council through the formal but semi-autonomous relationship between the two entities. In 2014, the tribe celebrated the grand opening of the new Lummi Library facility comprising over 11,000 square feet. In 1985, the Lummi Nation established its archives and, in 1988, added a formal records management function to create the Lummi Archives and Records Department. Like many tribal cultural organizations, the archives and library were established with the primary objective of managing existing documentation, but also to locate, acquire, and provide context for cultural patrimony and historical documentation housed in non-Native institutions. The Lummi believe that this effort is vital to the cultural sovereignty of the tribal community.

Western Washington University and Native History and Culture

Western Washington University (WWU), established in 1893 as the Bellingham Normal School, is situated on traditional Lummi land in Bellingham, Washington, about 100 miles north of Seattle. The stewardship of Western Washington University’s

archives and special collections resides with the Western Libraries, Division of Heritage Resources. This division encompasses the University Archives and Records Management, the Libraries' Special Collections, and the Center for Pacific Northwest Studies (CPNWS). In particular, the CPNWS seeks to collect materials that document significant economic, social, cultural, and political trends in the Pacific Northwest. It has assembled a substantial body of cultural heritage materials relevant to the history and culture of over 30 tribes and nations from throughout the Pacific Northwest, British Columbia, and Alaska, representing nearly 20 percent of the center's overall holdings. These Native American materials were acquired in several ways, but primarily they comprise documentation collected by others—local and regional historians with an interest in Native tribal culture and faculty who conducted academic research while associated with the university and donated it to Western.

Those who accumulated these collections of photographs, oral histories, research materials, and survey information pertaining to local Native cultures considered it their right to donate them to Western Washington University, but rarely were the acquisition and assemblage of these resources conducted with the free and informed consent of the Indigenous peoples involved in the documentation and research studies. No formal or informal agreements were made about who could access these resources, and the participants were unaware that the information they provided might one day be available through the university's open access policies, nor could anyone anticipate the advent of the Internet or the level of information sharing associated with modern social media. Even instances in which the transfer of cultural documentation appear voluntary may have been established with an element of coercion or false promises made to participants concerning access and use, particularly in relation to early anthropological studies and surveys that supported faculty research. Often the contextual information obtained upon acquisition was biased, unbalanced, or incomplete. In particular, a limited understanding of the cultures from which it was appropriated (or misappropriated) prejudiced the documentation provided by local historians. As such, the ethical management of these collections presents a range of challenges, including the development of a balanced and fair body of documentation, the determination of appropriate levels of access for culturally sensitive information, and the management of information not considered appropriate for public viewing by associated tribal members. These concerns reinforce the importance of seeking tribal knowledge and perspective to correct potential misinterpretation and misuse of Native cultural materials.

In the 1990s, the Center for Pacific Northwest Studies began to publish finding aids online, first disseminated through its organizational website and later as a partner in the Northwest Digital Archives. Also during this period, the staff began to actively digitize the center's photograph collection. These efforts were initiated with the goal of creating enhanced metadata and discovery tools that harnessed the power of the online environment to reach new regional and national audiences. These improvements and the standardization of descriptive practices brought to light the culturally sensitive nature of Indigenous holdings, which were concurrently experiencing growing interest from Native communities, local historians, and scholars.



Howard Buswell, c. 1947. Howard Buswell papers (image 937), Center for Pacific Northwest Studies, Western Libraries Heritage Resources, Western Washington University.

One of the most heavily used collections of Native materials in the center's holdings is a large body of research documentation assembled by Howard Buswell, a self-trained historian. Buswell was born on April 22, 1895, on his family's farm near Ferndale, Washington. In 1906, the Buswell family moved to land near Marietta, Washington, on Bellingham Bay, adjacent to the Lummi Reservation, where Howard Buswell lived out the remainder of his life. Buswell's education included two years at Washington State University and a year at the Bellingham Normal School, now Western Washington University. Soon after obtaining his teaching certificate, poor health curtailed his short career in education, and he retired at the age

of 35. For the remaining 40 years of his life, he lived and worked on the family farm in Marietta. During these years, he began his investigation of local history, undertaking many research projects focused on local Native culture and history. These projects exposed him to documentation in libraries, archives, museums, and courthouses across the country, and led to voluminous correspondence with archivists and librarians in the United States and Canada. Although Buswell intended to write and publish a comprehensive history of his hometown of Marietta and the nearby Lummi Reservation, he was still gathering materials at the time of his death in 1965, and his work was never published. Ten years after Buswell died, his brother, Ray Buswell, donated his papers to Western Washington University.

