

# Local Contexts and the Traditional Knowledge Labels



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**NYU**

GRADUATE SCHOOL  
OF ARTS & SCIENCE



NATIONAL ENDOWMENT FOR THE  
**Humanities**  
FIFTY YEARS





# Local Contexts

because the 's' matters.

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*Local Contexts* is an initiative to support Native, First Nations, Aboriginal, and Indigenous communities in the management of their intellectual property and cultural heritage specifically within the digital environment. *Local Contexts* provides legal, extra-legal, and educational strategies for navigating copyright law and the public domain status of this valuable cultural heritage. By providing strategic resources and practical solutions, *Local Contexts* and our partners are working towards a new paradigm of rights and responsibilities that recognizes the inherent sovereignty that Indigenous communities have over their cultural heritage.



# The Problems

- **Every Indigenous community has huge collections of tangible and intangible cultural material collected over the long periods of colonialism held in archives and museums.**
- **Significant information about these collections, including individual and community names, are missing.**
- **Indigenous peoples and communities are not the legal rights holders.**
- **Vast amounts of copyright material as well as public domain material is being digitized and circulated.**
- **The problem of ownership, as well as the incomplete and significant mistakes in the metadata, continue into the digital lives of this material.**
- **Our understanding of Indigenous peoples and culture has been produced and curated by researchers and non-Native peoples.**

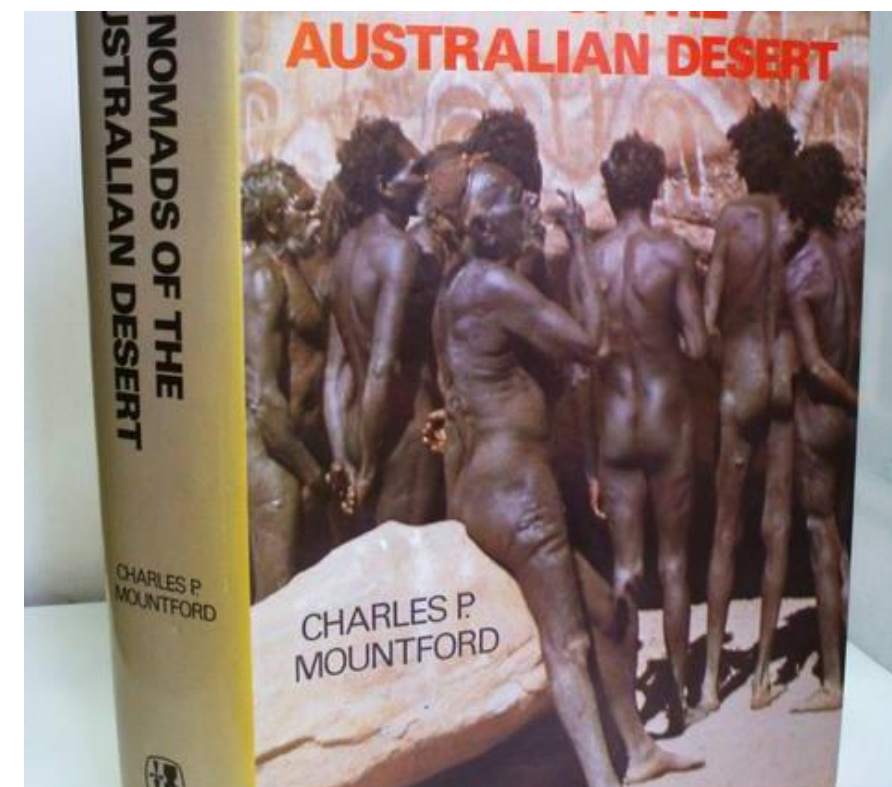
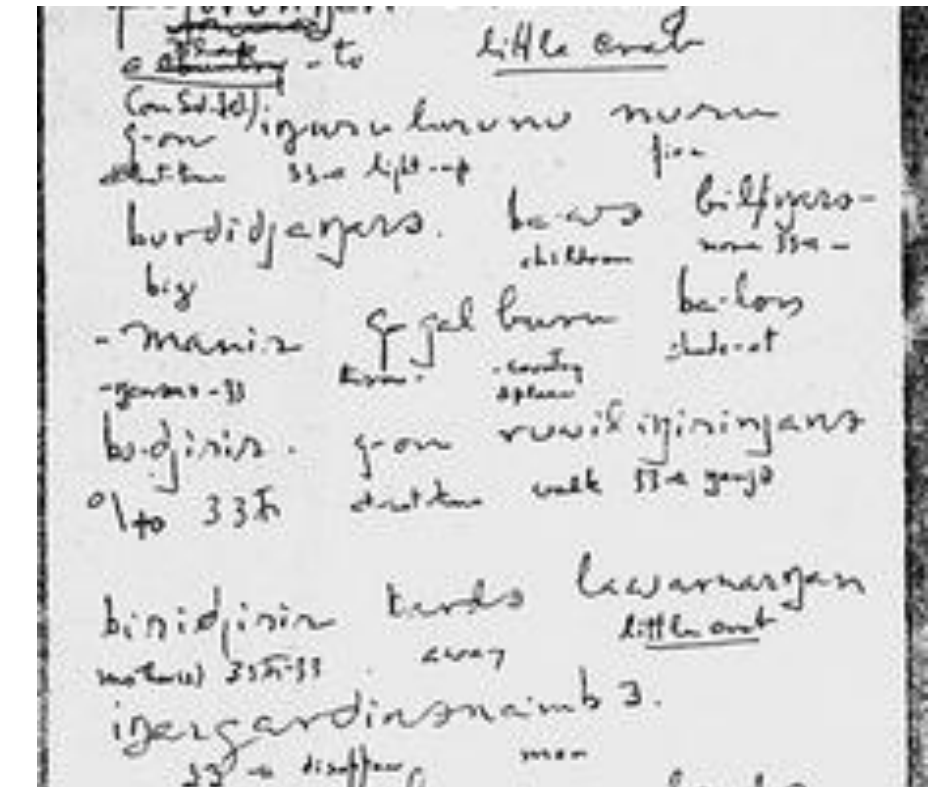




# Copyright and Colonial Collecting

Problems of access, ownership and control over ethnographic collections in the form of:

- Sound recordings
- Photographs
- Moving Images/Film
- Word lists
- Dictionaries
- Field-notes
- Unpublished Manuscripts





