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COLLABORATIVE ENCOUNTERS
IN DIGITAL CULTURAL PROPERTY

Tracing temporal relationships of context and locality

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Introduction

In April 2015 the British Museum opened the exhibition Indigenous Australia: Enduring Civilization with a parallel collaborative exhibition titled Encounters, opening at the National Museum of Australia in Canberra in November 2015. Developed and advertised as the first major exhibition that the British Museum has offered on Aboriginal and Torres Strait Islander peoples as part of thriving and living cultures, it makes visible previously unknown and unseen Aboriginal and Torres Strait Islander material culture from the museum’s extensive collection of about 6,000 items.

There are many ‘firsts’ with this exhibition from the British Museum standpoint. These include the collaboration with an overseas institution within the country from which these objects derived; the planned parallel exhibition that will see around 170 objects from the British Museum collection travel, temporarily, to Australia; that the exhibition was curated by the first Indigenous Australian curator to hold a staff position at the British Museum, Gaye Sculthorpe; the consultation and engagement of 25 different Indigenous communities within Australia; and that new and previously unknown knowledge about items within the collection emerged through these consultations adding value and meaning to the collection itself. All these ‘firsts’ speak to some significant changes that are occurring within the international museum community with regard to, and perhaps more importantly, with respect for the historical conditions that led to the existence of these collections in the first place and the contemporary custodians, owners and stewards who remain vitally connected to this material.

The institutional recognition of existing peoples and communities who have an interest in these collections that exceed the traditional ‘public’ that such exhibitions have usually been constructed for is well overdue. Much recent work has been produced that focuses on the changes in museological practice that are a result of emerging new relationships with ‘source
communities’ within what Ruth Phillips refers to as ‘museums’ second age’ (Phillips 2003; Peers and Brown 2003; Kreps 2009; Boast 2011; Lonetree 2012; Harrison 2013; Krmpotich 2014). For non-tribal institutions these emerging relationships offer new possibilities for knowing and making sense of collections as well as the opportunity to develop reflective and more sensitive policies that can address the multiple forms of structural exclusion that have largely positioned source communities outside the institutional machine.

The time it has taken to arrive at this new place increasingly characterized by what might be termed ‘collaborative encounters’ reveals what is actually at stake here and for whom. For institutions, foundational understandings about the role and function of the museum itself, the conditions under which collections were produced, and a breaking apart of presumed stable categories like ‘the public’ have had to occur. Yet reassembling the museum with attention to the epistemological, ideological and physical violences that underpin these sites and their collections still presents various difficulties. For instance, certain legal and social entitlements that are embedded within the institution and importantly entwined through and within the collections themselves, remain as colonial traces and tethers that practically prevent certain possibilities and relationships from emerging. The legal ownership of collections, secured through either real property or intellectual property law remains as a pressing problem that is very difficult to unravel for even the most seasoned legal counsel. In almost all jurisdictions there is no option for retro-actively reasserting the ‘correct’ authorship or ownership, even if this could be agreed upon by all parties (Anderson 2013).

For the source communities from where these collections derive, ongoing challenges are in making their diverse connections to these collections legible within institutions where the driving Western discourses continue to privilege ideas and notions of property and ownership. For instance, the very indexes, classificatory frames and metadata models describing collections function to stabilize these discourses primarily through a privileging of certain fragments of information – the name of the collector, how it was acquired by the museum, the date of the acquisition, the place and date of the collection and a general statement of the collection. This archival systematization, promoted by George Dorsey in 1899, is as simple as it is fragmentary and it now means that there are few classificatory options and alternatives available for considering the items within these collections as not objects at all, but as ancestors, beings, belongings that continue to need, hold and convey ongoing responsibility, care and relationality (Hays-Gilpin and Lometewama 2013; Krmpotich and Peers 2013). Despite the multiple ways in which this has been pointed to, written about and experienced within institutions themselves through direct instances of engagement and repatriation, an epistemic break in understanding and speaking about the institutional ‘object’ as a source community ‘belonging’ or ‘being’ has been incredibly difficult to address in practice.

In 2015 it was impossible for the British Museum exhibition to avoid the uncomfortable histories of its Aboriginal and Torres Strait Islander collection. Ameliorating this politics was, in part, why there was a parallel exhibition planned in Australia to begin with, why there were extensive ‘consultations’ with Indigenous communities, and why the National Museum of Australia’s Indigenous Reference Group was engaged in the project. In a nice parallel movement, these combined elements attentive to the current political climate for displaying items of a colonial encounter go on to affect the credibility of the British Museum exhibition. As the National Museum of Australia’s acting director stated in early press reporting about the exhibition in 2013: ‘I think, honestly, that this is the most important work we’re [the NMA] doing this decade’ (Neill 2013). The consultations themselves led to a realization that is occurring within many similar contexts: that information currently held about collections or identification about items themselves is largely fragmentary or incorrect. We will return
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to what the larger implications of this are for institutions, for communities and for the larger knowledge production about Indigenous peoples and cultures within the chapter. For now, however, it illustrates an important political shift that institutions now know that they need to ‘consult’ in some way, in order to correct mistakes in the historical record, in the catalogue and in the display of this material. But this consultation still opens the door to the problem that the British Museum, as well as other institutions, is keen to avoid: the claims of ownership to the collections themselves. As Henrietta Fourmile Marrie, who has been at the forefront of asking questions about who owns these collections since the early 1980s (Fourmile Marrie 1988) asks, ‘Why do the British Museum want them [the collections]? It has no relevance to them as a people. It has no relevance to their culture; it has more importance to us here’ (Neill 2013). This question continues to reverberate and to produce a variety of positions within museology contexts. Nicholas Thomas, for instance, identifies such (anthropology) collections as ‘always also historical collections: they are the products of, the evidence for, and maybe even the memorials to entangled histories.’ (Thomas 2010: 8–9). Clementine Deliss, previously the Director of the Weltkulturen Museum in Frankfurt takes a different stand, making an argument that the ethnographic museum today is ‘chronically deficient’ and a place of ‘sickness’, in part because of what it holds and how it came to hold it (Deliss 2015).

Amidst such concerns, the British Museum offered its own (compromised) model of ‘return’ through the parallel exhibition. This model of return might more accurately be described as ‘visitation’. In this model, return is temporally limited: only experienced for a short period, as the objects come for a visit and then are ‘returned’ to where it is implied that they really ‘belong’—in the UK at the British Museum.