Buswell's research materials include unique historical documentation of the northwest region of Washington State from the time of the first contact with Indigenous cultures through the middle of the twentieth century. The papers also incorporate a significant body of source materials documenting the Lummi Nation and its people. Specifically, the Native materials include oral history interviews with pioneers and tribal elders, photographs of ancestors, maps, census documentation, reservation land allotments, and court cases, as well as Buswell's handwritten notes about Lummi culture, art, history, and genealogy. It is likely that Buswell appropriated much of the documentation without full consent or disclosure, and, when the Buswell family donated the materials to the center, members of the Lummi Nation were not informed that this collection documenting their history and culture was to be housed at Western Washington University, a sprawling institution built on their traditional lands.

In 1998, Western hired its first professional archivist to address the significant backlog

of collections at the Center for Pacific Northwest Studies. Under new leadership, CPNWS staff embarked on an extensive effort to arrange and describe its holdings. Grants from the National Historical Publications and Records Commission to process the collections and from the National Endowment for the Humanities to create EAD finding aids for inclusion in the Northwest Digital Archives greatly facilitated these efforts. In the process of developing the descriptive metadata for the Buswell Collection, CPNWS staff realized that information compiled by Buswell describing and interpreting local Indigenous culture was inappropriate for public dissemination. The captions and other descriptive information authored by Buswell included historically biased and offensive language that would be painful to local communities and out of alignment with current historiography on Indigenous cultures.

Literature Review

In recent years, the body of research by anthropologists and historians on the practices associated with the transmission of knowledge related to Indigenous cultural heritage has been growing. In 1998, Devon Mihesuah, a Choctaw historian whose work concentrates on stereotypes and misrepresentations of Native American customs and beliefs in academic writing, noted that “researchers that are privy to intimate details of tribal life must use discretion when writing so that they don’t reveal information the tribe deems private or sacred.”⁸

At the 2003 World Intellectual Property Organization meeting, the Tulalip Tribes of Washington delivered a statement on “Folklore, Indigenous Knowledge and the Public Domain” that outlined their philosophical differences with the Western tradition of open access and its implications for Indigenous peoples. They noted that “in indigenous cosmology, knowledge is a gift from the Creator . . . there is no public domain in traditional knowledge . . . although individuals might hold knowledge, their right is collectively determined, and it is rare that individuals have the right to use knowledge in a free and unconstrained manner. They are bound by the laws of their tribe and of the Creator. Even knowledge shared and used widely does not fall into the public domain.”⁹ Thus, when tribal knowledge is shared, it is shared among those who are trusted to understand their roles and responsibilities. For many tribal communities, the misuse of knowledge can cause severe physical or spiritual harm to the caretakers of cultural heritage, an impact that can extend to the entire tribe. For this reason, misappropriation and “misuse of tribal knowledge is not simply a violation of ‘moral rights,’ but a matter of cultural survival for many indigenous peoples.”¹⁰

In an article entitled “A Defense of Native Americans’ Right over Their Traditional Cultural Expressions,” Kay Mathiesen further explored the question of whether Native Americans have a moral right to control access to their traditional cultural expressions and tribal knowledge. Through an extensive examination of Western legal and philosophical thought, she determined that “the nature, context, and history of Native American cultures are unique,” claiming that group privacy and the concept of restorative justice provide an ethical justification for this right. She also addressed the cultural

appropriation of materials found in many non-Native archives and reminded us that “many Native American tribes are sovereign entities with their own traditions and laws surrounding traditional cultural expressions,” arguing that reflection on the tumultuous history between the United States and Native Americans and its lasting effects on tribal communities provides the appropriate context to better understand tribal needs.¹¹

