


# Questions of Provenance: Shared Heritage and Disputed Archival Claims

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**DISPUTE**

A young man with short dark hair and black-rimmed glasses is holding a white sign. He is wearing a colorful patterned shirt. The background is an outdoor setting with green trees and a clear sky. The sign contains four lines of bold, black, uppercase Swahili text.

**TUNAKUKENGA  
MUTUFUNTISHILI  
WUSAHU WETU  
WUTWASONEKELI**



BU SANG  
mekwalo ya  
ditso tsa rona

A man with short dark hair and a goatee, wearing dark sunglasses and a light grey t-shirt, stands outdoors. He is holding a large white rectangular sign in front of his chest with both hands. The sign contains text in Bemba. The background shows a blurred palm tree on the left and green foliage on the right under a bright sky.

**TULEFWAYA AMALONGO  
YESU YAKABWELE TUKA  
SUNGE MUCHIKULWA  
CHAFISHILANO FYA CHALO  
MUNO MU ZAMBIA**

# Multilateral Efforts at Resolution

- 1977 – UNESCO's *Archival Claims: Preliminary Study on the Principles and Criteria to be Applied in Negotiations*
- 1981 - UNESCO's *Model Bilateral and Multilateral Agreements and Conventions Concerning the Transfer of Archives*
- International Law Commission work
- 1983 - *Vienna Convention on Succession of States in Respect of State Property, Archives and Debts*
- 1995 – ICA's *Reference Dossier on Archival Claims*
- 1998 – UNESCO's *Disputed Archival Claims: Analysis of an International Survey (A RAMP Study)*

# Multilateral Efforts at Resolution

- 2004 - ICA Congress
- 2009 – Displaced Archives Working Group
- 2015 - *Displacements and Diasporas* research programme
- 2016 - EGSAH
- 2017 - Publication of *Displaced Archives*
- 2018 – ACARM Position Paper on the Migrated Archive  
Launch of the international survey  
FAN Meeting, Yaounde
- 2019 – Suriname meeting  
FAN workshop on Shared Archival Heritage

# **Disputed Archival Claims:**

## **An International Survey**

### **2018/2019**

A photograph showing a person with dark hair and glasses, wearing a dark jacket, leaning over a large stack of old, yellowed, and slightly damaged papers. The person is looking down at the papers. In the background, there are several desk lamps and another person is visible, though out of focus. The setting appears to be an archive or library.

**Report to the International Council on Archives'  
Expert Group on Shared Archival Heritage**



Claim 1: Ministry of Arts and Culture  
(Cameroon)

Claim 2: Autonomous Region of Madeira

Claim 5: Swaziland National Archives

Claim 6: Archive of the Jewish Community  
of Vienna

Claim 7: National Archives of Benin

Claim 8: Greenland National Museum and  
Archives

Claim 9: Greenland National Museum and  
Archives

Claim 10: National Archives of Malta

Claim 11: Archives State Agency, Bulgaria

Claim 12: Croatian State Archives

Claim 13: Moroccan Archives

Claim 14: Moroccan Archives

Claim 15: Ministry of Public Service -  
National Records Centre and Archives,  
Uganda

Claim 16: Ministry of Public Service -  
National Records Centre and Archives,  
Uganda

Claim 17: Bank of Uganda

Claim 18: Kenya National Archives and  
Documentation Service

Claim 19: Head Office of Polish State  
Archives

Claim 22: Head Office of Polish State  
Archives

Claim 23: Head Office of Polish State  
Archives

Claim 24: Cyprus State Archives

Claim 25: National Archives of Australia

Claim 26: Jamaica Archives and Records  
Department

Claim 27: Archives and Libraries  
of Rwanda

Claim 28: National Archives of Trinidad and  
Tobago

Claim 29: Arxiu Nacional d'Andorra

Claim 32: National Archives and Records  
Service of South Africa

Claim 33: National Archives of Bahrain

# The Archival Colour Line

The archival colour line demarcates a large scale and deeply historical racism through the dis/possession of records beyond the British imperial context, as the ICA survey data shows, with open claims against France, Spain, Belgium and Germany. What these claims represent is an archival colour line that reflects in records 'the relation of the darker to the lighter races of men', where custodianship is with 'white men's countries'. Enduring archival displacement is made possible by the archival colour line, just as it reinscribes that line on the world map, day after day.