There should be no doubt that even with the collaborative turn that underpins this exhibition, the British Museum has been very careful about what national (Australian) legislative frameworks are now in place to make sure that any material that travels to Australia will be ‘returned’ to the UK. There is a paradigmatic shift here in the possibilities that a framework of ‘return’, as articulated by James Clifford for instance, can have (Clifford 2013). For both institutions involved in this exhibition, the British Museum and the National Museum of Australia, there was no desire to see a repeat of the 2004 Dja Dja Warrung case wherein several 1850s bark etchings on loan in Australia from the British Museum and Kew Gardens were initially prevented from returning to the UK by a unique piece of Australian cultural heritage legislation, the Protection of Moveable Cultural Heritage Act 1986 (Willis 2008). In the fallout from the case, including the temporary injunction keeping the material in Australia, the subsequent lifting of the injunction by the Federal Court and its return to the UK, a new piece of legislation, the Protection of Cultural Objects on Loan Act 2013 was introduced. This new legislation creates legal surety for the international institution in the sense that nothing that is loaned from an international institution for an exhibition in Australia can have any ownership or repatriation claim made to it. It illustrates exactly where the power relations around the idea of return, and its articulation in practice, remain. This pushes any repatriation/return claims back into the non-legislative, non-structured, non-binding spaces of goodwill and institution to community forms of temporal negotiation.

We use this story of the British Museum exhibition to begin our chapter for several key reasons. Firstly, it reveals what kinds of inter-institutional and community collaboration, activity and engagement have become necessary for institutions wanting to create exhibitions that draw upon Aboriginal, Torres Strait, Native American or First Nation collections. This kind of work is what institutions have to do now if they want to maintain some public-relation credibility for the exhibition itself. In doing so they have to open, just slightly, a conversation over the thornier question about the role and function of the ethnographic museum today.
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However, how that actually gets dealt with differs from institution to institution and much more could be read into the British Museum example. Secondly, we are interested to further explore the multi-faceted dimensions of collaborative encounters within and between institutions and local communities, and to ask to what extent these can result in a decentraling of the property and ownership paradigm that continues to tether these collections to the institution itself, rather than to the context from which they derive and in which they continue to have meaning. Finally we are largely focusing on what all this looks like for digital collections. In this regard, we follow a trajectory of inquiry set by Faye Ginsburg, Kim Christen and Haidy Geismar about the hidden assumptions, unaddressed power differentials and the way in which the digital folds traditional paradigms of classification, ordering and property back into itself (Ginsburg 2008; Christen 2012; Geismar 2013). In thinking through ongoing questions of what collaboration is and means for the various parties involved, we are also asking how do museums engage (or fail to engage) with Indigenous communities, philosophies and cultural production and what are the implications of these questions for future museum practices and articulations of Indigenous agency?

Collaborative encounters

Collaboration has become one of the major themes of critical museology and museum anthropology in the current moment. In a US context, abundant literature has been written about this subject since the passage of the Native American Graves Protection and Repatriation Act (NAGPRA) in 1990 and the opening of the National Museum of the American Indian in Washington, DC in 2004 (Simpson 1996; Mithlo 2004; Srinivasan et al. 2010; Colwell-Chanthaphonh 2010; Kreps 2009, 2011a, 2011b; Lonetree 2012; Atalay 2012; Krmpotich and Peers 2013; Shannon 2014). Concepts such as ‘contact zone’ (Clifford 1997); ‘source communities’ (Peers and Brown 2003); ‘second museum age’ (Phillips 2005); ‘neocolonial collaboration’ (Boast 2011); ‘digital return’ (Boast & Enote 2013); and ‘curatorial responsibilities’ (Harrison 2013) have been coined and used to illustrate the complexity of the power relations involved in museum collaborative encounters, as well as to set the guidelines for more authentic forms of collaboration and reciprocal curation of Native American collections. However, despite this extensive critique on collaboration theory, it is surprising how little has changed regarding the ways non-tribal museums relate, interact and ‘collaborate’ with tribal communities. Specifically, museums still feel the need to exercise control, still fear sharing their authority with the Native communities they themselves invite to participate, and they seem even more afraid of change. Moreover, some question if it is even possible for Western, mainstream museums to ever truly become decolonized, given their colonial legacies and their location in the power structure of dominant societies (Kreps 2011b). This section focuses on certain practical perspectives of where Native communities, museums and museum professionals are at today in relation to collaboration. It will also critically assess the possibilities, temporalities and limitations of collaboration, and the principles that should guide collaborative relationships and their outcomes.

Over the last two decades, Native communities and tribal museums in the United States have been striving to reposition themselves in new and dynamic ways to better understand the culture of Western museums and their channels of influence, and fostering a movement that promotes real participation in and authentic collaboration with these institutions. As Indigenous peoples gain more control and assert more agency within museum collections – urging the rethinking of conventional ways of interpreting and circulating their cultural heritage – the power dynamics and asymmetries between museums and Native communities are being
slowly transformed. Today, it makes sense to almost every museum with these kinds of collections that the representation of Native cultures cannot be adequately accomplished without some kind of base-line engagement or, better still, collaboration with the originating communities. Notwithstanding the mistakes and missing information within institutional documentation records and metadata, non-tribal museums are acknowledging first, that they must be held accountable to the communities affected by colonial collecting practices of dispossession and second, that consultation is not enough to get at that problem. Institutions have a greater responsibility to pursue deeper and more engaged reciprocity with the peoples through whose very collections, the status and existence of the museum has been built.

Collaboration is the word of the moment. In the programme for the 2015 annual meeting of the Association of Tribal Archives, Libraries and Museums (ATALM), for instance, the preponderance for using the term in a panel’s title description evidenced both concern for this new paradigm as well as advocacy for projects that have some collaborative component. The conference entitled ‘New Encounters: Communities + Collections + Museums’ at the National Museum of Australia held in March 2016 also foregrounded the need for collaboration as a means for connecting museums with source communities (NMA 2016). This leads to some important questions about what collaboration is and means, what it is being deployed to signify and what kinds of similarities in practice it can meaningfully align. It also means interrogating the nature of the partnerships that are being established between the communities and institutions involved, questioning their conditions of equity and responsibility (Colwell-Chanthaphonh 2010). Is collaboration defined by the outcome of the encounter between Native communities and non-tribal collecting institutions? By the kind of relationship itself that both parties build during those encounters? Or by the process involved in the achievement of both groups’ goals throughout the collaboration?