Margaret Kovach, in the book titled *Indigenous Methodologies: Characteristics, Conversations, and Contexts*, adds to the discussion of sustaining cultural knowledge(s). “Cultural longevity depends on the ability to sustain cultural knowledge(s). At the heart of a cultural renaissance, Indigenous or otherwise, is a restoration and respectful *use* of that culture’s knowledge systems.”¹² From the Indigenous perspective, the long history of misuse and mismanagement of Indigenous knowledge(s) has engendered a relationship of mistrust. Tribal and nontribal institutions have an opportunity to rebuild these relationships. The first step in this process is to acknowledge that Indigenous people have different ways of viewing the world around them and the knowledge(s) they inherit. It is important to acknowledge that Indigenous people may have different beliefs about ownership of Indigenous knowledge(s) and protection of that knowledge. To rebuild relationships, institutions must understand these differences and develop common respectful protocols.

In 2006, a group of tribal and nontribal representatives developed the *Protocols for Native American Archival Materials*, a set of best professional practices developed for the culturally responsive care and use of Indigenous archival materials.¹³ The principles articulated in the *Protocols* offer guidance in understanding Indigenous values and perspectives, as well as important policy and legal considerations related to the management and care of Native American cultural resources. These include

- The importance of consultation with and concurrence of tribal communities in decisions and policies;
- The need to recognize and provide special treatment for culturally sensitive materials;
- Rethinking public accessibility and use of some materials;
- The role of intellectual and cultural property rights;
- The need to consider copying, sharing, and/or repatriation of certain materials;
- The recognition of community-based research protocols and contracts;
- Reciprocal education and training; and
- Raising awareness of these issues within the profession.

With the publication of the *Protocols*, more archivists have begun to reconsider issues of access to Native knowledge and traditional cultural expressions found in non-Native cultural institutions. Published in 2011, *Tribal Libraries, Archives, and Museums: Preserving Our Language, Memory, and Lifeways* includes a variety of articles featuring methods for engaging with Native materials.¹⁴ Two books published in 2014—*Identity Palimpsests: Archiving Ethnicity in the U.S. and Canada* and *Through the Archival Looking Glass:*

A Reader on Diversity and Inclusion—contain essays that examine theoretical approaches and practical strategies for engaging with historically marginalized groups, including Native peoples. Many of the authors cited the tensions and challenges that originate in misunderstandings of cultural and historical perspectives.¹⁵ Also in 2014, *Archival Science* published a special double issue on archives and human rights in which the authors explored broad themes that are also applicable to the stewardship of Indigenous cultural heritage materials. The articles offer methods and best practices for the inclusion of traditionally marginalized communities in the archival practice and also describe how archivists and archival institutions can participate in a process of reconciliation.¹⁶ In 2015, in an article in *The American Archivist*, Elizabeth Joffrion and Natalia Fernandez explored how successful partnerships between tribal and nontribal institutions are initiated, developed, and maintained and the degree to which the *Protocols for Native American Archival Materials* were used in the development of policies, procedures, and memoranda of understanding. They reveal the “lessons learned” and best practices across a wide range of collaborative projects and partnerships.¹⁷

A Case Study in Collaboration

Western Washington University and the Lummi Nation initiated their collaboration in the late 1990s without any formal guidance for working with Native cultural heritage, cultural expressions, or Native knowledge. Although the *Protocols* were unknown at the time, many of their main tenets would prove central to the collaborative work. In the years before the development of best practices for the ethical management of Native cultural materials, the staff at Western’s Center for Pacific Northwest Studies struggled with several core issues regarding appropriate stewardship of the Native cultural heritage represented in the holdings. These challenges included the development and maintenance of digital collections that accurately reflected Indigenous viewpoints, balancing differing perspectives concerning access to cultural heritage, and developing sensitive and appropriate approaches to knowledge management through cataloging, metadata, and the use of technology. These questions had no simple answers, other than they must be addressed in the context of collaborative relationships with the appropriate tribal organizations.

The collaborative relationship between Western Libraries and the Lummi Nation began with a research visit from representatives of the Lummi Nation Cultural Department to Western’s Center for Pacific Northwest Studies. As tribal members reviewed and commented on the archival collections relating to their history and culture, the staff at Western quickly recognized that the holdings included culturally sensitive materials that required additional context and interpretation grounded in Native expertise and perspective. For the representatives from the Lummi Nation who viewed the archival collections at Western, it became evident that many details about the materials are still present in the memory of the Lummi people. One representative scanned the collection storage area, pulled photographs from a box, and quickly identified people in the images, including grandparents, great-grandparents, and uncles and aunts. Because these connections are still very present, Lummi community members believe they have

an inherent responsibility to protect their ancestors' belongings, including the pictures, audio recordings, and other documents; a responsibility established long ago when the world was a much different place—at the time of creation.

