

Access to Culturally Sensitive Indigenous Materials in the Newberry Library Collections

Respect for Indigenous cultural traditions and practices guides all aspects of library service at the Newberry. The library remains committed to consulting and developing relationships with communities whose cultures are represented in the collections. Our staff responds cooperatively to tribal requests to view materials or order copies, works to improve descriptive practices for Indigenous cultural materials, and strives to be sensitive and responsive to the needs of all readers and visitors.

This document provides guidance in handling and making available culturally sensitive Indigenous materials in the Newberry Library collections. It aims to balance the library's commitment to free and equal access to collections with respect for the rights of tribal nations and Indigenous communities to protect materials created by them, materials created by others that depict their cultures, and traditional knowledge preserved in these materials.

This document is based on the following principles:

1. Some collection materials at the Newberry are culturally sensitive for Indigenous communities.
2. The physical and digital objects (and their digital representations) in the Newberry collection are owned by and belong to the library, but many contain traditional knowledge—a type of intellectual property—that belongs to Indigenous communities.
3. The library is committed to preserving the materials in the collection and making them freely available for research in its reading rooms whenever possible, while always respecting Indigenous protocols.
4. Some collection materials have been donated to the Newberry with restrictions on access, which the library honors. The Newberry will only consider imposing new restrictions on access to collection materials that have previously been open and available for research after consulting with a Tribal Historic Preservation Officer (THPO) or a similar official for the affected tribal nation or Indigenous community.
5. The Newberry welcomes input to determine whether collection materials are culturally sensitive.
6. The Newberry treats all readers with respect and provides a welcoming environment for research, consultation, and cultural practice.

Culturally sensitive Indigenous materials are defined as “tangible or intangible property and knowledge that pertains to the distinct values, beliefs, and ways of living for a culture. It often

includes property and knowledge that is not intended to be shared outside the community of origin.”¹ What is culturally sensitive to one community may not be sensitive to another, but in general such materials include “any Indigenous material that depicts a tribal spiritual or religious place (e.g., kiva or Midewinn [*sic: Midéwīwin*] lodge), object (e.g., Iroquois [*sic: Haudenosaunee*] masks), or belief or activity (e.g., Cherokee sacred formulae). A spiritual or religious activity may include prayers, ceremonies, burials, songs, dances, healings, and medicine rituals.”² Materials may be culturally sensitive at certain times of year and not at other times, as with Anishinaabe stories and songs. Other materials may have gendered cultural protocols, as with some Australian Aboriginal materials. For more information on potentially offensive materials and descriptions, see the Newberry’s [Statement on Potentially Offensive Materials and Descriptions](#).

Certain Newberry collection items have been identified as culturally sensitive (See Appendix A), and our effort to identify all culturally sensitive materials in the collection is ongoing. See Appendix B for a fuller explanation of the process by which the library identifies culturally sensitive materials. Known culturally sensitive materials have been flagged for identification by Newberry staff, who will inform users of library policy.

The library will not display identified culturally sensitive materials on the Newberry website, exhibit them publicly, or show them to visiting classes or groups unless such uses are approved by the proper Tribal Historic Preservation Officer or similar official for the affected tribal nation or Indigenous community. Readers may continue to request and view culturally sensitive materials in the Newberry Library reading room, unless restrictions on access to the materials are placed on the item upon consultation with the affected tribal nation or Indigenous community. (See point 4 in the guiding principles above.) There are Newberry collection materials that are potentially culturally sensitive, but which have not yet been formally identified as such. In selecting materials to exhibit and show to classes and general interest groups, the library will strive to omit items that could be classed as culturally sensitive according to the general definition above. Culturally sensitive materials may be digitized for preservation purposes, but will not intentionally be made publicly available online.

The Newberry encourages researchers to respect the sensitive nature of certain materials, whether or not they have been formally identified by the library as culturally sensitive and whether or not they have been previously published. In addition to honoring copyright, privacy, and donor restrictions that may govern the use of library collections, readers should consult relevant Indigenous communities before reproducing or publishing culturally sensitive, or potentially culturally sensitive, materials.