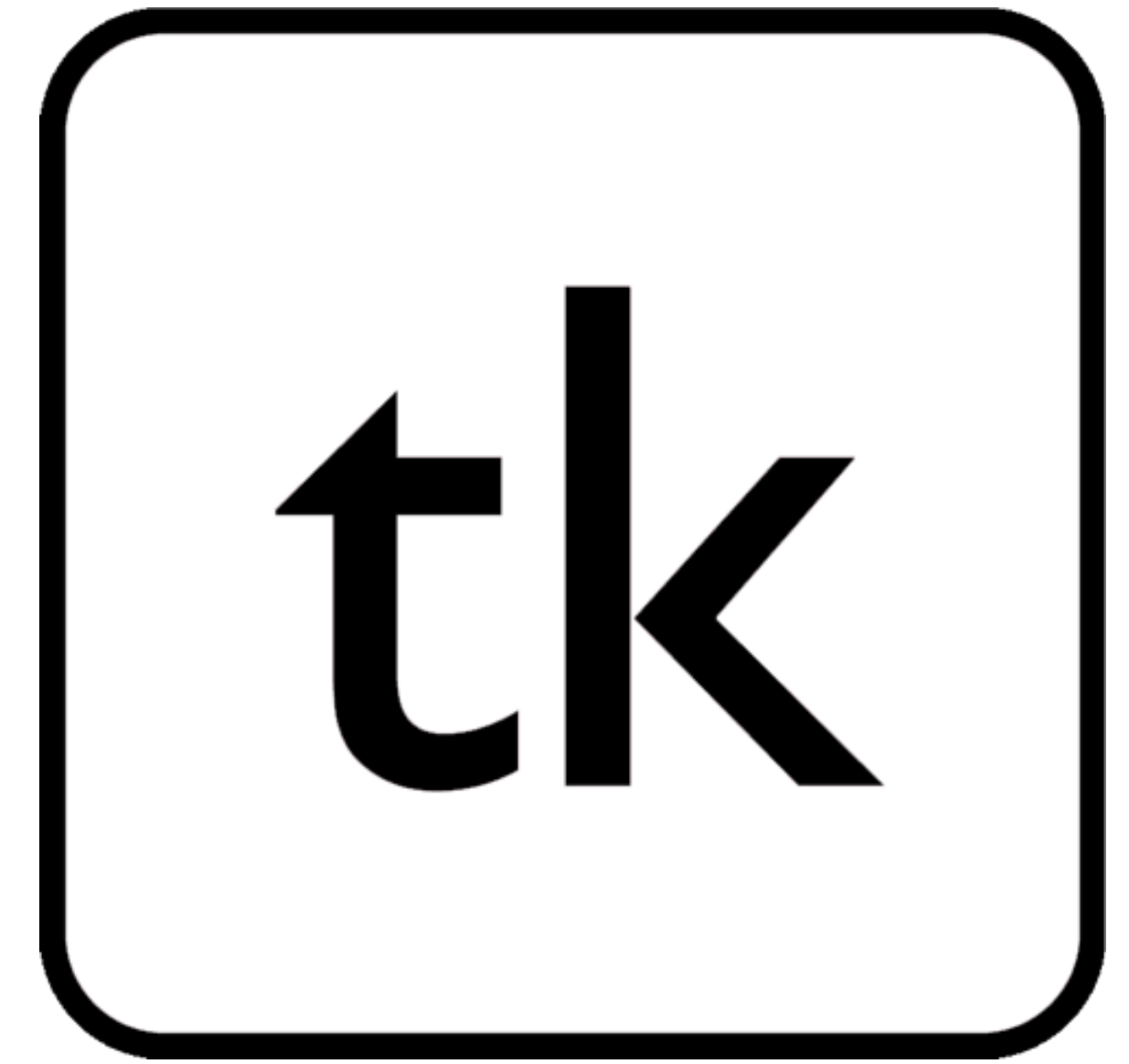


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alternative licensing and labeling



Penobscot Nation, Maine  
Passamaquoddy Tribe of Indians, Maine  
Karuk Tribe, California  
Plateau Peoples from Spokane, Colville, Umatilla, Coeur d'Alene,  
Warm Springs and Yakama Nations, Washington  
Hopi Nation, Arizona  
Pokagon Band of Potawatomi, Michigan  
Kaw Nation, Oklahoma  
Wampanoag Tribe of Gay Head, Massachusetts  
Tejon Tribe, California  
Sto:Lo First Nation, Canada  
Musqueam Nation, Canada  
Ziibiwing center for Anishinabe Culture and Lifeways, Michigan  
  
Inupiat Heritage and Language Center, Alaska  
Nez Perce Tribe, Washington  
Huna Heritage Foundation, Alaska


Communities  
testing the TK  
Labels



- All
- Agreements
- Cultural Protocols
- Deed of Gift
- Ethical Guidelines
- MOU/MOA
- Ownership

 Ethical Guidelines


NACE Steps for Conducting Research and Evaluation in Native Communities

 Cultural Protocols

Biocultural Community Protocols Toolkit

 Cultural Protocols

Potato Park Protocol (Peru)

 Cultural Protocols

Protocols for Native American Archival Material (USA)

 Cultural Protocols

Aboriginal and Torres Strait Islander Library and Information Resources Network Protocol (ATSILIRN) (Australia)

 Cultural Protocols

Guidelines for Ethical Research in Australian Indigenous Studies (GERAIS) (Australia)

 Cultural Protocols

Protocols for Working with the Australian Indigenous Artists (Australia)

 Cultural Protocols

Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore (Namibia, 2010)

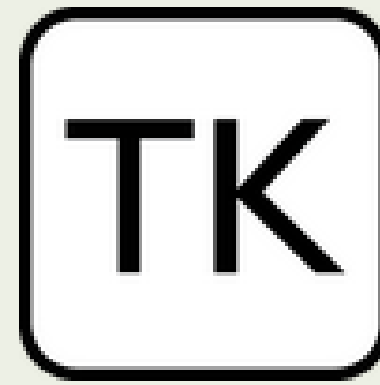
 Cultural Protocols

Samburu Community Protocol (Kenya)