Riley Linebaugh and James Lowry, "The Archival Colour Line: Race, Records and Post-Colonial Custody" (forthcoming).

**To understand  
disputed claims  
we must  
understand  
provenance.**

# Concepts of Provenance

Provenance has been a significant concept in archival science since at least 1841, when Natalis de Wailly articulated it as the organising principle of the Archives Nationales in France.

- Multiple provenance (1966)
- Territorial provenance (1977)
- Parallel provenance (2005)
- Societal provenance (2006)
- Against provenance (2016)
- Provenance in place (2021)

# Multiple Provenance

Peter Scott in *American Archivist* in 1966

- Proposes the 'Australian series system' which would see the series replace the fonds as the highest level of description
- Stems from problems with singular nature of provenance
- Fonds obscures history of creation and use
- Australian series system describes provenances separately and allows multiple provenances to be linked to the descriptions of series

# Territorial Provenance

Charles Keckskemeti, *Archival Claims: Preliminary study on the principles and criteria to be applied in negotiations*, 1977

‘These transferred archives should be restituted to the country of origin’.

# Parallel Provenance

Chris Hurley in *Archives and Manuscripts*, 33 (1) 2005 and 33 (2) 2005

- ‘parallel provenance is the coterminous generation of the same thing in the same way at the same time’.
- ‘Parallel provenance results from ambiguity over what "creation" means or from an inability to see it from a different point of view. It is a litmus test of faulty description and only exists in a world of confused, undocumented, or improperly documented context’.

‘What is the provenance of this document? Steinbruck and the North West Company are surely part of the provenance, but Steinbruck quotes Aboriginals, describes their day-to-day actions, and information he receives from them. The journal originates, in part, in this Aboriginal information. Are Steinbruck (and his employer) the *only* provenance? In Steinbruck’s location, the dominant force in information creation is Aboriginal. Should that not carry weight in assigning provenance? What is provenance in cases like this one?’



Tom Nesmith, *The concept of societal provenance and records of nineteenth-century Aboriginal-European relations in Western Canada: implications for archival theory and practice*, 2006



# Against provenance

Jarrett Drake, *RadTech Meets RadArch: Towards A New Principle for Archives and Archival Description*, 2016

‘... the concept that the fonds of one creator should not be mixed with the fonds of another creator is, in theory and in practice, a legacy of colonialism. Moreover, one can imagine the ease of determining a clear creator or owner when just a sliver of Western society had 1) the legal privilege to create and own, and 2) the legal protection of that privilege’.

# Provenance in Place

“By *provenance in place*, I seek to make space for the articulation of **an understanding of provenance that embraces the commitment to undo the colonial occupation of one people’s land by another today**, and the archival legacies of such occupations in the past, even when that means records of the same fonds may not always be kept together.... Based on principles first articulated for stable 19th century administrative bodies in western Europe, these practices and standards are also inappropriate for describing records for liberatory ends. The globalization of classical archival theory about provenance first developed in western Europe means that **we are universalizing precepts that were established at a time when the vast majority of people within and beyond Europe were not at the table**, so to speak”.

J.J. Ghaddar, forthcoming.

# Redescribing Place

- Reparative or restorative re-description as liberatory memory work
- Surfacing place and displacement in archival description
- Towards a shared archival heritage?

# Shared Archival Heritage

- Can archives displaced through conflict or decolonisation ever really be “shared”?
- Does re-description that expands provenance information help move towards a sense of “sharedness”?
- Once provenance is fully expressed, how can we start to address disputed archival claims?