Jim Enote, the Executive Director of the A:shiwi A:wan Museum and Heritage Center in Zuni, New Mexico and one of the leaders of what might be termed a ‘museum collaboration movement’ (Montenegro 2015) stresses that collaboration is more than a sharing of information. Moreover, authentic collaboration goes beyond a shared vision; it requires all participants to work around the same purpose to build – to ‘co-elaborate’ – a common product that must make sense to every person involved in the process in the same way. Collaboration, he insists, is the elaboration of a ‘story’ between two or more entities that must agree to the terms of how the story should be told, and as such, requires an active participation of the different cultures involved and between their unique ways of knowing (Enote 2014a). This does not mean that both systems of knowledge need to be merged into one, but that some effort to bridge them appropriately is required. The process of collaboration then is not only in detailing the how of collaboration but also what can be produced from it; namely, how by putting different ways of knowing in tension, collaboration potentially produces a new space for negotiation, cooperation and dialogue, a virtual knowledge space in which Indigenous knowledge traditions and Western science can be critically evaluated but not annulled or absorbed into one authorized voice – a third space in which new knowledges can be produced and re-interpreted (Mithlo 2004; Smith 2012; Nakata and David 2010; Turnbull 2012; Enote 2014a).

There will be multiple ways of getting to this third space, but certainly this kind of idea about collaboration necessarily requires a resolve to address historical and contemporary power imbalances between the communities and institutions participating in the collaborative process. This includes developing short- and long-term agreements designed together by both groups; ensuring that all parties equally and reciprocally benefit from the collaboration and its outcomes; and integrating diverse ways of knowing and thinking throughout the collaboration. As Anishinabe archaeologist and scholar Sonya Atalay (2012) points out, the
most critical tool for successful collaboration is will – the willingness to share power, authority and control and the willingness to work together to develop benefits that will affect both parties in the long term (Colwell-Chanthaphonh 2011; Atalay 2012; AIATSIS 2013). Reciprocity is central to every collaborative endeavour; the challenge, however, is to appropriately define what the benefits will be and to determine to whom they shall go. Informed by her work on community-based participatory research, Atalay (2012) stresses that authentic collaboration demands that community members should be directly and actively involved in every stage of the collaborative encounter, and that each participant should bring some kind of resource to the collaboration – such as knowledge, labor, economic resources and capacity building – in order to develop a shared sense of ownership of the outcome. Teasing out these necessary components in more explicit ways allows for subtle and not so subtle shifts in power to communities involved, and along with the tribal representatives’ participatory involvement, has the potential to enable museum curators, anthropologists and archaeologists to overcome the museum field’s colonial inheritance, allowing space for Native individuals and communities to make epistemic shifts in how knowledge is produced by also calling into question the authoritative voice of the ‘museum expert’.

Collaboration then, according to Enoté, Atalay and Colwell-Chanthaphonh actually requires quite specific intentions and practices. This means that not every museum practice involving Indigenous peoples should be considered ‘collaborative’ despite a political desire to name them as such. There are different degrees and levels of collaboration and it is imperative that we use the term carefully and draw the differences between collaboration and what are merely consultation practices. This is the case with repatriation efforts conducted in the United States under the 1990 Native American Graves Protection and Repatriation Act (NAGPRA), for instance, which originated as a response to a legal obligation that does not necessarily imply an ongoing relationship or an agreement of different understandings between the communities and institutions involved (see for instance, Gould and Benton in this volume). Similarly, the review by Native representatives of Indigenous collections held in mainstream repositories should not be automatically identified as a form of collaboration either, since typically tribal delegations bring information into the museum, enhance the catalogue descriptions and associated data, but do not take anything back to their home communities. Moreover, it is usually the museum that dictates what should be reviewed and under what terms, not allowing a space for the communities to negotiate and get what would really benefit them from these encounters. Apache scholar Nancy M. Mithlo (2004) poses that real inclusion of Indigenous peoples and knowledge into the museum implies relying on Indigenous research methodologies. Robust collaboration between museums and Indigenous peoples should enable Native communities to choose what objects to review, what topics to study, which methodology to use and which theoretical and practical purposes to pursue. One example of this kind of collaboration is the Reciprocal Research Network (RRN), an online tool aimed at the reciprocal and collaborative research about cultural heritage from the Northwest Coast of British Columbia, co-developed by the Musqueam Indian Band, the Stó:lo Nation/Tribal Council, the U’mista Cultural Society and the Museum of Anthropology at the University of British Columbia. The RRN is grounded in the belief that originating communities should have a major voice in shaping research questions and should benefit from the new knowledge that is produced. On the RRN, First Nations communities are not just collaborators but co-developers of the project – they have voice in both the direction and the decision-making processes at all levels (Rowley 2013). The RRN recognizes and privileges Indigenous concepts, epistemologies and realities by adapting a culturally responsive
information system to culturally diverse traditions of knowledge management and by accommodating Indigenous rights to traditional knowledge.

Finally, while many multivocal exhibitions taking place at non-tribal museums include Native ‘voice’ in their narrative, they often end up dismissing larger concerns about authorship, integrity and authority. The most compelling recent example of this is the 2015 show at the Metropolitan Museum of Art in New York *The Plains Indians: Artists of the Earth and the Sky*, wherein the ongoing colonial practice of taking Native belongings and their relationality, power and meaning to each other, to their families, custodians and caretakers across time and transforming these into decontextualized ‘objects’ of aesthetic wonder, was perpetuated. As curator Joe Horse-Capture explained, ‘A few years ago, I was approached to contribute to the [Plains Indian] exhibition catalog, and my first question was, “Who are the Native partners?” No partners, but plenty of Native consultants. This formula, where Native people are consultants to the project and the non-Native organizers reserve the option to reject their input, is problematic’ (Horse-Capture 2015).

What happened in *The Plains Indians* exhibition – a mainstream museum favouring (Western) aesthetics over context – resonates with the curatorial strategies that have been underpinning new ‘ethnographic’ museums such as the Musée du Quai Branly in Paris, which holds vast collections from Indigenous peoples from Africa, Asia, Oceania and the Americas. The Quai Branly has been openly criticized for marginalizing the histories and social context of the cultures and objects represented in its collections, by concealing or eliminating almost any form of interpretative text and privileging the experiences of ‘illusion’ and ‘wonder’ provoked by the ‘work of art’ (Clifford 2007). Collaborative exhibitions that centre ideas of collaboration as articulated above should prioritize Native peoples as curators (or co-curators) and organizers, not just as consultants. This is the case of the exhibition that opened in March 2016 at the National Museum of the American Indian in New York *Unbound: Narrative Art of the Plains*, in which historical and contemporary ledger art, along with objects, artworks and digital displays were arranged side by side. Curated by Emil Her Many Horses, a member of the Oglala Lakota Nation in South Dakota, *Unbound* emphasized the aesthetic as much as the historical aspect of the objects on display, connecting past and present and therefore embedding the exhibition’s narrative with context and locality, bringing to life the stories and identities of those who were represented in the show.