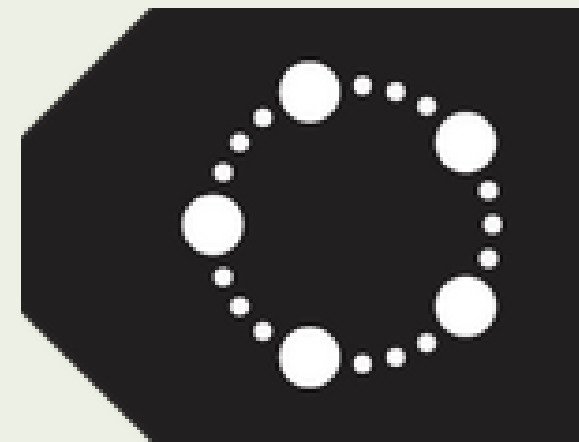
 Ethical Guidelines

AIATSIS – Guidelines for Ethical Research in Australian Indigenous Studies

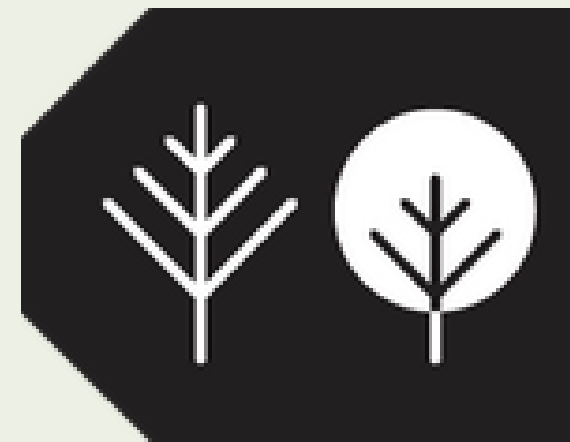




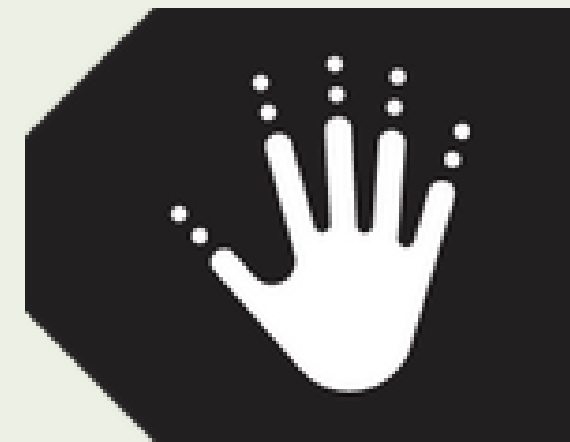
The TK Labels provide an option for conveying important information about cultural materials. Click on a Label below to learn more about its usage.



TK Family (TK F)



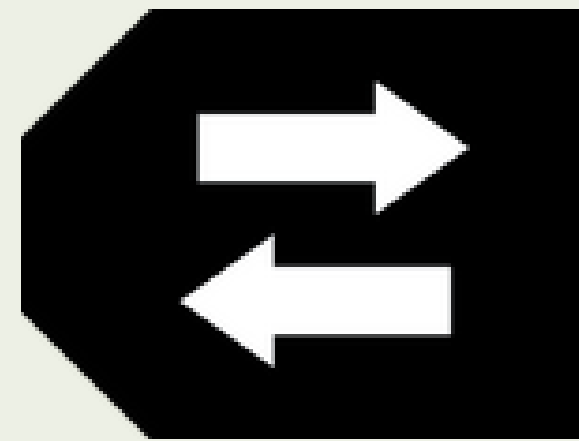
TK Seasonal (TK S)



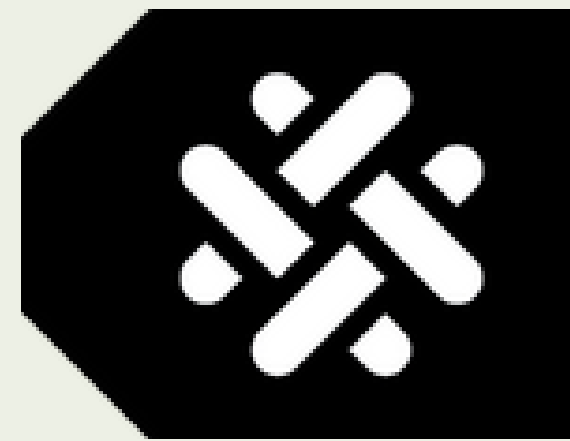
TK Outreach (TK O)



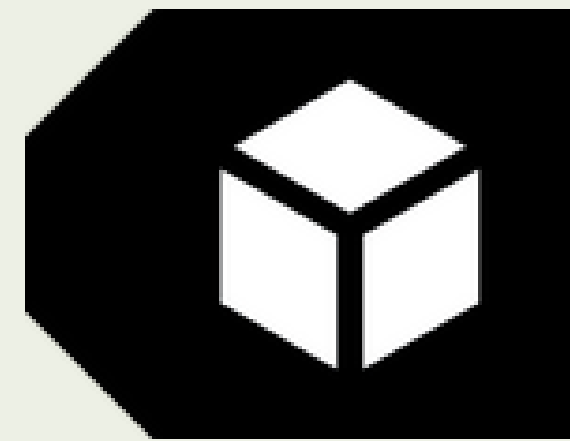
TK Verified (TK V)



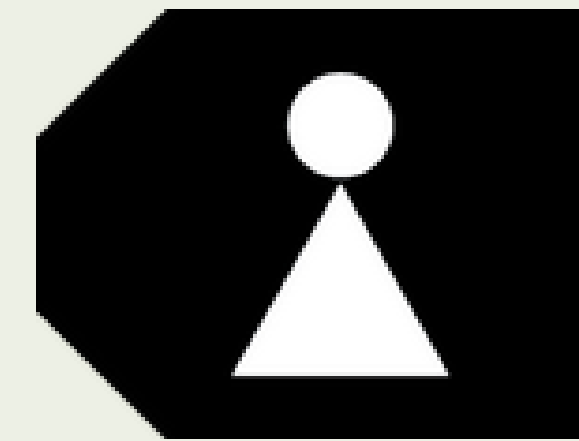
TK Attribution (TK A)



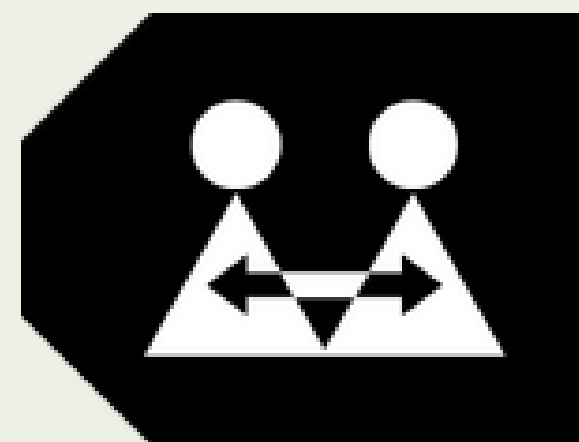
TK Community use Only (TK CO)



