FDLP and the Trust of Indigenous Communities

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About me (briefly)

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- Assistant Law Librarian at
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- Outreach to Undergraduate Studies
- Outreach to Indigenous Studies
- Former Indian Law Attorney (Over 18 years in Indian Country)
- Scholarly focus on Indigenous materials and issues
    - Haudenosaunee Digitization Project and support for Indigenous Studies Department and Collections

There is a lack of trust among Indigenous communities for these spaces. Why?

Scholarship collaborations and techniques can often lead to misappropriation and loss of control of traditional knowledge. There is a concern that the settler mentality of ownership and property creates a situation where the rules do not favor Indigenous peoples and communities.

The solve? To create trust, we need to see **Four Steps** or *Four Areas of Action*

Step 1. Find out the Tribal governmental structure and which individuals in leadership should be contacted. This shows care and respect.

Educating each other…

Step 2: Educate each other. From lands to brands, librarians can start to highlight forms of misappropriation that technically do not violate U.S. Copyright law (or other federal laws) and then promote the Tribal nation's sovereign power to pass laws protecting those items. Librarians are in a unique position to educate non-Tribal members on a core tenet of Indian law and the power and authority of a Tribe to govern itself and its people. Moreover, librarians can educate on the concept of "cultural heritage" and what items of cultural property, both tangible and intangible, that a Tribe may desire to protect within its own laws to avoid misappropriation.

Policies…

Step 3: Another avenue of action includes redesigning the informational knowledge and research infrastructure of academic libraries and others to support Indigenous communities in their knowledge management.

There exists a lack of understanding regarding Indigenous perspectives and how the people often take a holistic approach to the environment and how everything connects to each other. This misunderstanding has often led to academic researchers taking knowledge, artifacts, plants, or animals and then recirculating them for their own purposes, often economic. Even transposing information into a database can lead to stripping the right of an Indigenous government from deciding how they want that knowledge to be used or represented.

What should those policies do?

As librarians, we must start creating policies that support and acknowledge Indigenous knowledge, Indigenous practices, and Indigenous perspectives. These policies must then become cross referenced and incorporated into all aspects of the research process. This is one way in which librarians can promote Indigenous data sovereignty.

Connecting and Reaching Out

Step 4: Reach out formally. Acknowledge tribal sovereignty and how it connects to ALL tribal data (even if copyright is held by a scholar outside the Tribe, we need to understand that traditional knowledge, cultural information and expressions belong to the Tribe). Request information on how to navigate under Tribal jurisdiction and authority (to avoid any whiff of misappropriation).

Skills for librarians to effect change … Use C.A.R.E.

A way to help Indigenous communities is through the use of the C.A.R.E. principles. The C.A.R.E. principles stand for: collective benefit (whereby data ecosystems reflect Indigenous values), authority to control (Indigenous led projects and decision-making), responsibility (to empower and collaborate with Indigenous communities from start to finish), and ethics (minimizing harm to communities and maximizing their benefits). From the accessing of raw data to its storage in databases, and then onto its analysis, eventual publication principles like C.A.R.E. can guide researchers, institutions, owners of infrastructure, and those who disseminate research.

Use C.A.R.E. right away with Tribes

Does the Tribe have an I.R.B. or other body to review scholarly proposals? Do they require or prefer an MOU (memorandum of understanding) that lays out the collaboration for scholarship, its scope, its purposes, and its review and rebalancing provisions?

End "helicopter research" …

"Helicopter research" refers to the practice where a researcher makes a brief visit to gather data from a community, share nothing, provides no opportunity for input and then publishes the work for their own benefit without credit to the community.

Using C.A.R.E.

Librarians can assist researchers in prioritizing "micro-moments of decision-making" where they learn to prioritize the people and the relationship with the community over the research. Researchers need to understand that collaborating with Tribal communities requires us to choose people over data and accept that sometimes the research process needs to take longer in order to be respectful and Indigenous-led.

Give credit and rights where it is due…

Knowing when to step up, and when to step aside, is important for research that becomes Indigenous led and decolonizes the overall perspective. The presentation of the work must also be a collaborative process. Collaboration requires humility and empathy in great quantities. Be a student willing to absorb wisdom. Indigenous scholars from the community can offer perspective and guide the learning. When presenting the final product, it is also important to cite community experts, all research assistants, and all contributors. If the work is Indigenous led, then may also require extending co-authorship and credit to those contributors that provided significant input.

The Good Mind Protocol as one example…

Incorporating the Good Mind Research Protocol of the Akwesasne Nation into academic research policies would be one method.

Akwesasne Notes New Series Vol.2(1) at :94-96, (1995) (https://ethicshub.ca/wp-content/uploads/2020/05/70-Good-Mind-Research-Protocol.pdf).

The good mind in action…

The guiding principles were skennen (peace), kariwiio (good mind or equity) and kasastensera (strength or empowerment). Using principles of peace, a researcher should be guided by universal justice and research efforts should focus on unifying efforts and walking a path of righteousness. It requires a researcher to be aware of, and dispose of, prejudice and privilege. Libraries can support researchers in their efforts by supporting a shared authorship model and cataloging metadata that captures all participants in the research and how they shared the credit for its creation.

Equity and MOUs

On equity, researchers must be aware of how money, networks, and political and social power combine to unbalance the power dynamic between a researcher and the community. A good agreement will try to balance the power and review the structure repeatedly to rebalance it as needed. This is where an MOU is needed.

Thank you!

Questions?

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