Subsequent discussions about the nature, meaning, and appropriate disposition of the materials revealed that library professionals and Lummi representatives held contradictory, often unstated, beliefs, especially concerning intellectual freedom, ownership, and open access. While differing cultural frameworks are inevitable, the collaborative journey has become an ongoing educational process to better understand the appropriate stewardship of Native American cultural resources and the importance of honoring Indigenous knowledge when working with these materials.

The Lummi visit proved timely and set the stage for future collaboration. In that period, the CPNWS staff was working to gain better control and provide better access to its holdings, and the Lummi Nation was developing its tribal archives and cultural center and seeking relevant historical and cultural documentation housed in regional repositories, including Howard Buswell's historical research. Through a series of conversations based on a mutual desire for additional information about CPNWS holdings, a nascent partnership emerged with the tribal leaders and representatives from the Lummi Nation Archives. Initially, the CPNWS staff hosted several gatherings to share the collections and facilities, a process that exposed staff to new perspectives concerning the sensitivity and cultural importance of the center's holdings to the Lummi Nation.

The first collaborative project involved the scanning of photographs in the Buswell Collection for deposit in the Lummi Nation Archives and the development of a new finding aid. The memorandum of understanding developed in support of the collaboration stated that the project was designed to “facilitate and increase access for the Lummi Nation to certain photographs in the CPNWS collections. Employees of the Lummi Nation have identified approximately 60 photographs as valuable both culturally and historically to the Lummi community. This project will allow for the identified photos to be scanned by Lummi Nation Archives employees on-site. These photographs can be used, with restrictions as detailed below, at the Lummi Archives.” These standard restrictions, clearly based on a dominant Western legal tradition, included significant limitations on future access, use, citation, and publication rights by outside parties, including the Lummi partners. On a more positive note, the finding aid developed for the Buswell Collection attempted to address concerns of cultural context and balance. The scope-and-content note states that “researchers must pay particular attention to the fact that in his collecting efforts and in his writings Buswell provides an interpretation of history that reflects his own biases and the time period in which he lived.”

On the surface, the objectives of this initial collaboration were groundbreaking. The project involved one of the first regional efforts in digital repatriation, effectively using technology to return expressions of Native cultural heritage to the Lummi Nation Archives for access and interpretation. However, the vision was limited in that it did not fully realize the potential for meaningful cultural exchange. The memorandum of

understanding included overly strident restrictions limiting the use of content identified by the Lummi community as culturally relevant. These restrictions served to uphold Western traditions of access and ownership, but failed to provide all partners with an equal voice in the disposition and interpretation of tribal cultural history that included rare photographs of ancestors and sensitive cultural practices. In retrospect, this repatriation effort offered an important opportunity to develop reciprocal relationships but did not fully incorporate tribal participation or provide for respectful communication that learns from and works within tribal culture. In the development of descriptive practices, CPNWS acknowledged the problem of cultural bias and misappropriation, but failed to embrace the full collaborative potential, including special treatment of culturally sensitive materials, reconsideration of protocols for access, or revisions to traditional notions of ownership. Overall, the partnership would have been much stronger if CPNWS had worked with the Lummi governance to develop community-based protocols that thoughtfully engaged the tribal community in decisions and policies relating to its cultural heritage.