The potential for conflicting or alternative views in the interpretation and representation of museum collections by tribal members inspired James Clifford’s application of Mary Louise Pratt’s concept of the ‘contact zone’ to the museum. The term has been largely criticized by several scholars and museum professionals (Mithlo 2004; Lynch 2011; Smith 2012; Srinivasan et al. 2010; Boast 2011; Boast & Enote 2013) who argue that, even though Clifford makes evident the power imbalance in the contact zone, in some way he underestimates the museum’s need to exercise control and manipulate consensus even in an apparent collaborative setting. Mithlo takes this critique even further, by pointing out that what might be seen as an advocacy of inclusion of tribal members into the museum practice can also be read as another burden imposed on Native peoples, who are expected to fill and bridge conceptual gaps within the museum narrative (Mithlo 2004). As in all collaborative and partnering situations between museums and source communities, we must consider what the terms of collaboration are and who is setting, defining and managing them.

Collaboration that is attentive to history, politics and power should actively work to integrate different systems of knowledge, avoiding the validation of one way of knowing over the other. It is not enough to incorporate Native points of view by just consulting with the communities about how objects should be interpreted or represented; by doing so the
museum perpetuates the asymmetries of power of colonial knowledge production. On the contrary, the integration of local knowledge into the collaborative process should be ongoing with museum professionals incorporating Indigenous protocols, frameworks and traditional knowledge into how collections are circulated, preserved, accessed, curated, researched and ‘owned’ (Smith 2012). This also, increasingly, means addressing the very hard question of the legal rights in materials. For some communities, the legal rights are a critical first issue that must be addressed before any future relationships can be developed. This speaks powerfully to the historical role of law, and of copyright in particular, as a serious and deliberate tool of colonial dispossession. Thus understood, re-asserting tribal ownership (often defined in multiple ways) becomes one of the only ways that tribes can be taken seriously as equal partners at the institutional table making decisions about the futures of circulating, accessing and sharing these belongings.

The issues around circulation and use of Indigenous cultural heritage take on a new dimension due to the increasing movement of these collections into digital formats. Digital objects create new negotiations around access, care and ownership between non-tribal collecting institutions and Native communities, as well as new expectations and social engagements between these communities and the digital. Digital technologies enable various forms of collaboration by allowing the coexistence of multiple voices, diverse systems of knowledge and layers of meaning within museum narratives, interpretative materials and collections management systems, thus recognizing cultural narratives from the source as valid and legitimate (Geismar 2013; Christen 2015). However, as a dynamic platform for circulating materials, tribal communities also have anxieties about this and the capacity to maintain locally based protocols around the circulation of particular domains of cultural property and traditional knowledge. Here the anxiety is that with the introduction of digital technologies into the museum/archive, culturally sensitive objects that are now digitized—along with the information and misinformation they have attached—will circulate without restrictions on the Web. This radically opens up a range of inadequate contexts of viewing by inappropriate audiences (see Myers 2012, 2014 for further elaboration). Therefore, and now that cultural heritage is more accessible than ever before, it becomes crucial that museum experts, when collaborating with Native communities, take into account Indigenous protocols and epistemologies regarding how these cultural materials should be interpreted, retrieved, ascribed and shared. We must not only think critically about collaboration, but also about the media that is facilitating collaborative efforts, and how very particular forms of collaboration and very particular knowledge hierarchies are upheld.

In view of the risks that the digital age implies regarding access to and circulation of traditional knowledge, some Native communities are adopting critical and reflexive approaches towards using new technologies to control the dissemination and sharing of sensitive and/or wrong information about their cultural heritage. The inaccuracies and misinformation within archival material, plus the incomplete information within photographs’ captions and films’ inter-titles, for instance, have motivated tribal members to develop a counter-discursive Indigenous imaginary that is key to their contemporary self-production, self-determination, cultural rights and political sovereignty (Ginsburg 2008). By using digital technologies, some tribal communities like Zuni, for instance, are working collaboratively with museums and archives in order to re-narrate and re-inscribe archival material, thus re-signifying colonial narratives and regaining control over their cultural heritage. Within a US context, The Shalako Film Revisited and the increasing number of communities testing the Traditional Knowledge (TK) Labels are a examples of these efforts at imagining new Indigenous orders of interpretation and meaning making. Here the project is to privilege and place as central, local community rules, expertise and authority.
Collaborative encounters

Temporality and spirituality in collaboration: The Shalako Film Revisited

In 2011, a delegation of Zuni religious leaders and staff from the A:shiwi A:wan Museum and Heritage Center at Zuni, New Mexico (AAMHC) were reviewing the Zuni collection at the American Museum of Natural History (AMNH) in New York City as part of a multi-year National Park Service Native American Graves Protection and Repatriation Act Documentation grant. The collection reviews led to an enduring partnership between the AAMHC and the AMNH to work collaboratively towards the development of Amidolanne, a Zuni-based digital repository of Zuni collections enabling Zuni to add commentary to standardized museum descriptions of their cultural materials. While the majority of the work at AMNH involved reviewing Zuni ethnographic, anthropologic and archaeological objects, Barbara Mathé, then Head of the Library and Special Collections at AMNH, invited the Zuni group to visit the museum’s Special Collections of photographs and films. The collections unexpectedly included a film titled The Shalako Ceremonial at Zuni, New Mexico, a silent ethnographic film shot in 1923 by filmmaker Owen Cattell, by the request of Clark Wissler, then chair of the AMNH. Mathé was not aware at the time of the relevance the material would have for the Zuni delegation, nor could she possibly have anticipated the outcomes the film’s viewing would entail.

