Australian Indigenous knowledge and the archives: embracing multiple ways of knowing and keeping

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This paper presents the main findings of an Australian Research Council Linkage Research Project, Trust and Technology: Building Archival Systems for Indigenous Oral Memory, against the background of a renewed national energy for reconciliation in Australia, and with reference to Indigenous human rights and how related charters and protocols relate to archival sources of Indigenous knowledge in Australia. It concludes by proposing an action agenda to guide a response by the Australian archival profession. The paper is based on a presentation to the joint ASA/ARANZ/PARBICA Conference, Voyaging Together: Memory, Integrity, Sustainability, held in Brisbane in October 2009.

Introduction

About eighty Koorie people and other Indigenous people from south-eastern Australia participated in the Trust and Technology Project, along with researchers from Public Record Office Victoria, the Koorie Heritage Trust Inc., the Victorian Koorie Records Taskforce, the Indigenous Issues Special Interest Group of the Australian Society of Archivists, and Monash University. The project aimed to explore the experiences and opinions of Koorie people in relation to archives – oral and written – to enable archivists and Koorie people to work together to develop archival systems and services which work better for Koorie communities.[1] The project also explored national and international archival and human rights frameworks for managing and accessing records relating to Indigenous peoples.

Trust and Technology Project findings highlight the need for the Australian archival profession to understand the priorities of Indigenous communities and acknowledge Indigenous frameworks of knowledge, memory and evidence. Project outcomes include proposed legal, policy and professional approaches that support Indigenous frameworks of knowledge, memory and evidence, and reposition Australian Indigenous communities as *co-creators* of archival records with a range of rights in the records, and *partners* in the development and implementation of archival systems and services. Two of the major deliverables of the Trust and Technology Project are the *Statement of Principles relating to Australian Indigenous Knowledge and the Archives* (2009), and the *Exposure Draft Position Statement on Human Rights, Indigenous Communities in Australia and the Archives* (2009).[2] These statements are discussed in some detail later in the paper.

In the following sections of the paper we explore the broader Australian context relating to reconciliation and human rights, and consider the findings of the Trust and Technology Project in some depth in that context, referring also to research relating to Indigenous archival needs conducted in other states and territories. We conclude with a proposed action agenda to guide the response of the archival profession to the challenges inherent in the renewed national energy for reconciliation, and the emerging human rights framework in Australia.

Archives and the renewed national energy for reconciliation

> *The truth is that the past is very much with us today, in the continuing devastation of the lives of Indigenous Australians. That devastation cannot be addressed unless the whole community listens with an open heart and mind to the stories of what has happened in the past and, having listened and understood, commits itself to reconciliation.*[3]

In the Australian Parliament on 13 February 2008, Prime Minister Kevin Rudd delivered the Apology to the Stolen Generations:

> To the Stolen Generations, I say the following: as Prime Minister of Australia, I am sorry. On behalf of the Government of Australia, I am sorry. On behalf of the Parliament of Australia, I am sorry. And I offer you this apology without qualification. We apologise for the hurt, the pain and suffering we, the parliament, have caused you by the laws that previous parliaments have enacted. We apologise for the indignity, the degradation and the humiliation these laws embodied. We offer this apology to the mothers, the fathers, the brothers, the sisters, the families and the communities whose lives were ripped apart by the actions of successive governments under successive parliaments ...

> I say to non-Indigenous Australians listening today who may not fully understand why what we are doing is so important, I ask those non-Indigenous Australians to imagine for a moment if this had happened to you. I say to honourable members here present: imagine if this had happened to us. Imagine the crippling effect. Imagine how hard it would be to forgive. But my proposal is this: if the apology we extend today is accepted in the spirit of reconciliation, in which it is offered, we can today resolve together that there be a new beginning for Australia. And it is to such a new beginning that I believe the nation is now calling us.[4]

The apology and the prime minister's background speech powerfully illustrate how understandings of the past – the narratives that are told and written, and the manner in which they are conveyed – profoundly shape a community's identity and aspirations and provide a mandate for action, in this instance around issues of Indigenous wellbeing. The metaphor of 'turning a new page' in Australia's history was used in the apology and in the surrounding commentary:

> Let us turn this page together: Indigenous and non-Indigenous Australians, government and opposition, Commonwealth and state, and write this new chapter in our nation's story together.[5]

The related challenge for Australian archival institutions and the archival profession is: How should this play out in the archival world in the present and future?