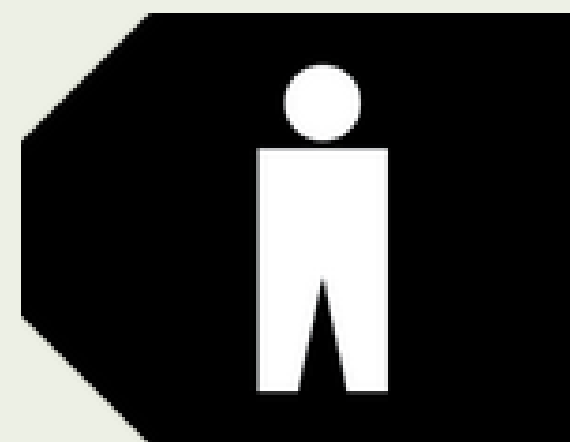
TK Secret / Sacred (SS)



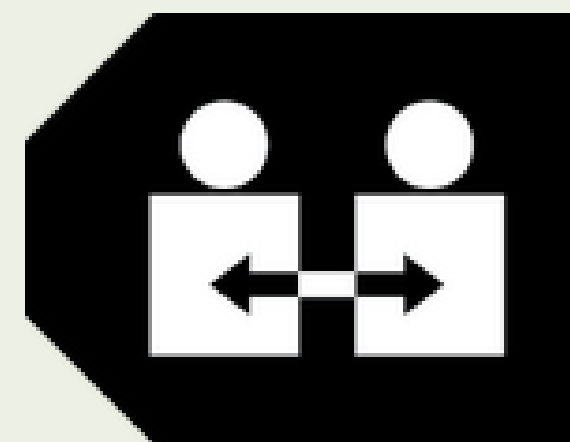
TK Women General (TK WG)



TK Women Restricted (TK WR)



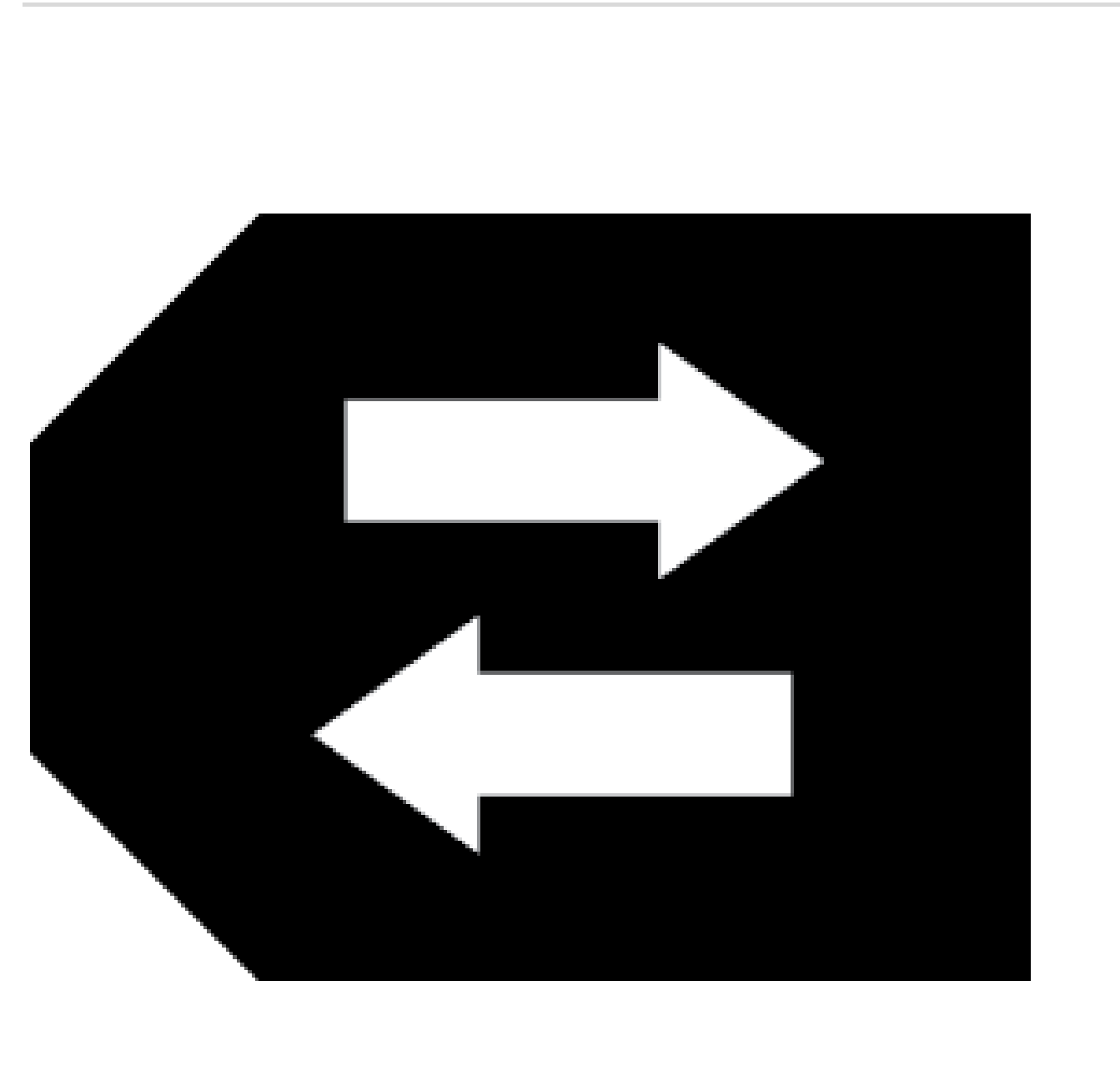
TK Men General (TK MG)



TK Men Restricted (TK MR)



TK Non-Commercial (TK NC)



## TK Attribution (TK A)

**Why Use This TK Label?** This label should be used when you would like anyone who uses this material to know who the correct sources, custodians, owners are. This is especially useful if this material has been wrongly attributed or important names of the people involved in making this material or safeguarding this material, are missing. This label allows you to correct historical mistakes in terms of naming and acknowledging the legitimate authorities for this material. This label asks for future users to also apply the correct names and attribution.

**TK Label Description:** This label is being used to correct historical mistakes or exclusions pertaining to this material. This is especially in relation to the names of the people involved in performing or making this work and/or correctly naming the community from which it originally derives. As a user you are being asked to also apply the correct attribution in any future use of this work.