As the name implies, The Shalako Ceremonial at Zuni, New Mexico is a film about the Sha’lak’o ceremony – an important part of the collective Zuni ceremonial life. Sha’lak’o, a year-round assemblage of ceremonial activity, is a major occasion near the conclusion of the Zuni ceremonial year and when all of Zuni prepares to welcome their ancestors back home – both physically and spiritually. The large two-day public ceremony is held in late November or early December with the purpose of sending out the old year and setting the appropriate conditions for a fertile new year to come (Bunzel in Isaac 2007). Sha’lak’o relates to the story of creation and emergence of the Zuni people and the migration of their ancestors to find the centre of the world – Halona:wa Idiwana’ – which is where the Pueblo of Zuni is currently located. Sha’lak’o is an essential part of the Zuni world and an educational rite for the younger generations of Zuni – during the ceremony, the Sha’lak’o bless the community and their homes along with bringing with them the knowledge and history of the ancestors to bestow on the Zuni families (Isaac 2007). There have been years when it has been discussed among the community whether Sha’lak’o should be open to non-Zunis and non-Natives or not. In Zuni, knowledge is restricted and controlled by a complex hierarchical system in order to ensure its appropriate use. One of the fundamental aspects of Zuni ways of knowing is that knowledge is partitioned into public and private spheres: Zuni is divided into religious groups, societies and clans, and the membership within each group is determined by gender, age and family position within the religious leadership. There are prerequisites that determine how knowledge should be acquired, who receives knowledge and when the right moment is to receive it (Isaac 2007). These circumstances are reflected in Sha’lak’o, where many ceremonies take place in the kivas or within other private locations. Many more Sha’lak’o rituals take place outside the Zuni village and are restricted as well; some are not supposed to be seen by outsiders or even by Zuni who do not belong to certain religious hierarchies; others cannot be witnessed by anyone other than the Sha’lak’o participants themselves.

However, Sha’lak’o has attracted a large number of non-Zunis, anthropologists and ethnographers to the Pueblo over the past century. The Shalako Ceremonial at Zuni, New Mexico stands as one of the consequences of that fascination for Zuni esoteric knowledge. During the summer of 1923, in order to supplement the written documentation of the Hendricks-Hodge
Expedition in the Southwest (1917–1923), filmmaker Owen Cattell shot eleven ethnographic films depicting Zuni lifeways and cultural practices at the request of the Museum of the American Indian. Cattell received an invitation from some Zuni leaders to come back to the Pueblo that same year in order to make a moving picture record of Sha’lak’o (Wegner 2009). Cattell went back to Zuni in late November as agreed, but this time funded by the American Museum of Natural History with the additional support of the Southwest Society. However, when Cattell arrived at Zuni, he encountered several problems and difficulties regarding the shooting of the ceremony. The community was divided: while some of the officials and priests in power apparently allowed the recording of the ceremony, an important group of Zuni were actively opposed to that permission—they did not wish to have the pictures taken (Wenger 2009: 185). The controversy around the recording of the ceremony can be seen in the film in three different instances: first, in a scene where the six Sha’lak’o are to enter the village at the same time, the film only depicts five of them likely because one objected to being photographed; second, the disagreement of some members of the community is represented by the image of a Zuni man standing in front of the camera; and finally, Cattell closes the film with inter-titles explaining he was restricted from recording the entire ceremony, although he does not explain why.

The contemporary issues over whether non-Zunis and non-Natives should be allowed to attend Sha’lak’o are directly related to the shooting of The Shalako Ceremonial at Zuni, New Mexico, and the questions around access to and circulation of imagery of Zuni ceremonialism. From that time, the Zuni community has developed a collective understanding of how important it is to control the circulation of their cultural heritage with the outside world, and this shared consensus is communicated via posted signs around the middle village (Belarde-Lewis 2011). Today, even though the two-day public portion of the Sha’lak’o ceremony is open to outsiders, all Zuni oppose visitors photographing or recording it; they all share the concern of outsiders shifting Sha’lak’o meaning from a religious to a spectacle kind of event; they worry about tourists and other non-Native people duplicating or mimicking the ceremony as it has happened at the Smoki museum and Koshare museum; and they all share the desire to prevent non-Zuni depictions of Zuni ceremonialism outside Zuni. Zunis see any kind of images taken by outsiders as a clear sign that sacredness and esoteric knowledge has leaked from Zuni’s partitioned system of ceremonial knowledge control; photographs and films are seen as circulation of this knowledge outside their original contexts. The making of the film The Shalako Ceremonial at Zuni, New Mexico refers to a historical turning point for Zuni over the use of documentary media by outsiders. According to Jim Enote, the confrontation of the ancestors with Cattell in 1923 is when Zunis first decided that no filming or recording of Zuni ceremonies would ever be allowed at the Pueblo again, and many other Indigenous communities followed the same decrees (Enote 2013).

Collaborative formations of control and ownership of digital cultural property

While watching the film at the AMNH, the Zuni delegation felt conflicted, shocked and distressed; they knew about the existence of a shorter version of the film and have seen it, but they had never seen the entire 23-minute film. Besides the fact that a film like this should have never been made, it reveals some restricted parts of the ceremony—esoteric ceremonial scenes that are not supposed to be seen by non-Sha’lak’o-initiated men. They also noticed that the inter-titles of the film were mostly incorrect and that some of the sequences of the
ceremony were misidentified as well; the film was full of shortcomings due to the lack of contextual information.

Once the Zuni representatives finished viewing the film, they could not but show their concern regarding the misidentification of the ceremony and the potential circulation of the film itself. AMNH staff do not know who else – besides the National Museum of the American Indian – has a copy of the analogue film and therefore, it is impossible to know how many other digital copies could be circulating online and/or in various collections. The Zuni delegation, aware of their inability to stop the film’s circulation, decided to mitigate the dissemination of the misrepresented film by controlling its message. In 2013, the AAMHC came to an agreement with the AMNH in order to produce a new community-edited remake of the film using a digital copy. The collaborative project consisted of three main interventions in the footage.

First, the Zuni participants added their own inter-titles to the film, graphically different from the originals. This allowed them to correct the misinformation and inaccuracies within the film’s interpretative text yet not delete the original interpretations, evidencing that the original inter-titles were wrong and that knowledge from the source is needed for interpreting culturally sensitive visual culture. Additionally, a piece of the film depicting a part of the ceremony that should not be seen by anyone who is not a Sha’lak’o initiate was cut out of the newly edited digital version; new inter-titles were added to explain the edit, which is shown by a black screen that lasts the length of the sensitive section (Mathé 2014). Finally, voiceover in Zuni language was added to the film; this voiceover is much more detailed than the inter-titles and its main purpose is to supplement the images with contextual information, making the film an educational tool for the Zuni community. The Zuni voice and new inter-titles add important commentary about how the shooting of Sha’lak’o affected the community’s unity and shaped the subsequent prohibition against recordings at Zuni – effects that are not mentioned in the original film.

The AMNH, in conjunction with the AAMHC, sought funding for this project from the National Film Preservation Foundation. The technical work was done by AMNH staff while the intellectual work was done in its entirety by Zuni religious leaders Ronnie Cachini, George Yawakie and Octavius Seowtewa, along with AAMHC’s Director, Jim Enote, and AAMHC’s Museum Technician Curtis Quam. The new digital version of the film allowed the community to re-signify, accommodate and even transform digital contents from the original film. The original film footage, in which Indigenous subjectivity was not taken into account, becomes evocative in the new digital version holding collective, accurate and authentic narrative from the source.

