# Questions of Provenance: Shared Heritage and Disputed Archival Claims

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# DISPUTE







#### **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



Claim 1: Ministry of Arts and Culture Claim 17: Bank of Uganda (Cameroon) Claim 18: Kenya National Archives and **Documentation Service** Claim 2: Autonomous Region of Madeira Claim 5: Swaziland National Archives Claim 19: Head Office of Polish State Claim 6: Archive of the Jewish Community Archives of Vienna Claim 22: Head Office of Polish State Claim 7: National Archives of Benin **Archives** Claim 8: Greenland National Museum and Claim 23: Head Office of Polish State **Archives Archives** Claim 9: Greenland National Museum and Claim 24: Cyprus State Archives Claim 25: National Archives of Australia **Archives** Claim 10: National Archives of Malta Claim 26: Jamaica Archives and Records Claim 11: Archives State Agency, Bulgaria Department Claim 12: Croatian State Archives Claim 27: Archives and Libraries Claim 13: Moroccan Archives of Rwanda Claim 14: Moroccan Archives Claim 28: National Archives of Trinidad and Claim 15: Ministry of Public Service -Tobago National Records Centre and Archives, Claim 29: Arxiu Nacional d'Andorra Uganda Claim 32: National Archives and Records Service of South Africa Claim 16: Ministry of Public Service -National Records Centre and Archives, Claim 33: National Archives of Bahrain Uganda

#### **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

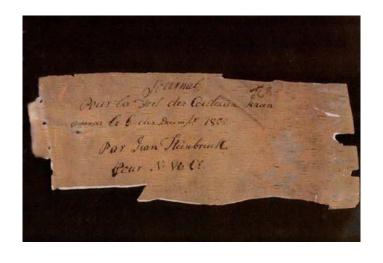
'These transferred archives should be restituted to the country of origin'.

#### **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-today 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?