Listen



Español / Spanish



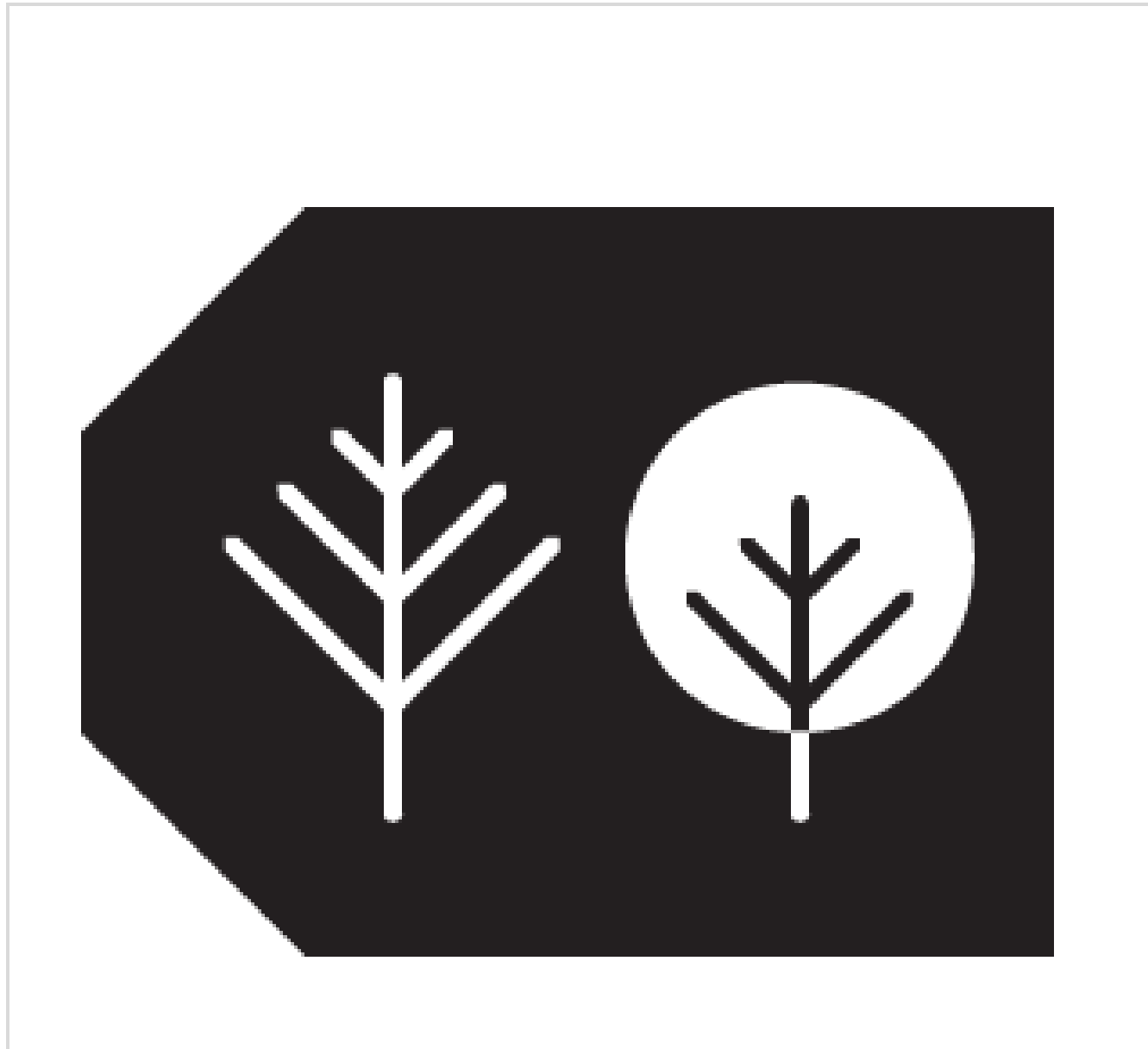
Example



Français / French









Listen 

## TK Seasonal (TK S)

**Why Use This TK Label?** This label should be used when you want to let external users know that the material that is openly circulating has seasonal conditions of access and use. This could mean that some material should only be used and heard at particular times of the year. It could also mean that the environment and land where this material derives also influences and impacts its meaning and significance. This label can be used to help external users know that there are land-based teachings in this material which affect proper use and respectful understanding.

**TK Label Description:** This label is being used to indicate that this material traditionally and usually is heard and/or utilized at a particular time of year and in response to specific seasonal changes and conditions. For instance, many important ceremonies are held at very specific times of the year. This label is being used to indicate sophisticated relationships between land and knowledge creation. It is also being used to highlight the relationships between recorded material and the specific contexts where it derives, especially the interconnected and embodied teachings that it conveys.

Español / Spanish 

Français / French 



Listen +

Example +

## TK Outreach (TK O)

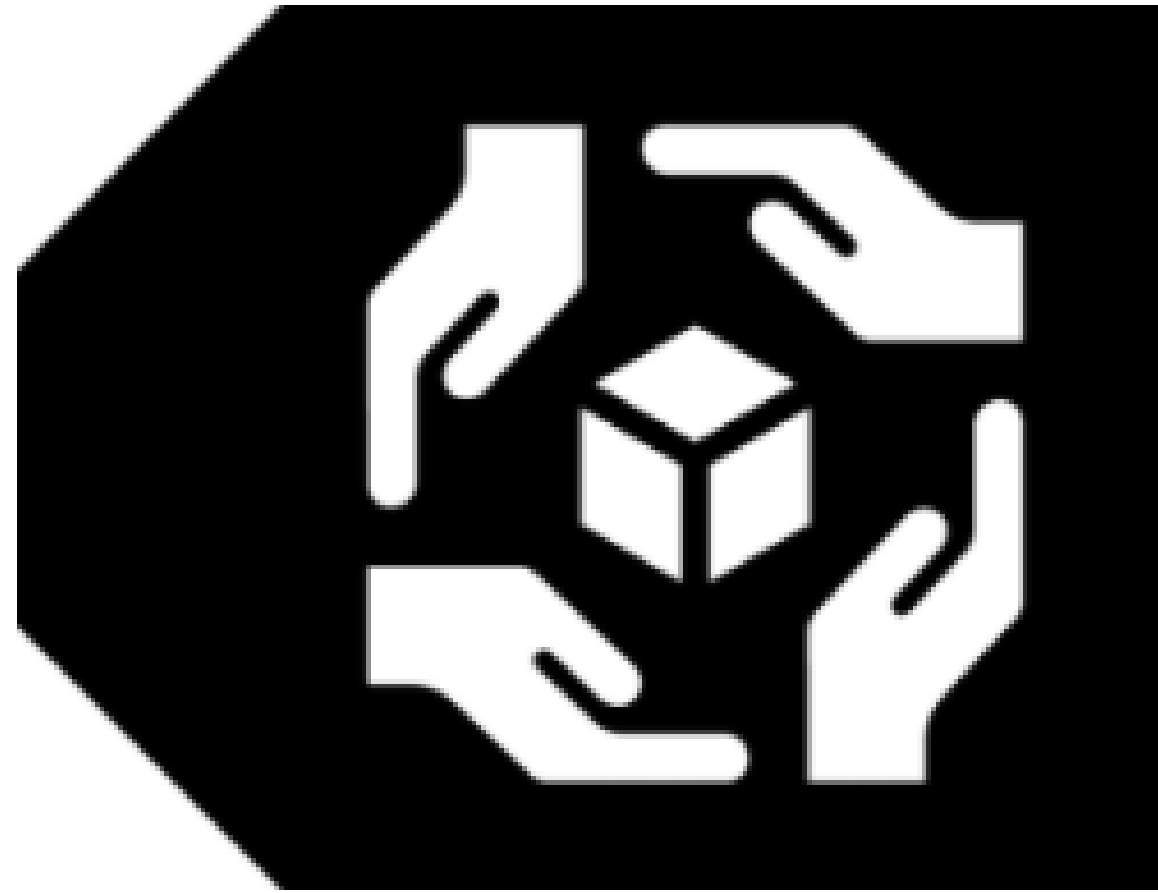
**Why Use This TK Label?** This label should be used when you would only like your cultural materials used for educational outreach activities. Outreach activities means to share works outside the community in order to increase and raise awareness and education about your family, clan and/or community. Sites for outreach activities can include schools, universities, libraries, archives, museums, online forums and small learning groups. Depending on what kind of context and the possibilities for increased circulation of this material, this label helps TK holders and users to develop new possibilities in the fair and equitable reciprocal exchange for use of this material in outreach activities. This exchange might include access to educational or other resources that your community has difficulty accessing under other circumstances.