Aside from redressing the imbalance of the past, The Shalako Film Revisited also stands as an educational tool for cultural revitalization within a Zuni context. According to Jim Enote, the new film allows Zunis to understand why they are who they are, and it gives an opportunity to Zunis who do not belong to the private spheres of knowledge to learn about an important part of their culture. Archives are sites from which information can be retrieved and in some situations can be spaces of knowledge production. The showing of the new film at the AAMHC sparks emotions, memories and stories among the viewers, reviving a sense of belonging to a collective identity (Montenegro 2015). The Shalako Film Revisited affirms that religious traditions in Zuni have been performed in the exact same way for decades, and provides Zuni youth with visuals they can use to supplement the oral descriptions they constantly hear of the past – the film generates the environment for Zuni members to re-interpret the original film, according to their own experience, every time they view it.
Once the successful collaborative work conducted by both museums on repurposing *The Shalako Ceremonial at Zuni, New Mexico* was done, the Zuni representatives realized there were several issues around the access, circulation and ownership of the new version of the film that were not clear. They raised the question of copyright in the new version as well as other questions concerning the circumstances under which the new film could be shown and seen, as well as how the old unedited film could be shown and seen. The original *The Shalako Ceremonial at Zuni, New Mexico* is in the public domain, which means that the film can be seen and used by everyone without authorization. While limits can be placed, for instance maintaining a non-digital copy that requires a physical visit to the institution that holds it, without a special policy in relation to sensitive materials that governs the actions of the institution, it can still be viewed. (On this point see the recent Protocols for the Treatment of Sensitive Materials recently produced by the American Philosophical Society 2015). On the other hand, the physical property in the original film canisters is owned by the AMNH – the institution that hired Cattell to make the film. The AMNH Film Collection Record continues to credit Cattell as the film’s author. This original authorship and credit remains problematic as it suggests continued ownership, or at least infers a misleading proprietary connection, even if the work is in the public domain. This incorrect ‘authorship’ from a Zuni perspective perpetuates mistakes about authority and who can and should speak for this film. As the ‘subjects’ of the film, and not their legal copyright owners, Zunis not only have no control over the life of the material – where it is being housed and the conditions regarding its circulation and access – but they must also secure permission from the ‘author’ or ‘owner’ – in this case the AMNH – in order to reuse this film that documents their own lives, customs and cultural practices (Anderson 2013). Of course, ‘copyright’, ‘ownership’ and ‘authorship’ are subjective qualities or characteristics derived from a non-Zuni world. Zuni would maintain the images are Zuni no matter what and no matter the time period (Enote, personal communication, 2016).

However, staff at AMNH – including the museum’s legal counsel upon consultation – agreed that the Zunis should own the copyright over the new digital film, since they are the ones who created the new intellectual content, and in fact a new copyright (derivative) work. As the copyright holders of the renewed version of the film, Zunis do have the right to control the access to and the circulation of at least that copy. When the Zuni delegation proposed to the AMNH to collaborate on remaking the film in order to ‘at least control its message’, they did not just mean correcting the inaccuracies and shortcomings of the original footage, but also controlling when, how and where to share it. Thus, the AMNH agreed with the AAMHC that the new film should only be shown where there is a Zuni person present to narrate the story both of Sha’lak’o and of the collaborative work both groups undertook to rearticulate the film. This specific negotiation over the terms of access and circulation demonstrates that ownership and control become two different trajectories for action when it comes to the protection of Indigenous archives. This is because conventional intellectual property law does not allow for nuanced Zuni forms of ownership over the film and its routes of circulation, thus the community negotiated a different approach that importantly requires Zuni presence when watching the new film. The innovation that the community has made in enacting control over this and all of their cultural materials offers an example of an alternative regime of power, authority and political sovereignty. What the community is trying to correct are the messages of two different but interrelated stories: on one hand the story that is misidentified in the original film – the misinformation, the incorrect succession of events and the lack of contextual information – while on the other hand, the story of who controls access to what; how this has been historically determined and enforced; and how it is being unsettled with this new film.
The partnership between the AMNH and the AAMHC can be linked to a wider project of decolonization wherein the record is set straight and where collaboration becomes a tool of power sharing, community-driven authorship, identity revitalization and social change. The collaborative work around *The Shalako Film Revisited* involved examining the ways in which the Zuni community experiences ownership and property, and incorporating their understandings of what is needed for resignifying the film as well as controlling its circulation, access and future use. However, while the labour around rearticulating the film did not strike difficulties regarding the collaborative process itself, it did raise several questions concerning the way in which collaboration works when there is collective knowledge production involved. For example, to whom in Zuni should the copyright be ascribed: to the team that edited the film, to the AAMHC, to the tribal government? Will the real property ownership of the original film ever be transferred to the Zuni community? These questions illustrate two kinds of limitations that can arise from dealing with Indigenous cultural property: first, that there are responsibilities both of the museums and the source communities when collaborating in projects where a reduced group speaks on behalf of a larger group, and second that the collaboration paradigm is often contradictory to intellectual property laws and the Western decision-making model – both have proven to be inadequate to protect multivocal cultural knowledge productions (Anderson & Christen 2013). This is one of the main reasons why collaboration in these kinds of cases becomes crucial: solutions to situations involving the sensitive management of Indigenous digital cultural property often lie outside the legal domain, and thus depend on the will, ethics, labour and creativity of the people and institutions involved. The challenge is for museum professionals, archivists and researchers to fashion their idea of collaboration alongside the communities with whom they work, in order to develop guidelines that will benefit both parties in the long term.

**Reciprocal and informed sharing of cultural property**

The problem of who legally owns and is the ‘author’ of the Shalako film, and any derivative works made from it, raises questions of how intellectual property law in general and copyright in particular, intersects archives and affects forms of collaboration. In the United States, for at least the last 25 years, a primary focus has been directed towards institutional responsibility for the unethical, insensitive and violent treatment of Native American ancestors and belongings. It is only recently that more focused attention has turned to intellectual property as an area of law equally complicit in the taking and exclusion of Indigenous peoples from their cultural heritage. As the above example illustrates, Zuni concerns about the ownership of the film reflect greater anxieties about access and circulation and the inability of Western legal frameworks to accommodate cultural rules regarding these. (For a similar expression of anxiety from a Hopi perspective see Anderson, McElgunn and Richland 2016).