¹ “Brief Glossary of Terms: Culturally sensitive,” In “*Protocols for Native American Archival Materials*,” April 9, 2007. <http://www2.nau.edu/libnap-p/protocols.html>

² “American Philosophical Society Protocols for the Treatment of Indigenous Materials,” *Proceedings of the American Philosophical Society*, Vol. 158, No. 4, December 2014, p. 415.

Appendix A: Examples of Identified Culturally Sensitive Materials

[VAULT](#) [oversize Ayer Art Dorfeuille](#), no. 1, 2, 31, 32, 36 (drawings of human remains)

[VAULT](#) [oversize Ayer Art Grider](#), “Scrap Album” (depictions of Haudenosaunee (Iroquois) false face masks)

[Ayer Modern MS Wellington](#) (slides of Assiniboine and Atsina (Gros Ventres) dances and ceremonies)

Ayer Photographs, [Hillers Collection](#): Box 94, AP 2220 (Hopi dance); Box 95, AP 2251-2252 (Zuni clowns and dance)

[VAULT](#) [oversize Ayer MS 3229](#), Cherokee Bread manuscript (descriptions of sacred ceremonies and medicinal formulae)

Appendix B: Procedures for Identifying Culturally Sensitive Materials

Newberry Staff will continue the ongoing process of identifying culturally sensitive materials and consulting with respective Indigenous communities to determine appropriate use and access protocols for these items. This process will continue for the foreseeable future because of the collection's size and the complexity of the issues involved. We cannot guarantee that all culturally sensitive materials have been flagged.

Readers and/or library staff who identify materials that may be culturally sensitive for Indigenous people (following the principles, definition, and guidelines provided in this document) are encouraged to notify any of the following staff members:

Will Hansen
Director of Reader Services and Curator of Americana
hansenw@newberry.org
(312) 255-3527

Alison Hinderliter
Lloyd Lewis Curator of Modern Manuscripts
hinderlitera@newberry.org
(312) 255-3554

Analú López
Ayer Indigenous Studies Librarian
lopeza@newberry.org
(312) 255-3521

Rose Miron
Director, D'Arcy McNickle Center for American Indian and Indigenous Studies
mironr@newberry.org
(312) 255-3569

Please include the call number, the particular pages or images that may be culturally sensitive, and the nature of the sensitivity.

When the potentially sensitive materials may be unpublished (such as manuscripts, original photographs, art works, and audiovisual materials), Newberry staff will make all reasonable efforts to contact the relevant Tribal Historic Preservation Officer or a similar official for the affected tribal nation or Indigenous group to discuss the materials. For published materials, Newberry staff will make a determination based on the relevant protocols and definitions developed by and/or in consultation with Indigenous experts.

When materials are deemed culturally sensitive, the following steps will be taken to identify them as such:

- A flag or label will be inserted in the item(s) notifying readers and staff that the item contains culturally sensitive content.

- Staff will add the item(s) to a comprehensive list of identified culturally sensitive materials in the Newberry's collections.
- Staff will notify the reader of the presence of the material when delivering it for their use in the Newberry's reading rooms.
- A note will be added to the catalog record and/or archival finding aid for the item(s) stating that the item is culturally sensitive.
- If and when digital images are made of the culturally sensitive content, metadata will include a similar note.
- Applicable Traditional Knowledge (TK) labels may be added to the catalog record and/or archival finding aid for the item(s) after consultation with a THPO or similar official for the affected tribal nation or Indigenous community. For more information on TK labels, see <https://localcontexts.org/labels/traditional-knowledge-labels/>.
- Staff will not restrict access to or assign protocols to materials without consultation with a THPO or similar official for the affected tribal nation or Indigenous community.

August 15, 2016 (Martha Briggs, Will Hansen, Patricia Marroquin-Norby, Seonaid Valiant)

Revised January 13, 2021 (Will Hansen, Alison Hinderliter, Alan Leopold, Analú López, Rose Miron, John Powell, Alice Schreyer, Blaire Topash-Caldwell)