**TK Label Description:** This label is being used to indicate that this material is traditionally and usually not publicly available. The label is correcting a misunderstanding about the circulation options for this material and letting any users know that this material can be used for educational outreach activities. This label asks you to respect the designated circulation conditions for this material and additionally, where possible, to develop a means for fair and equitable reciprocal exchange for the use of this material with the relevant TK holders. This exchange might include access to educational or other resources that are difficult to access under normal circumstances.

Español / Spanish +

Français / French +





Listen



## TK Culturally Sensitive (TK CS)

**Why Use This TK Label?** This Label should be used when you would like external users to know that this material has special sensitivities around it and should be treated with great care. These sensitivities could include: that it has only recently been reconnected with the community from which it originates, that the community is currently vetting and spending time with the material, and/or that the material is culturally valued and needs to be kept safe. This Label could also be used to indicate that there are cultural sensitivities around this material arising from legacies of colonialism, for instance, the use of derogatory language or descriptive errors within the content and/or content descriptions.

**TK Label Description:** This Label is being used to indicate that this material has cultural and/or historical sensitivities. The label asks for care to be taken when this material is accessed, used, and circulated, especially when materials are first returned or reunited with communities of origin. In some instances, this label will indicate that there are specific permissions for use of this material required directly from the community itself.

Español / Spanish



Français / French



# Communities Customizing TK Labels

Workshops, Localization, Negotiation



# Sq'ewlets Band of the Stó:lō First Nation



We are the Sqewlets People. We are Sqwōwich, People of the Sturgeon. This website shares our journey from ancient times to the present. Join us as we tell stories of our origins, sxwōxwiyám in our language, of our true histories, sqelqwel, and of our lives as First Nations people living at the confluence of the Harrison and Fraser Rivers of British Columbia today. Kwéleches, hello and welcome!





## **Traditional Knowledge Label: Attribution**

### **SKWIX QAS TE TÉMÉXW** (literally name and place)

This website represents the true knowledge and history of Sq'ewlets people. The attribution label literally means 'name' and 'place' in our language, skwix qas te Téméxw. We ask everyone that visits this website to attribute our knowledge and histories to us, the Sq'ewlets people, a tribe of Stó:lō. Our history has not always been respected or told correctly. Here we tell our own story in our own words. We are both holders and caretakers of our own lands, resources, and histories. It is the responsibility of our families and communities as Stó:lō people to take care of these things in a respectful way. Please feel free to contact us with further questions about attribution.

[More about Traditional Knowledge labels](#)



# TRADITIONAL KNOWLEDGE LABELS

## What are TK (Traditional Knowledge) Labels?

TK Labels are meant to help people outside our community understand the importance and significance of our cultural heritage. The labels provide information that is hard to find or missing from the current public record, such as community and family names, what conditions of use are considered appropriate, how to contact relevant family or community members, and how to arrange the right kind of permissions. They are used to help educate visitors to this website about the rights and responsibilities related to Sq'ewlets knowledge and cultural heritage.

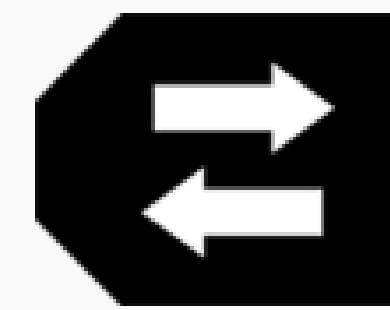
## How do they work?

TK Labels work like any other kind of label you might come across. For example a label on your clothing tells you where it was made. A label on your bread tells you its contents. The difference with TK Labels is that our community chose the labels used on this site in order to help site visitors to understand and respect our knowledge and cultural heritage.

## What is Sq'ewlets traditional knowledge?

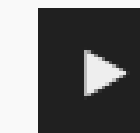
While we were producing this website, our community members discussed our own perceptions of Sq'ewlets traditional knowledge. As Sq'ewlets and Stó:lō people, our traditional knowledge is “our world, our teachings.” It is what comes down from our ancestors, passed from generation to generation. It is learning about your relations and taking care of the natural world. We learn how to look after the plants, animals, birds, the harvests, and the land. We learn how to respect ourselves and each other, how to give names, how to respect our world in ceremony. Everyone has a role—women, men, children, Elders. You learn from your

Four labels apply to the entire website: **attribution, non-commercial, outreach and verified.**



**ATTRIBUTION**

SKWÍX QAS TE TÉMÉXW

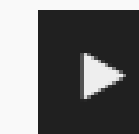


This website represents the true knowledge and history of Sq'ewlets people. The attribution label literally means ‘name’ and ‘place’ in our language, *skwix qas te téméxw*. We ask everyone that visits this website to attribute our knowledge and histories to us, the Sq'ewlets First Nation, a tribe of Stó:lō. Our history has not always been respected or told correctly. Here we tell our own story in our own words. We are both holders and caretakers of our own lands, resources, and histories. It is the responsibility of our families and communities as Stó:lō people to take care of these things in a respectful way. Please feel free to contact us with further questions about attribution.