Renewed focus on *Bringing them home* 1997

The apology brought a renewed focus on the 1997 *Bringing them home* report. From 1910 to 1970 up to 50,000 children were forcibly taken from their families. *Bringing them home* tells some of their stories and reports the findings of the Human Rights and Equal Opportunity Commission's National Inquiry into the Separation of Aboriginal and Torres Straight Islander Children from their Families. Three findings of the inquiry are of particular relevance to the archival profession. The inquiry identified a pressing need for Indigenous Australians to reclaim their identity by knowing their family background and reconnecting with the places and cultures of their people. It also highlighted the importance of telling the stories of post-colonisation experience, in particular of separation, within Indigenous communities and beyond to the wider Australian community as a means of honouring the experiences of these generations of Indigenous Australians and ensuring their place within Australia's history and memory. And it stressed the need for Indigenous communities to control their own historical documentation in the longer term.[6]

The report devoted a chapter to the role which records and recordkeeping institutions should play in supporting family and community reunions

and the reclamation of personal and community identity. Since 1997, the Australian archival community has responded to these recommendations with a range of initiatives to provide better access to records and better services to Indigenous people seeking information for family link-ups, land claims and redress.[7] The National Archives of Australia has implemented a series of memoranda of understanding with Indigenous communities, and other institutions have also developed formal consultation mechanisms with consultation most frequently occurring in relation to access to records relating to Indigenous people in archival collections and exhibitions. There has been a more concerted effort in the library community in relation to the development of protocols concerning Indigenous records in their collections, for example: the National and State Libraries of Australasia *National Policy Framework for Aboriginal and Torres Strait Islander Library Services and Collections* (2008);[8] and the State Library of Queensland *Protocols for ATSI Collections*.[9] Although there is an increasing awareness in the archival profession of issues associated with accessing records relating to Indigenous people, and the need for culturally sensitive description and appraisal, the Australian Society of Archivists (ASA) has not been active in recent times in translating this into formal frameworks, protocols or guidelines. In 1995 the ASA adopted the first version of the *Aboriginal and Torres Strait Islander Library and Information Resources Network Protocols* developed by the Aboriginal and Torres Strait Islander Library and Information Resources Network (ATSILIRN), however the society is yet to endorse, or even acknowledge, the substantially revised 2005 version of the protocols.[10]

Archival initiatives in response to the *Bringing them home* report have gone some way to addressing the first two recommendations of the inquiry. However, they have mostly been undertaken within a paradigm that positions Indigenous people as subjects of records and clients of archival services. They also tend to be overshadowed by a legacy of distrust in the archive, and a significant finding of the Trust and Technology Project is the continuing power of this legacy. The third recommendation of the inquiry, the need for Indigenous community control of their historical documentation, has not been addressed in any coherent or coordinated way by the mainstream archival community.

At a more fundamental level there are major barriers to fully achieving all three recommendations, related in part to the lack of a national framework for archives. It is generally the case that archival records in Australia are managed and made accessible using frameworks, rights management protocols, metadata schemas, and access policies that differ from state to state, and from institution to institution. More specifically, national and state archives, libraries and museums all have their own individual frameworks for managing archival materials in their collections relating to or created by Indigenous communities, organisations and individuals, as evidenced by the *Wilam Naling* report which highlights the many procedural barriers to access presented by the differing approaches in Victoria.[11]

The Trust and Technology Project found that many Indigenous people view all records that relate to them as *their own* records, yet many institutions that house and control these records view them very differently.[12] Indigenous people have access rights to government records about them, but there are no rights of disclosure, and there is generally no shared decision-making relating to ownership, custody, preservation and access. Policies, processes and systems in government archives are based on particular constructs and values relating to control, access, privacy, and individual, but not collective, rights in records. These constructs and values derive from traditions regarding knowledge and evidence that are fundamentally different from, and possibly irreconcilable with, the epistemologies within Indigenous communities.[13] To give but one example, metadata schemas specify standardised, structured data to describe, contextualise and manage records and archives. They are vital tools, supporting decision-making about managing records, disseminating information about them and administering access to them. However, mainstream metadata standards are not designed to describe and contextualise records from the perspective of the differing cultural protocols of individual Indigenous communities.[14]