Despite its shortcomings, this project quickly led to a second collaboration between the Lummi Nation and the Center for Pacific Northwest Studies. In 2000, tribal leaders selected Stacy Rasmus of the Lummi Language and Cultural Department to coordinate the digitization of several oral history interviews recorded by Howard Buswell on fragile reel-to-reel tape. Rasmus, then a graduate student in Western's Anthropology Department, is Lummi by descent. She developed descriptive metadata that incorporated Native knowledge, language, and names, and identified culturally sensitive materials requiring limited access. Rasmus later published an article based, in part, on her work with Western Washington University that examined the rights and responsibilities associated with the acquisition and transmission of knowledge related to Native cultural resources. Her work, entitled "Repatriating Words: Local Knowledge in a Global Context," provided an early articulation of Native knowledge and a rationale for why Native peoples should control how others access and use their information.¹⁸

Rasmus also addressed materials in the center's Northwest Tribal Oral History Collection, a set of recorded interviews conducted by two professors of history with elders and other members of Native American tribes throughout Washington State. The recordings cover a range of topics, including language, religion, education, genealogy, songs, hunting and fishing, and political activity. With the assistance of the Lummi Indian Business Council, several interviews were identified as culturally relevant and high priority for transcription. A tribally appointed representative developed abstracts for each interview for online access. Collaboratively, the partners decided not to transcribe certain interviews based on privacy concerns and the spiritual or religious nature of the content and agreed that, for others, description would be limited to brief abstracts that essentially provided intellectual control, but minimized potential access requests. The Lummi Nation provided all duplication services, and each organization received access copies of the tapes and the transcripts. Perhaps even more important, the CPNWS staff received critical tribal knowledge in support of its descriptive efforts. The memorandum of understanding developed by CPNWS for its second collaboration with the Lummi

Nation incorporated many of the restrictions of the previous contract, but a review of the files indicates that the agreement was never signed, perhaps because tribal representatives perceived its intent as offensive or insensitive.

Despite these occasional misunderstandings, collaboration with the Lummi Nation helped to reveal long-standing cultural misperceptions and assisted staff in better understanding the sensitive nature of the materials in their care. For example, the CPNWS imposed new restrictions on select materials in the Northwest Ethnohistory Collection, a body of tribal-related materials that is heavily used by academic researchers and representatives from tribal organizations. Several generations of Western anthropology professors assembled this research collection, and the Anthropology Department maintained it for many years. Upon transfer to the center, the materials augmented several other faculty research archives on Native American history and culture. The collection, totaling 72 linear feet, documents the social life and customs of numerous ethnic and cultural groups throughout the Northwest, British Columbia, and Alaska. It includes seminal research on Native languages, material cultures, legends, and rites and ceremonies, as well as Indigenous fishing, hunting, and whaling practices. It also includes significant research on government relations, social conditions, and the legal status of tribes, land tenure, and treaties. The most sensitive records are anthropological studies on kinship and family organization, courtship, marriage, divorce, morality, and sexuality. Typically, this information was acquired through household surveys and is deeply personal in nature. Those involved either assumed or were promised that their responses would not be available for public access, but these agreements were never documented. Because of commitments made to the Anthropology Department, and the value of this archive to tribal organizations and other researchers, CPNWS opted to keep the collection open for research, but has permanently restricted access to certain surveys related to health and social behavior. CPNWS has discussed the possibility of destroying these materials, but will not take this step without consensus from the appropriate tribal communities.

Since 2000, the Center for Pacific Northwest Studies and Northwest Indian College have continued to partner in educational efforts and support for student research agendas. NWIC is located on the Lummi Reservation and collaborates with Lummi governance on issues of cultural heritage, especially as they relate to education and training. In 2010, the Northwest Commission on Colleges and Universities granted Northwest Indian College accreditation as a baccalaureate-degree-granting institution.¹⁹ This transition to a baccalaureate institution included new academic programming and new methods of training students on how to conduct research in cultural heritage. It increased the need for deliberate and strategic partnerships with local institutions that hold collections containing tribal content. With this goal in mind, NWIC and the CPNWS have engaged in reciprocal education and training efforts. Staffs at both institutions work collaboratively to provide students with the tools and expertise to successfully conduct archival research. Students typically experience a guided tour of the CPNWS facility and an opportunity to explore the collections. CPNWS staff also assists in training NWIC students in the use of archival search engines and research

methods. In the future, it is anticipated that center staff will have opportunities to collaborate with the Tribal Museum Studies Certificate program at Northwest Indian College.