The opening of archives, museums and libraries to Indigenous individuals and communities has made visible the intricate networks of colonial law that are wrapped around and embedded within these collections. The domain of copyright is particularly insidious because it embeds relations of power and entitlement into the very structure of the archive itself, for instance in the indexes and catalogues that are organized around the author/owner. This structural dimension renders largely invisible the colonial process of appropriation and resource extraction that copyright is integrally involved in. Moreover, copyright normalizes a whole range of ideals of circulation, ranging from normative perceptions of the public domain to open access. This normalization has consequences in practice, especially when
Indigenous communities coming to the archive seeking new relationships point to the cultural particularity of these concepts. Navigating and negotiating around copyright is hard for communities and institutions alike. However, institutions have a different range of resources available and all have some kind of legal counsel that they receive support from, with the most iconic institutions having legal counsel in house. Indigenous communities have a range of attorneys and legal services available, but few have meta-legal copyright expertise. This is largely because among the various areas of law requiring community-based expertise, from Federal Indian Law, to contracts, to employment and commercial law interests, intellectual property and copyright are a late addition. The difference in access to this area of law greatly affects what kinds of negotiations are possible, especially in asserting alternative perspectives about circulation and access, as negotiations around the Shalako film aptly demonstrate.

Local Contexts is an online platform (www.localcontexts.org) developed in 2012 to offer legal and educational support for Indigenous management and negotiation over cultural heritage collections held in cultural institutions nationally and internationally. It was specifically designed to address two inter-related problems. The first is the abovementioned access to legal information about intellectual property and copyright in order to advance options for communities engaged in negotiations around the ‘ownership’ and ‘authorship’ of their cultural heritage collections. The second is a developed strategy to deal with a more specific problem emanating from the copyright/archive/author nexus—that Indigenous communities are rarely the legal owners or authors of their cultural heritage. This is because copyright is either held by third parties (the researcher, film-maker, photographer or institution, etc.) or has expired in the ‘work’ and it now falls into the public domain where no one can be an owner/author. This means that regardless of ongoing cultural associations, obligations, responsibilities and rules, this material cannot be repositioned through an Indigenously ordered framework of control and access.

In its fourth year of development, and with recent support from the National Endowment for the Humanities (Division of Preservation and Access), Local Contexts is continuing to build up its infrastructure for supporting information about intellectual property and the various implications for decision making at a tribal level. This is being done in conversation with the project’s advisory council, its four tribal partners testing the TK labels (Stó:lō First Nation, Musqueam First Nation, Karuk Tribe and the Penobscot Nation) and other tribal users of the site including tribal museums like Ziibiwing Center for Anishinabe Culture and Lifeways. This work has led, for instance, to the inclusion of template documents like Memorandums of Understanding and examples of other public tribal documents. For instance, the Karuk Tribe in northern California has contributed a range of their own community documents that have been developed and approved by the Karuk Tribal Council in the last year. This knowledge sharing through the very documents themselves allows access to tribally negotiated frameworks increasingly required to establish equitable and community oriented practices for research collaboration and the future sharing of cultural heritage.

Alongside this legal support, Local Contexts has developed a new digital labelling system for cultural heritage materials, the Traditional Knowledge (TK) Labels. As a largely educative initiative, an underlying premise for the labels was that they could be utilized by communities that are unable to assert legal control over their collections. In this sense, while they cannot ‘correct’ the legal ownership from a community/tribal perspective, they can assert the ongoing tribal, community and even family relationships, obligations and responsibilities that are embedded in this material. Moreover, these relationships of responsibility can finally be included as part of the digital, metadata and catalogue records associated with this material. In this very act of labelling and pointing back to the contemporary local contexts from which
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these materials derive their meaning and continue their networks of responsibility, there is a disruption in the presumed stability of the asserted legal ownership. With the labels, particularly the Attribution Label, the collector as author/owner is partially denaturalized, and another kind of understanding about these belongings is made possible. Other labels point to different concerns about access and use, much like those expressed by Zuni in relation to the Shalako film, for instance, conveying restrictions based on gender and/or initiate rights, or conveying significance of material because of its totemic, esoteric or spiritual power.

On one level the TK Labels offer themselves as a specific device for the development of collaborations between Native/First Nation and Indigenous communities and institutions over the futures of access and sharing, particularly in a digital environment. They prioritize direct dialogue and negotiation because the label text cannot be written by institutions; they require detail, nuance and importantly approval that resides at a tribal level. Through this there is an important turn towards privileging the multiple forms of owning and stewarding and the relationships of responsibility to heritage materials that span generations and contexts from an Indigenous standpoint. Reorienting these belongings and knowledges through local community epistemological framing not only changes how meaning about them can be made, but also the centrality of the relationships required to facilitate that meaning.

The labels are also being utilized within community contexts for projects that do not necessarily involve negotiations with institutions, but that still engage with digital publics, variously constituted, being invited to engage with specific community history and experiences of colonialism in the present. As one example, the Sq’ewlets Band of the Stó:lō Nation in Canada have been working through Virtual Museums Canada and Simon Fraser University to develop an educational website that explains Sq’ewlets history, cultural heritage and engagement with the discipline of archaeology to Sq’ewlets and non-Sq’ewlets audiences. (See http://www.digitalsqewlets.ca/index-eng.php.) One problem identified early in the project was how to convey Sq’ewlets expectations regarding access, ownership and use of materials on the
website itself. While the site is being designed for a global public, but especially a Canadian public that has patchy and largely minimal information about Canada’s First Nations peoples, and has been developed and vetted through community protocols, workshops and regular discussions, there remained the problem of conveying specific cultural expectations of seeing and using this material. Representatives working with the Sq’ewlets Band, Dave Schaepe, Natasha Lyons and Kate Hennessey offered the idea of Local Contexts and the TK Labels at community meetings as a means to develop answers to these questions. Initial interest in hearing more about these options developed into a full-scale workshop where Sq’ewlets representatives from the whole community adapted five of the TK Labels for purposeful Sq’ewlets use. The labelling function was able to convey Sq’ewlets expectations and protocols of access to the range of publics that will engage with this website. In doing so it serves an important role in adding an extra level of information about the digital content, educating users about culturally specific expectations for using significant cultural heritage materials in a non-legal frame. Significantly this also includes providing appropriate means of attribution and acknowledgement for any future use of this material. The Sq’ewlets adaptation and implementation of the TK Labels provides an additional set of local and culturally specific guidelines for reading and engaging with content provided on the site, and it also points to the network of relationships that work to give the material shared on this site its meaning. To this end, the educational goals of the site are amplified and the digital expression of this material has expanded and embedded metadata for re-use in other community or third party contexts.