Indigenous cultural institutions and knowledge centres, as well as partnership initiatives, are pioneering frameworks, protocols and processes that address the requirements of Indigenous communities and their cultural protocols. Examples include the Indigenous Knowledge

Centre and digital repatriation initiatives being undertaken in the Northern Territory and Queensland; the establishment of ATSIDA, the Aboriginal and Torres Strait Islander Data Archive at the University of Technology Sydney; the Ara Iritija Archive of the Anangu people of SA;[15] the Mukurtu Wumpurrarni-kari Archive of the Warumungu community in Tennant Creek, NT;[16] Placestories, the Dajarra digital keeping-place in northwest Queensland;[17] and the Traditional Knowledge Revival Pathways in Cape York.[18] However, as highlighted in evaluative research relating to the Queensland and Northern Territory Indigenous Knowledge Centre and digital repatriation projects, as yet there has been little formalisation or standardisation as a result of these initiatives, and there has been no integration of the requirements they identify into mainstream archival frameworks and standards.[19]

Statement of principles: Australian Indigenous knowledge and the archives

Recent articles have explored how Western archival methods reflect and reinforce a privileging of settler/colonist/invader voices and narratives over Indigenous ones.[20] The conventional positioning of individuals as the *subjects* of the archive has had a particularly disempowering effect on Indigenous people whose lives have been so extensively documented in archives, often for the purposes of surveillance, control and dispossession. Although in the past records have been instruments of oppression and the construction of a negative view of Australian Indigeneity, in the present and future they can play an important role in recovering identity and memory, re-uniting families, seeking redress, and reconciliation. What role should the archival profession play in this endeavour in the present and future?

The Trust and Technology Project developed a Statement of Principles relating to Australian Indigenous Knowledge and the Archives to guide future archival practice, research and education. Its focus is largely on records of Indigenous communities and individuals created by non-Indigenous organisations, including Australian government organisations, and held by those organisations, or by government and other non-Indigenous archives; and the relationship between these records and other sources of Indigenous knowledge. It does not

include provisions relating specifically to records created by Indigenous organisations and individuals. Principles relating to secret and sacred records are beyond the scope of this statement.

The statement of principles is based on the findings of the Trust and Technology Project and of the PacRim Project, Pluralizing the Archival Paradigm through Education (a collaboration involving researchers from University of California, Los Angeles, Renmin University in Beijing, and Monash University). As part of the Trust and Technology Project, Livia Iacovino and Eric Ketelaar undertook an in-depth analysis of the provisions of human rights instruments that relate to recordkeeping and archives, including Australian and international instruments and protocols relating to Indigenous culture, knowledge and the archives, and related recommendations in the *Bringing them home* report. Relevant rights and protocols statements analysed include:

- UN Declaration on Rights of Indigenous Peoples 2007;

- Victorian *Charter of Human Rights and Responsibilities Act 2006;*

- UN Human Rights Council's Joinet–Orentlicher Principles 1997 and 2005;

- ATSIC Australian Indigenous Cultural and Intellectual Property Rights 1999;

- Protocols for Native American Archival Materials 2007;

- Aboriginal and Torres Strait Islander Library and Information Resources Network (ATSILIRN) Protocols 2005.[21]

The ATSILIRN Protocols are of particular relevance as one of the key protocol statements informing the Trust and Technology principles. They are based on Australia-wide consultation through ATSILIRN. As noted above, the ASA has not been involved in the recent substantial revision of these protocols. They address:

- the recognition of the moral rights of Aboriginal and Torres Strait Islander peoples as the owners of their knowledge;

- other important issues arising from Aboriginal and Torres Strait Islander content and perspectives in documentary materials, media and traditional cultural property;

- issues in access to libraries, archives and information resources by Aboriginal and Torres Strait Islander peoples;

- the involvement and the participation of Aboriginal and Torres Strait Islander peoples in the governance and operation of libraries, archives and information services; and

- appropriate representation of Aboriginal and Torres Strait Islander peoples and their cultures in libraries, archives and information services.[22]

The concerns and issues raised by Koorie participants in the Trust and Technology interviews and focus groups have also been highlighted in research undertaken in other states and territories, and in relation to the development of the Aboriginal and Torres Strait Islander Data Archive. Common findings include concerns that current mainstream archival frameworks, practices and services in Australia do not readily accommodate the high priority needs of Indigenous communities and individuals to know about records relating to them, to be engaged in decision-making about the records, to add their stories to the official record, and to exercise collective rights in the records.[23]

The Trust and Technology Statement of Principles sets out seven principles which are discussed below.