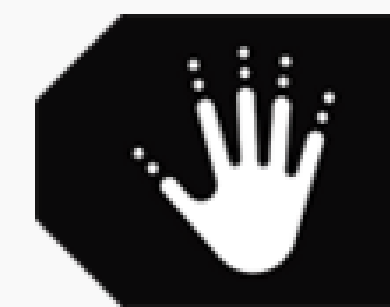


**NON-COMMERCIAL**

EWETA XWÓXWEYEM

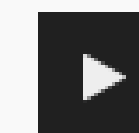


This website was produced for educational purposes. The non-commercial label refers to the fact that this knowledge is not to be used for commercial purposes. In our language, *eweta xwóxweyem* literally means ‘no selling’. We ask everyone to respect this label.



**OUTREACH**

S'ÍWES



This website is intended to share who we are as Sq'ewlets people, and particularly to educate. The outreach label means ‘educating’ and ‘teaching’ in our language, *s'íwes*. We ask that outsiders respect our culture by not using the content out of context. If you use content on this

# Passamaquoddy Tribe, Maine and the Library of Congress





# The Snake Song and Dance recorded March 18, 1890

“Snake song and description by Newell Josephs of the Passamaquoddy tribe,  
Calais Maine, March the 18th, 1890.”  
Cylinder 4,235



# MARC record changes

Library of Congress |  
American Folklife Center

908                    \$a 0 \$b lbc \$c orignew \$d u \$e ncip \$f 20 \$g y-folklife  
955                    \$a mkru 2016-02-24  
033    0        0    \$a 18900317  
010                    \$a 2015655550 [scan barcode LCCN]  
040                    \$a DLC \$c DLC \$e dacs  
043                    \$a n-us-me  
090                    \$a Cylinder #233  
090                    \$a AFS 14737 A5  
090                    \$a RKF 1724 [supply MAVIS shellist number]  
090                    \$a AFC 1972/003 SR02  
245    0        0    \$a Story of the fisher and the sable, in part 4 \$h [sound recording] / \$c spoken by  
                          Peter Seimore.  
246    1                    \$a Alternate title in Passamaquoddy [supplied by Passamaquoddy, if desired]  
246    1                    \$a Alternate title in English [supplied by Passamaquoddy, if desired]  
260                    \$c 1890.  
300                    \$a 1 sound cylinder (2:33 min.) : \$c 4 in. [supply duration from digital sound file]  
518                    \$a Recorded in Calais, Maine on March 17, 1890 by Jesse Walter Fewkes.  
505    2                    \$a Contents note, in English and/or Passamaquoddy [optional, supplied by  
                          Passamaquoddy community if desired, this would be a full or partial translation of  
                          the contents, or a summary or log, in either or both languages]  
500                    \$a [Optional notes from David A. Francis collection]  
533                    \$a Digital preservation copy from original cylinder on Archeophone #27. \$c Library  
                          of Congress. \$d 2015 October 23. \$e 85.57 Mbytes BWF.  
500                    \$a Engineer notes: Cylinder appears to have been shortened.  
506    1                    \$a Access to recordings may be restricted. To request materials, please contact  
                          the Folklife Reading Room at \$u <http://hdl.loc.gov/loc.afc/folklife.contact>  
540                    \$a Rights are held by the Peabody Museum of Archaeology and Ethnology,  
                          Harvard University.



**B** *I* |  $\frac{1}{2}$  |  $\frac{1}{3}$  | ” | | |

## TK Attribution Label (TK A)

# Elehtasik Nit

(this is how it is done, this is the right way)

This label is being used to correct historical mistakes or exclusions pertaining to this material. The name of this Label, Elehtasik Nit, means ‘this is the right way; how it should be done’. When using material with this Label, please use the correct attribution for this material. This may include individual Passamaquoddy names, it may include Passamaquoddy as the correct cultural affiliation or it may include Passamaquoddy Tribe as the tribal designation. For further advice please contact: Donald Soctomah <soctomah@gmail.com>

[Text editor](#)

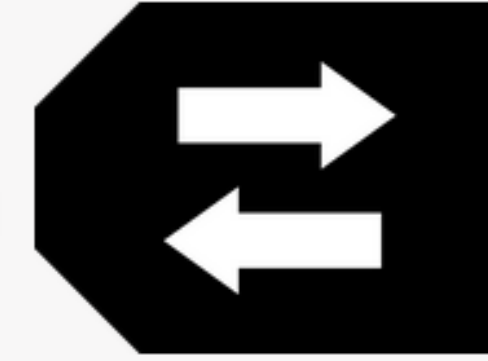
[Learn more about text formats](#)

1L

HTML tags: <a> <em> <strong> <cite> <code> <ul> <ol> <li> <dl> <dt> <dd>  
<div> <div> paragraphs break automatically.

»W

## TRADITIONAL KNOWLEDGE



TK A



TK O



TK NC

**AUTHOR:**

[admin](#)



Comment \*

Format **B** *I* [List icons] [Quote icon] [Link icon] [Unlink icon] [Cut icon] [Copy icon] [Paste icon] [Undo icon] [Redo icon]

[Switch to plain text editor](#)

[More information about text formats](#)

**Text format**

Filtered HTML

- Allowed HTML tags: <a> <em> <strong> <cite> <blockquote>
- Lines and paragraphs break automatically.

Save

Preview

**TK Outreach Label (TK O)**

# Ekekimway Yut

(this is a teaching tool; you learn from this)

This Label indicates that certain material has been identified by Passamaquoddy tribal members and can be used and shared for educational purposes. The name of this Label, Ekekimway Yut means 'you learn from this'. The Passamaquoddy Tribe are a present day community who holds cultural authority over its heritage. This Label is being used to teach and share cultural knowledge and histories in schools. It is also being used to raise greater awareness and respect for Passamaquoddy culture and worldviews. If you want to use any material with this Label in educational contexts, please contact: Donald Soctomah <soctomah@gmail.com>

**TRADITIONAL KNOWLEDGE LABELS:**



TKA



TKO













TKNC

AUTHOR:

admin

## Comment \*

Format **B** *I*          

[Switch to plain text editor](#)

[More information about text formats](#)

### Text format

Filtered HTML

- Allowed HTML tags: `<a>` `<em>` `<strong>` `<cite>`
- Lines and paragraphs break automatically.