From the perspective of the Lummi Nation, this collaboration has meant that Western Washington University is providing access to important collections highly relevant to emerging Lummi scholars. Through the partnerships with Northwest Indian College, Lummi students are able to seek out historical documents, photographs, and other information relevant to their community. These students, who initially may not have been interested in researching their history, have now become engaged in the work, and this contributes to the cultural revitalization of Indigenous peoples. The authors hope that this example of collaboration will encourage the further exchange of information, documentation, and knowledge fundamental to Indigenous peoples and central to their cultural sovereignty.

Conclusion

In the course of its collaboration with the Lummi Nation spanning over a decade, the staff of CPNWS has come to better understand the challenges inherent in the responsible and sensitive stewardship of Indigenous cultural resources. Among the lessons learned in this effort are the importance of consultation with tribal communities, the need to provide special treatment for culturally sensitive materials, the incorporation of Indigenous knowledge in the development of metadata and other descriptive information, the importance of limiting public access to specific materials, and the benefits of sharing resources through the digital and physical repatriation of holdings. Although a priority, CPNWS has not produced a written policy for dealing with Native American archival materials in a holistic manner, but rather has responded to requests, discoveries, and concerns on a case-by-case basis, including the restriction of selected materials. This oversight is due to the complexity of drafting these policies in the context of a larger organization, and because, until recently, very little literature on best practices for managing culturally sensitive information beyond the *Protocols* existed.²⁰ Through continued collaboration with the Lummi Nation and other regional tribal organizations, the center hopes to proceed with the development of culturally appropriate policies that facilitate the sharing of collections and reciprocal education practices. Future collaboration may involve partnering with the Lummi Nation and other tribal organizations to develop a collaborative Indigenous Research Policy that will outline what is appropriate and what is not appropriate in dealing with Indigenous knowledge and culturally sensitive information. Currently, Northwest Indian College is developing policies and procedures that will reflect Indigenous concepts of ownership and the responsibility of protecting traditional knowledge. The policy will be implemented at NWIC and is intended for people who visit the Lummi community to conduct research. However, it could be expanded for use by outside institutions that house collections containing Indigenous knowledge and culturally sensitive materials.

The *Protocols for Native American Materials* offers guidance in developing policies such as the one planned for NWIC and Western Washington University. At a 2009 Society of American Archivists Forum, the *Protocols* were described as an effort to create an “open and honest dialog between people who often have different goals, different methods, and even different views of the world and archives’ place in it.”²¹ Ultimately, the Society of American Archivists Council did not endorse the *Protocols*, and the archival profession remains divided regarding the intent and purpose of the guidelines. Some of the main objections focus on whether Native Americans have special rights pertaining to traditional cultural expressions and knowledge held in archives and whether these rights transcend legal traditions supporting open access and scholarship.²² Nonetheless, even without the support of some professional organizations, many cultural heritage institutions are incorporating the best practices recommended by the *Protocols* into the structures and agreements supporting collaborative projects between tribal and non-tribal organizations.²³

In the absence of an endorsed set of protocols for the ethical management of Native cultural materials, it is incumbent on archival organizations with significant holdings of Native American materials to develop internal guidelines or best practices for the management of these resources. To accomplish this goal, organizations must develop sustainable working partnerships based on mutual respect and an understanding of differing cultural traditions. This is particularly challenging when core beliefs such as freedom of information and the ownership of cultural heritage are perceived differently across cultural groups. As the national conversation on these issues progresses, there is greater openness to learn from differing cultural perspectives that recognize historical differences in power and privilege. To resolve these inequities, we must engage in reciprocal partnerships where knowledge and expertise are equally valued and acknowledge that relationship building is an ongoing process that is the responsibility of all partnering communities.

The Lummi community takes great pride in its history and its people and place. This history, no matter how difficult, holds the key to the tribe’s identity. The Lummi people share a history of oppression and genocide with other Indigenous peoples. They also share a history of acculturation and assimilation. This history has been underrepresented and even suppressed in school systems, which leads to further misrepresentation of Indigenous history and culture. Traditional knowledge(s) have been misinterpreted and misused, and the history presented in the literature is sometimes false. Indigenous peoples see this as a significant danger to their children and to future generations who may believe this interpretation of history in the absence of alternative perspectives. Native peoples understand that survival of the tribes depends on future generations embracing and defending their identity and the knowledge(s) they have a responsibility to protect. The photographs, oral histories, interviews, maps, and census records discussed in this article are pieces of that identity. If these resources are preserved for future generations and respectful relationships exist with the institutions that house them, all of us are moving in the right direction.