Principle 1: Recognition of all archival sources of Indigenous knowledge

> *Stories are powerful. The courage of the telling, and the richness of the content, can move people and communities to rethink their identities, and the meanings and values they assign to their lives. Stories are a fundamental method used by marginalized groups around the world in their efforts to reclaim their history and culture, and assert their place in the world.*[24]

Principle 1 states: 'Archival systems and services for preserving Indigenous memory and evidence need to be based on recognition of the breadth and diversity of archival sources of Indigenous knowledge and the significance of oral memory and storytelling.' It acknowledges that archival sources of Indigenous knowledge include but are not limited to: oral memory and associated traditions; oral memory which has been captured using various Western technologies; records

created by Indigenous people and organisations using the structures and forms of Western knowledge and communications systems; and records created by non-Indigenous people and organisations about Indigenous people, including government records. Oral memory is broadly defined in the Trust and Technology Project to encompass traditional stories, contemporary narratives, family stories, and narratives that can be recovered from mainstream narratives. It comprises oral records of a community, contained within people, stored as memory, transmitted and accessed through stories that are spoken, performed, danced and sung. Oral records may or may not be captured in audio or other media.

Principle 2: Recognition of rights in records

> Archives, state libraries and other repositories house many significant records about Indigenous communities. These are the products and consequence of colonisation, dispossession, removal and the relentless surveillance to which Indigenous people were subjected.[25]

> I'd want to know what they're going to use it for and why. I don't want them to use it as a means to be against the [tribe name] people. I'd never ever give permission for that sort of stuff. I'll be very restrictive with the whitefella because it's all about trust and knowing where they're coming from. For to us these stories are life.[26]

Principle 2 states: 'The rights of Indigenous people should extend to making decisions about the creation and management of their knowledge in all its forms, including knowledge contained in records created by non-Indigenous people and organisations about Indigenous people.' Recognising that Indigenous knowledge is contained in records created by non-Indigenous people and organisations involves acknowledging the need to extend the rights in Indigenous heritage and knowledge contained in United Nations and Australian Indigenous protocols to these records. Many archival records about Indigenous people are not owned by them. Indigenous people are not alone here: Australians generally do not own information collected about them by governments and other organisations. However, for Indigenous

people archival records have been instruments of dispossession or family separation, and more recently they are playing an important role in restoring family and community connections. In this regard, engagement of Indigenous people in decision-making about these records is critical.

Principle 3: Recognition of rights in legal and archival frameworks

> *When you think back, when we went through our land claims, it makes you wonder ... the access the government lawyers had to our families was unreal. It really opened our eyes when we couldn't get it ourselves.*[27]

> *Why does everyone have to know about anyone's family unless they give permission. Everyone knows everything about you, but you don't.*[28]

Principle 3 states that, given the extent to which Indigenous people are documented in archives, the circumstances under which many records were created and the part that these records have played in their dispossession, dislocation and disempowerment, as well as in the recovery of identity, reconnecting families, pursuing land claims, intergenerational healing, redress and reconciliation, Indigenous rights in records need to be recognised in legal, political and professional frameworks. Human rights statements and Indigenous protocols say Indigenous people have the right to make decisions about the creation and management of their knowledge in all its forms. Indigenous peoples have particular rights in records which arise from the part they have played in the past in their oppression and dispossession, and their role in the present and future in recovering identity and memory, re-uniting families, seeking redress and reconciliation. But Indigenous people in Australia have few rights over records relating to them in government and other archival institutions.