Save

Preview

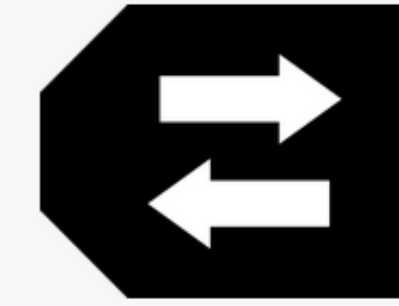
### TK Non-Commercial Label (TK NC)

# Mayutmonwasiw

(this is not to be purchased)

This Label indicates that this material should not be used in any commercial ways, including ways that derive profit from sale or production for non-Passamaquoddy people. The name of this Label Mayutmonwasiw means 'this is not to be purchased'. If you are unsure if your use is non-commercial, please contact: Donald Soctomah [<soctomah@gmail.com>](mailto:soctomah@gmail.com)

### TRADITIONAL KNOWLEDGE LABELS:



TK A



TK O



TK NC

**AUTHOR:**

[admin](#)

MUSIC RECORDING (PART OF COLLECTION)

# Passamaquoddy War song ; Trading song = Esunikanen

[Full Record](#)[MARC Tags](#)

Main title

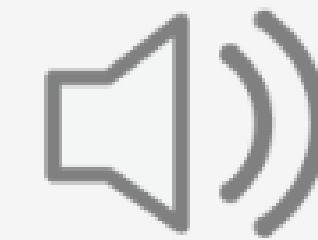
Passamaquoddy War song ; Trading song = Esunikanen [sound recording] / sung by Peter Selmore.

Published/Created

1890-03.

[Request this item](#)[Where to Request](#)

LCCN Permalink	<a href="https://lccn.loc.gov/2015655578">https://lccn.loc.gov/2015655578</a>
Description	1 sound cylinder (2:45 min.) ; 3.75 in.
Rights advisory	Traditional Knowledge Label: Non-Commercial - Mayutmonwasiw (not for sale, this can't be bought) Rights are held by the Peabody Museum of Archaeology and Ethnology, Harvard University.
Access advisory	Traditional Knowledge Label: Attribution - Elintwasik Nit (this is how it is done, this is the right way) Traditional Knowledge Label: Outreach - Ekekimway Yut (learn from this) Access to recordings may be restricted. To request materials, please contact the Folklife Reading Room at <a href="http://hdl.loc.gov/loc.afc/folklife.contact">http://hdl.loc.gov/loc.afc/folklife.contact</a>
Local shelving no.	Cylinder 4260 AFS 14739: A1 RKF 0006 AFC 1972/003: SR29
Variant title	Jesse Walter Fewkes collection of Passamaquoddy cylinder recordings SR29

MUSIC  
RECORDING[PRINT RECORD](#)[SAVE RECORD](#)[EMAIL RECORD](#)[CITE RECORD](#)[MARCXML Record](#)[MODS Record](#)[Report Record Errors](#)[Ask a Librarian](#)[Feedback](#)





All Formats Search Loc.gov GO

Print Subscribe Share/Save Give Feedback

Audio Recordings

Mi'kachi Song

Mi'kachi Song 1895/09

Audio Controls

Download: MP3 Go

About this Item

Title

Mi'kachi Song

Other Title

Wolf Song

Contributor Names

- Wells, Charles (Ki'baxthagthitho) (Elk who comes back suddenly and meets hunter face to face) (Performer)
La Flesche, Francis, 1857-1932 (Recordist)
Merrick, Joseph (Gion'zethinge) (None to teach him) (Performer)
Saunsoci, Ardent (Performer)
Fletcher, Alice C. (Alice Cunningham), 1838-1923 (Collector)
La Flesche, Francis, 1857-1932 (Collector)

Created / Published

1895/09

Genre

- Music
Field recordings
Songs

Traditional Knowledge Labels

- Attribution
Outreach
Seasonal

Notes

- This song was collected by Alice Cunningham Fletcher and Frances La Flesche. It is included on "Omaha Indian Music: Historical Recordings from the Fletcher/La Flesche Collection" (AFC L71).
- From the liner notes of the "Omaha Indian Music" album:
- Modern song. Composer Wa-dhi-gha-ge, went on warpath. Went out as scout, saw wolf, thought it was a man. Stole around him carefully and found out he was only a wolf. Then composed this song and sang to the trader. Sung on one of the last excursions. (La Flesche)
- In traditional Omaha society wolves were naturally associated with wars and warriors. As Fletcher and La Flesche note, "In myths that deal with the creation of the earth . . . man's restlessness, his questionings of fate, his

Part of...

- Alice C. Fletcher and Francis La Flesche Collection of Omaha Cylinder Recordings (44)
Omaha Indian Music (872)
American Folklife Center (22,528)
The Library of Congress Celebrates the Songs of America (100,016)
Performing Arts Encyclopedia (111,778)
American Memory (561,036)

Format

Audio Recordings

Contributors

- Fletcher, Alice C. (Alice Cunningham)
La Flesche, Francis
Merrick, Joseph (Gion'Zethinge) (None to Teach Him)
Saunsoci, Ardent
Wells, Charles (Ki'Baxthagthithon) (Elk Who Comes Back Suddenly and Meets Hunter Face to Face)

Dates

1895

Location

Nebraska
United States

Language

Library of Congress  
Field Museum  
Abbe Museum  
Yale Indian Papers, Yale University  
Columbia University Center for Ethnomusicology  
American Museum Natural History  
Washington State University  
National Museum of the American Indian  
Brooklyn Museum  
University of Maine (Orono)  
New York University  
Sam Noble Museum

Institutions we are  
working  
with/thinking about  
using the TK  
Labels:

## Next Steps:

1. Enhancing the Tribal Partner Coalition for TK Label Development
2. Finalizing the TK Label Adaptor
3. Building the Model for Institutional Implementation
4. Testing TK Labels in other digital contexts – eg Scalar and Digital Publishing and Wikipedia
5. Creating a TK Label Citational Guide
6. Developing a new TK Notice for biodiversity collections – eg Atlas of Living Australia (CSIRO)



Local Contexts  
[www.localcontexts.org](http://www.localcontexts.org)

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The logo consists of the lowercase letters 't' and 'k' in a bold, black, sans-serif font. The 't' has a distinctive arrowhead at the top of its vertical stem. The 'k' is also bold and sans-serif. The letters are centered within a white rounded square that has a thick black border. This square is positioned on the right side of the slide, overlapping the orange background.

tk