The Traditional Knowledge Labels developed by the Sq’ewlets community directly reflect community negotiated and agreed-upon concerns and needs about access and use of cultural heritage derived from the Sq’ewlets community itself. In the below screenshot from the website digitalsqewlets.ca, the TK Label icons are found in the top right hand corner under the Virtual Museums Canada logo. Clicking on the image opens a box that explains the label and its intentions from a Sq’ewlets perspective. In this example, making a label about name and attribution simultaneously points to a historical paradigm of misnaming and misattributing Sq’ewlets cultural heritage, whilst at the same time correcting the historical record and creating possibilities for future engagement.

![Figure 22.2 Attribution Label on Sq’ewlets website.](http://digitalsqewlets.ca/index-eng.php)
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The application of the TK Labels to this Sq’ewlets cultural heritage website functions to localize meaning. It gives any user who encounters the site more information about the Sq’ewlets community’s intentions and expectations in sharing their culture and cultural heritage in a digital environment. Importantly, the intent for sharing is being explained through Sq’ewlets terms and language, with recognition of and respect for the special cultural rules that govern knowledge and its connection to history, to people and families, and importantly to tribal territory. The idea of labelling gets at one part of the problem of access, circulation and management of cultural property that figure as urgent needs to be addressed in the future management and stewardship of Native/First Nations digital cultural heritage.

Conclusion: The collaborative transit of cultural property

The three case studies we have looked at throughout this chapter – the British Museum’s Indigenous Australia: Enduring Civilization exhibition with its parallel collaborative exhibition at the National Museum of Australia, The Shalako Film Revisited, and digital initiative Local Contexts and the TK Labels – illustrate how institutions are re-orienting their practices. Indigenous and non-Indigenous groups are increasingly collaborating to de-centre the power of collecting institutions, defy the hierarchies of conventional documenting and interpretative practices, and build more culturally responsive information systems guided by Indigenous concepts, epistemologies and realities. In this chapter, we wanted to explore the multifaceted dimensions of the collaborative turn in institutional engagement with their collections and the communities to which they belong. The collaboration between the British Museum and the National Museum of Australia is an unprecedented example of inter-institutional collaboration involving the active participation of 25 Indigenous Australian communities. It is propelled forward by political climates that demand this kind of work, public relations concerns and recognition that it can lead to enhanced knowledge about collections. The Shalako Film Revisited is the outcome of the collaborative work and a long-term relationship between a non-tribal museum and a Native community reworking the terrain of an early ethnographic encounter that was unbalanced and insensitive to Zuni community protocols for sharing. Local Contexts is a further example of the possible forms of collaboration between scholars and tribal members, and between tribal members and non-tribal collecting institutions holding Indigenous cultural property and its increased routes of circulation in digital forms.

As museums are collaborating more and more with Native peoples at different levels and Indigenous peoples are instigating and leading a movement in the spirit of ‘pure collaboration’ (Enote 2015), more questions than answers are being raised. Now that collaboration is a reality it is necessary to think critically on what Colwell-Chanthaphonh calls the ‘problem of collaboration’ as well as on what the future of genuine collaboration from multiple party perspectives looks like. Can we really talk about collaboration when issues of ownership, authorship and control of Native collections remain unaddressed, unclear and unresolved?

This takes us back to the British Museum example, where the institution fashioned a temporary model of ‘return’ through what was really a visitation or short-term sharing of part of the museum’s collection on Aboriginal and Torres Strait Islander material culture to Australia. The proprietary logics here are deeply entrenched, and this is regardless of how ‘much’ of the material has appropriate provenance documentation. The hard work remains addressing both the ethical and the legal rights and the subsequent claims of multiple communities over their
cultural heritage. For the British Museum there remain questions about the outcomes of this collaboration in real and meaningful ways, especially about what will be the long-term benefits for the 25 communities who enriched and enhanced the content within the British Museum’s catalogue. There are a number of different positions here, but there clearly remains a problem that the basic and foundational proprietary interests in this collection largely went overlooked (by some) and therefore remained practically unaddressed. This speaks powerfully to how these proprietary regimes continue to condition institutional and community relationships of collaboration and engagement. As Henrietta Fournile Marrie said in response to the imminent return of her grandfather’s material:

It is with a heavy heart that I stand here today . . . and look at the many items which have been brought here . . . It came this far, his spirit . . . [is] within those items, that spirit had returned home . . . and in two weeks time that spirit will be gone again . . . we will miss him, again.

(Daley 2016)

While there certainly have been many ‘new encounters’ through this ‘collaborative’ exhibition, some of the structural and legal violence of the first encounter(s), those that led to these collections leaving their communities and the country in the first place, remains.

The future of collaboration is now foregrounded by issues of ownership and authorship of Native collections. Unless institutions deal with these issues they are still holding power and perpetuating colonial dynamics of dispossession. Learning to let things go still falls under an institution’s good will and ethics. As pointed out throughout this chapter, as well as in the abundant literature on the subject, Western legal frameworks have largely proved insufficient to meet Indigenous peoples’ claims to their objects, belongings and knowledge. Repatriation laws, such as NAGPRA in the United States, are only valid at a national level and only require the repatriation of human remains along with sacred and funerary associated objects and objects of cultural patrimony. NAGPRA certainly has its contests in application and delivery, but it is also so specific that it leaves out other vital community material such as language documents and audiovisual materials like photographs and films. These are precisely the materials that communities, in a post-NAGPRA environment, are especially concerned with accessing and negotiating ownership over. With no national policies, frameworks or even adequate advice, collaboration still has very real limits.

**Acknowledgements**

We would like to acknowledge and thank Jim Enote for allowing us to write about the *Shalako Film Revisited* project and share his ideas around what a museum collaboration movement should look like. We also want to thank people involved in the project who generously shared their experiences and time. At the American Museum of Natural History, we thank Nell Murphy and Barbara Mathé. Special thanks to Cynthia Chavez-Lamar for allowing Maria Montenegro to participate in the negotiations between the Ashiwi A:wan Museum and the NMAI Archive Center. We would also like to thank Kim Christen, Robin Boast, Sonya Atalay, Fred Myers, Faye Ginsburg, Haidy Geismar, Sabra Thorner, Kate Hennessy, Natasha Lyons, Dave Schaepe, Andrea Geyer and Ashley Hunt for multiple conversations, engagements and collaborations that fed into and have been woven through this chapter.
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