As discussed above, many Indigenous people view all records that relate to them as *their* records, but the institutions that house and control the records do not view them in the same way. Indigenous people have access rights, but there are no rights of disclosure, and no shared decision-making relating to ownership, custody, preservation

and access. The largest obstacle to the realisation of Indigenous rights in records lies in Australia's legal and archival frameworks. This could be addressed by reforms to these frameworks, and extension of international and national laws and protocols to all records and archival sources of Indigenous knowledge; and/or a redefinition of records creation enforcing a broader spectrum of rights and obligations.

Principle 4: Adoption of holistic, community-based approaches to Indigenous archiving

Principle 4 states that community-based, community-controlled archival systems and services based on a holistic approach to Indigenous archiving – bringing together, integrating, preserving and making accessible to the community, physically or virtually, all archives of value regardless of their source, form or medium – will best meet the needs of Indigenous communities. Archival sources of Indigenous knowledge are fragmented and dispersed. In many ways the dispersal of archival sources and fragmentation of Indigenous knowledge mirrors the dispossession, dislocation and disempowerment of colonialism. There is a pressing need for frameworks and systems for sustainable community archives that integrate, preserve and make accessible to the community all records relating to the community, in whatever form or medium, including government and church records, as well as community and family records. In this context, recovery and re-integration of Indigenous knowledge from non-Indigenous archival sources, and acknowledgement of the significance of oral records are particular priorities.

Principle 5: Recognition of need for Indigenous people to challenge 'official' records

> That's right, just to put the record straight. 'That wasn't the way it happened. This is the way it happened.' People want to pussyfoot around the truth ... To read something that is incorrect is pretty hard because you know that wasn't the way it happened. If you can have your chance to be heard, then definitely.[29]

> *All persons shall be entitled to know whether their name appears in State archives and, if it does, by virtue of their right of access, to challenge the validity of the information concerning them by exercising a right of reply. The challenged document should include a cross-reference to the document challenging its validity and both must be made available together whenever the former is requested.*[30]

Principal 5 states: 'Indigenous peoples need mechanisms to set the record straight, comment on inaccuracies or limitations, contribute family and individual narratives, and present their version of events alongside the official one.' Indigenous people want to challenge the contents of 'official' records by recording their own narratives and perspectives alongside them. International human rights principles and the experiences of other post-colonial, post-surveillance societies endorse this as an important means of acknowledging and limiting the ongoing potency of records which have been the tools and products of dispossession and control. Indigenous people need mechanisms to set the record straight, comment upon the inaccuracies or limitations of institutional records, contribute family narratives which expand upon or give context to institutional records, and present their version of events alongside the official one.

Principle 6: Recognition of need for inclusive education and training for recordkeeping professional practice

Principle 6 states: 'A set of principles relating to inclusive, pluralistic and culturally aware recordkeeping education and training should inform course recognition and accreditation and the expectations set by employers and professional associations for ongoing professional development.' The findings of the PacRim Pluralizing the Archival Paradigm Through Education Project are particularly relevant to this principle.[31] This project surveyed major archival programs in Pacific Rim countries, and sought the views of educators, students and community stakeholders in a series of interviews and focus groups. A strong consensus emerged relating to the role archival education could play in enabling students to recognise their own cultural perspectives and how these come into play in their work and research, and the

need for students to be exposed to the experiences of Indigenous people who have interacted with the dominant knowledge framework represented by mainstream archival institutions. Initiatives relating to increasing the participation of Indigenous people in archival education as educators and students were also seen as critical; as well as the greater involvement of the archival profession in archival training for Indigenous communities.

Principle 7: Reconciling research, rethinking the relationship between academia and Indigenous communities

Principle 7 states that archival researchers need to eschew research methods which position Indigenous communities as the subjects of research, and instead pursue a participatory model of community-based research, avoiding approaches which involve a re-colonisation or misappropriation of Indigenous knowledge by researchers. The Trust and Technology Project research team has dubbed this 'reconciling research', involving a collaborative, co-creative journey which engages Indigenous and non-Indigenous researchers, Indigenous and archival communities (that is, Indigenous communities, Indigenous and non-Indigenous archival and cultural institutions, user communities and research institutions) as well as stakeholders in government, and the general community, including peak bodies and professional associations. Partnership research acknowledges multiple sources of knowledge and promotes the use of multiple methods of discovery and dissemination of knowledge, and the integral involvement of Indigenous people as partners in all aspects of the research is a major key to its success.