ABOUT THE AUTHORS

Elizabeth Joffrion is the director of Heritage Resources at Western Washington University where she leads the Libraries' Special Collections, University Archives and Record Center, and the Center for Pacific Northwest Studies. Prior to these positions, she was a senior program officer at the National Endowment for the Humanities (NEH), Division of Preservation and Access, where she coordinated the Preservation Assistance Grants Program. Before joining NEH in 2006, she was the head archivist at the Center for Pacific Northwest Studies at WWU and affiliated faculty in its graduate program in archives and records management. She has held professional positions at the Smithsonian Institution's Archives of American Art and the National Portrait Gallery, North Carolina State Archives, and the Historic New Orleans Collection, and has also taught courses on archives and special collections at Catholic University. Joffrion has authored articles in *The American Archivist* and the *Pacific Northwest Quarterly*. She is currently co-authoring "Advancing Preservation," which will be published in the Society of American Archivists' *Archival Fundamentals III* series. She received an MA in history from the University of New Orleans and an MLIS from the University of Maryland.

Lexie Tom is currently the department chair of the Native Studies Department at Northwest Indian College. Tom also teaches courses in the Native Studies Leadership bachelor's program focusing on history and research. After graduating from Northwest Indian College with an AAS in Native studies, Tom attained a bachelor's degree from WWU in the Anthropology Department. She received her master's degree in public administration with a focus in tribal government from Evergreen State College and is now pursuing a PhD at the University of Alaska Fairbanks where she is studying Indigenous education. Tom is the author of an article in *Asserting Native Resilience: Pacific Rim Indigenous Nations Face the Climate Crisis*, and she has written, produced, directed, and edited several documentaries for Northwest Indian College.

NOTES

1. Native American Graves Protections and Repatriation Act, 25 U.S.C 3001-3013 (2006). See also, Jack F. Trope and Walter R. Echo-Hawk, "The Native American Graves Protection and Repatriation Act, Background and Legislation," in *Repatriation Reader: Who Owns American Indian Remains?*, ed. Devon A. Mihesuah (Lincoln: University of Nebraska Press, 2000), 123-68.
2. For more on the establishment of tribal cultural centers and their needs, see Miriam Jorgensen, *Sustaining Indigenous Culture: The Structure, Activities and Needs of Tribal Archives, Libraries and Museums* (Oklahoma City: Association of Tribal Archives, Libraries, and Museums, 2012).
3. E. Cook-Lynn, *A Separate Country: Postcoloniality and American Indian Nations* (Lubbock: Texas Tech University Press, 2012); A. O. Kawagley, *A Yupiaq Worldview: A Pathway to Ecology and Spirit* (Long Grove, IL: Waveland Press, Inc., 2006); L. T. Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (New York: Zed Books Ltd., 2012); V. Deloria and D. R. Wildcat, *Power and Place: Indian Education in America* (Golden, CO: Fulcrum Publishing, 2001).
4. Smith, *Decolonizing Methodologies*.