Exposure Draft Position Statement on Human Rights, Indigenous Communities in Australia and the Archives

> *Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also*

have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.[32]

Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law.[33]

The Trust and Technology Project's Exposure Draft Position Statement on Human Rights, Indigenous Communities in Australia and the Archives addresses the human rights issues raised in principle 4. Insofar as archives play a critical role in the recovery of Indigenous knowledge and language, and providing evidence for establishing identity, family link-ups, community regeneration, land claims and redress of human rights abuse, they underpin Indigenous human rights, self-determination and the exercise of cultural rights as human rights.

The Draft Position Statement references a range of international Indigenous human rights conventions, human rights instruments and relevant Australian law which recognise Indigenous communities as having inherent rights to preserve their identity while participating to the fullest in the mainstream culture. These include rights of self-determination which provide for the exercise of cultural rights as human rights and the recognition of collective as well as individual rights. The principle of self-determination relates to the right and duty of Indigenous peoples to maintain and develop their own cultures and knowledge systems, and includes the right to be recognised as the primary guardians and interpreters of their cultures, supporting the exercise of cultural rights as human rights. Protecting Indigenous cultural and intellectual property is based on the principle of self-determination. The rights of Indigenous peoples as a collective have particular implications for privacy principles and their extension to Indigenous families, communities, and the families of deceased person's as a human right. Indigenous human rights relating to the exercise of cultural rights, and the rights of Indigenous peoples as a collective are also of particular relevance to Indigenous knowledge and culture captured in archival sources. The Joinet–Orentlicher

Principles which were adopted by the United Nations Commission on Human Rights to guide member states in dealing with human rights violations, deal amongst other things with the inalienable individual and collective right of individuals and communities to know the truth about past events, the duty of the state to preserve and make accessible archives of repression and abuse as part of the collective memory, and the entitlement of individuals to know that there is a record about them, and to challenge its validity by exercising a right of reply.[34]

Policies and practice in archival institutions in Australia are currently not fully in line with international conventions relating to Indigenous human rights, including the exercise of cultural rights as human rights, the right to know the truth and the right of reply. More generally Australian legal and policy frameworks do not yet support the full implementation of international conventions. They do not recognise Indigenous cultural rights as human rights, or provide for ownership or moral rights for people who are considered to be the subject of records. The general effect of the laws of personal and intellectual property is that the organisations which create or receive and maintain records relating to Indigenous peoples exercise almost all control over them. In relation to government records, privacy, freedom of information and public records laws do give records subjects some rights over the collection, use and disclosure of information about themselves. However, these rights apply only to individual records subjects: they cannot be exercised by Indigenous peoples as a collective or by individuals in relation to deceased family members.

Human rights in Australia were set for a potentially radical overhaul with the passage of the Victorian *Charter of Human Rights and Responsibilities Act 2006*, and the more recent release of the National Human Rights Consultation Committee's report which proposed an Australian bill of rights. It recommended: the qualified inclusion of economic, social and cultural rights; a requirement that new law complies with human rights; the audit of existing law for compatibility with international human rights; provisions for an impact statement on Aboriginal and Torres Strait Islander peoples to accompany the enactment of any laws relating to Indigenous peoples; and the integration of human rights in law, policy and practice.[35]

Archival reconciliation: realising Indigenous rights in records

The final report of the Trust and Technology Project proposes a number of possible actions to address its findings. The action agenda emerging from the project includes a range of recommendations that are linked to the realisation of Indigenous rights in records. They include:

- reforms to Australian archival legal frameworks to recognise Indigenous cultural rights in records, and the consequent extension of existing international and national laws and protocols relating to Indigenous human rights and heritage to all archival sources of Indigenous knowledge;

- the use by Australian archival institutions and programs of a combination of information technology, legal and policy initiatives to extend the existing legal and moral rights of Indigenous individuals and communities relating to the control, disclosure, accessibility and use of records;

- the adoption by the Australian archival profession and institutions of a participant model which involves re-positioning record subjects as record agents – participants in the act of records creation; in a fully implemented participant model, every contributor, including the person who is the subject of the document, has legal and moral rights and responsibilities in relation to ownership, access and privacy;

- expanding the definition of record creators in archival science to include everyone who has contributed to a record's creative process and has been affected by its action, thus supporting the enforcement of a broader spectrum of rights and obligations;

- the development of coherent national frameworks for the involvement and the participation of Indigenous peoples in the governance and operation of archival services;

- the diversification of the archival profession to achieve appropriate representation of Indigenous peoples;

- in relation to education, the inclusion of provisions to address inclusive education issues in accreditation and recognition processes; the development of inclusive and culturally sensitive

curriculum; and support for scholarship and internship programs, for example the Monash Indigenous Archives Scholarship (sponsored by the National Archives of Australia, Public Record Office Victoria, and the Australian Society of Archivists) and the ASA's Loris Williams Scholarship; and

• in research, action by archival researchers to adopt community-centred, partnership research design, ethics and methods, and publish research articles and books that provide a 'literary warrant' for such research.

Archival actions by the archival institutions and the profession that specifically address the human right of self-determination, cultural rights and the right of non-discrimination are proposed in the Exposure Draft Statement on Human Rights and the Archives. They include:

• engagement of Indigenous communities in capture, appraisal, management, preservation and access to records that contribute to their self-determination and cultural identity;

• support for the negotiation of rights via the creation of a register of interested persons (descendants of the relevant community) in the ongoing management of relevant sets of records;

• examination and amendment of archival law and policies in Victoria and elsewhere to ensure compatibility with the Victorian *Charter of Human Rights and Responsibilities Act 2006,* the proposed federal human rights framework and international conventions;

• acknowledgement of the right of Indigenous communities to determine third-party access to records held by archival organisations on the basis of redressing discrimination;

• adoption by the ASA and archival institutions of the 2005 version of the ATSILIRN Protocols; and

• endorsement of the Trust and Technology Statement of Principles relating to Indigenous Knowledge and the Archives.

To implement the provisions in the Joinet–Orentlicher Principles relating to the right to know the truth, and the right of reply, archival institutions could put in place best practices which routinely:

- identify Indigenous communities or individuals in records, and contact them via appropriate representative bodies;

- disclose that there are records relating to them; and

- develop procedures to enable them to exercise a right of reply – that is, to set the record straight; make comments upon the inaccuracies or limitations of institutional records; and contribute family narratives which expand upon or give context to institutional records and to present alternative versions of events.

An example would be a system that enabled the use of annotations as a right of reply, and the extension of this right to descendants, which also enabled annotators to retain ownership of the annotations. The Trust and Technology Project research team, Public Record Office Victoria, the Koorie Heritage Trust Inc., and an Indigenous Reference Group developed a specification for such a system – KAS, a Koorie Archiving System – which addresses requirements relating to the 'right of reply' and 'setting the record straight'.[36] KAS is currently being implemented with funding from a Victorian Government grant.

The ASA Indigenous Issues Special Interest Group (IISIG) has also developed its own action agenda, informed by the findings of the Trust and Technology Project. It is hoping to engage the ASA Council in giving priority to determining what role the ASA will play in realising the goals and aspirations of Indigenous people in relation to archives and records issues, working in partnership with Indigenous communities. The ASA IISIG also continues to work with the ASA Council on important initiatives such as the annual Loris Williams Memorial Lecture and ASA Loris Williams Scholarship.

Conclusion

The new momentum in Australia relating to reconciliation and the field of human rights, both locally and internationally, makes it imperative for the archival profession to become more aware of the role the archives, archival institutions, and archival law, principles and practices could play in this area. The profession should consider its role in perpetuating the past by reflecting and reinforcing a privileging of settler/invader/colonist voices and narratives over Indigenous ones, and contemplate

ways of transforming the present and future by playing an important role in support of the recovery of identity and memory, re-uniting families, seeking redress, reconciliation, and achieving social justice. In relation to Indigenous human rights, including self-determination, the exercise of cultural rights as human rights, the right to know the truth and the right of reply, the archival profession and archival institutions can potentially play a vital role in realising an Australian human rights framework that fully implements Australia's international obligations to its Indigenous people.

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