5. *Protocols for Native American Archival Materials* was established in 2006 and provides guidance for non-Native institutions managing Native materials, accessed April 18, 2016, www2.nau.edu/libnap-p/protocols.html. See also 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*, ed. Dominique Daniel and Amelia Levi (Sacramento: Litwin Books, 2014), 125–42.
6. *United States v. Washington*, 384 F. Supp. 312 (W.D. Wash. 1974), *aff'd*, 520 F.2d 676 (9th Cir. 1975). Commonly known as the Boldt decision, this case was heard in the United States District Court for the Western District of Washington and the United States Court of Appeals for the Ninth Circuit and reaffirmed the reserved right of American Indian tribes in the State of Washington to act alongside the state as comanagers of salmon and other fish and to continue harvesting them in accordance with the various treaties that the United States had signed with the regional tribes that signed the Treaty of Point Elliot in 1855.
7. Lummi Nation Archives and Records website, accessed April 18, 2016, www.lummi-nsn.org/website/dept_pages/culture/archives.shtml and Lummi Nation Library, accessed April 18, 2016, www.nwic.edu/lummi-library.
8. Devon A. Mihesuah, ed., *Natives and Academics Researching and Writing about American Indians* (Lincoln: University of Nebraska Press, 1998), 4.
9. Statement by the Tulalip Tribes of Washington on "Folklore, Indigenous Knowledge and the Public Domain," July 9, 2003, accessed April 18, 2016, www.wipo.int/export/sites/www/tk/en/igc/ngo/tulaliptribes.pdf.
10. *Ibid.*
11. Kay Mathiesen, "A Defense of Native Americans' Right over Their Traditional Cultural Expressions," *The American Archivist* 75 (Fall/Winter 2012): 456–81.
12. M. Kovach, *Indigenous Methodologies: Characteristics, Conversations, and Contexts* (Toronto: University of Toronto Press, 2009).
13. *Protocols for Native American Archival Materials*. See also, O'Neal "Respect, Recognition and Reciprocity," 1, 25–42.
14. L. Roy, A. Bhasin, and S. K. Arriaga, eds., *Tribal Libraries, Archives, and Museums: Preserving Our Language, Memory, and Lifeways* (Lanham, MD: Scarecrow Press, 2011).
15. *Identity Palimpsests: Archiving Ethnicity in the U.S. and Canada*, ed. Dominique Daniel and Amelia Levi (Sacramento: Litwin Books, 2014) and *Through the Archival Looking Glass: A Reader on Diversity and Inclusion*, ed. Mary A. Caldera and Kathryn M. Neal (Chicago: The Society of American Archivists, 2014).
16. Michelle Caswell, "Defining Human Rights Archives: Introduction to the Special Double Issue on Archives and Human Rights," *Archival Science* 14, nos. 3–4 (October 2014). The majority of the articles in the double issue were originally presented at the 2013 symposium "The Antonym of Forgetting: Global Perspectives on Human Rights Archives" hosted by the University of California, Los Angeles.
17. Elizabeth Joffrion and Natalia Fernandez, "Collaboration between Tribal and Nontribal Organizations: Suggested Best Practices for Sharing Expertise, Knowledge, and Cultural Resources," *The American Archivist* 78 (Spring/Summer 2015): 191–236.
18. S. Michelle Rasmus, "Repatriating Words: Local Knowledge in a Global Context," *American Indian Quarterly* 26, no. 2 (2002): 286–307.
19. For more information about the curriculum and services at Northwest Indian College, see www.nwic.edu/about, accessed April 18, 2016.
20. For an excellent example of internal guidelines on how to identify and appropriately protect culturally sensitive materials in archival collections relating to Indigenous peoples, see the American Philosophical Society, "Protocols for the Treatment of Indigenous Materials," in *Proceedings of the American Philosophical Society* 158, no. 4 (2014), accessed April 18, 2016, www.amphilsoc.org/sites/default/files/proceedings/Protocol.pdf. See also, Joffrion and Fernandez, "Collaboration between Tribal and Nontribal Organizations," 215–17. This article offers a set of best practices for both tribal and nontribal organizations interested in sharing useful skills, knowledge, and resources through partnerships.

21. Kimberly A. Christen Withey and Sean LameBull, *Protocols for Native American Archival Materials*, Native American Protocols Forum Working Group of the SAA Diversity Committee and Native American Archives Roundtable, open forum (Washington, DC: 2010), accessed April 18, 2016, saa.archivists.org/Scripts/4Disapi.dll/4DCGI/events/eventdetail.html?Action=Events_Detail&InvID_W=1577.
22. For debates surrounding the Protocols, see John Bolcer, "The Protocols for Native American Archival Materials: Considerations and Concerns from the Perspective of a Non-Tribal Archivist," *Easy Access* 34, no. 4 (2009); Frank Boles, David George-Shongo, and Christine Weideman, *2008 Report: Task Force to Review Protocols for Native American Archival Materials*, Society of American Archivists Council Meeting, February 7–10, 2008, Washington, DC (January 2009), 3–6; Karen J. Underhill, "2006 Protocols for Native American Archival Materials," *RBM: A Journal of Rare Books, Manuscripts, and Cultural Heritage* 7, no. 2 (2006): 134–14.
23. Joffrion and Fernandez, "Collaboration between Tribal and Nontribal Organizations," 192–237.