

# Ethical practices in language documentation and archiving

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Archiving and Linguistic Resources ◆ LSA ◆ Jan 6-9, 2005

photo: Alan Boraas



# *Documentation is based upon personal relationships*



# *Archiving is an integral part of language documentation*

- ❖ documentation without archiving is of limited value
- ❖ archiving task must be delegated
  - linguists don't have adequate resources to archive
  - linguists are mortal

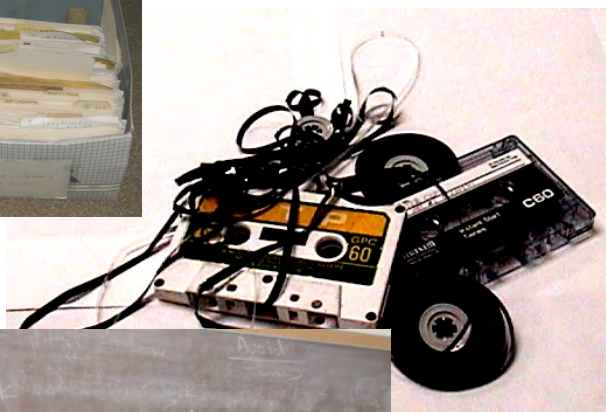
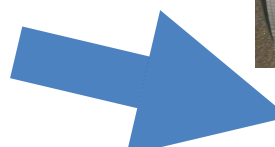




# *From field to archive*



speech  
community



documentation



archive

# *Ethics in language documentation*

- ❖ 2-party issue: speakers and linguists
- ❖ basic principles founded on personal code of ethics
  - informed consent
  - give something back
  - preserve and provide access to data
- ❖ many excellent sources
  - Newman & Ratcliff 2001
  - Shopen 1979



# *Ethics in language archiving*

- ❖ 3-party issue: speakers, linguists, archives
- ❖ good intentions don't always translate well
  - linguists (usually) want to do the right thing
  - but may not be able to effectively guarantee
- ❖ pragmatic concerns
  - decisions about what is “right” must be delegated through a third party, the archive, which must adhere to established standards for access



# *Archiving itself is an ethics issue*

speech communities demand proper  
preservation of and access to  
language documentation materials





# *A call for preservation*

You guys I want to put this in  
your heart, in your mind.  
That one day—how many  
recordings I make for you?  
Respect, take care.  
Don't say "I lost that recording"  
My words are very strong words,  
you gotta keep that recording.

*Ellen Demit*

(Healy Lake, Alaska)





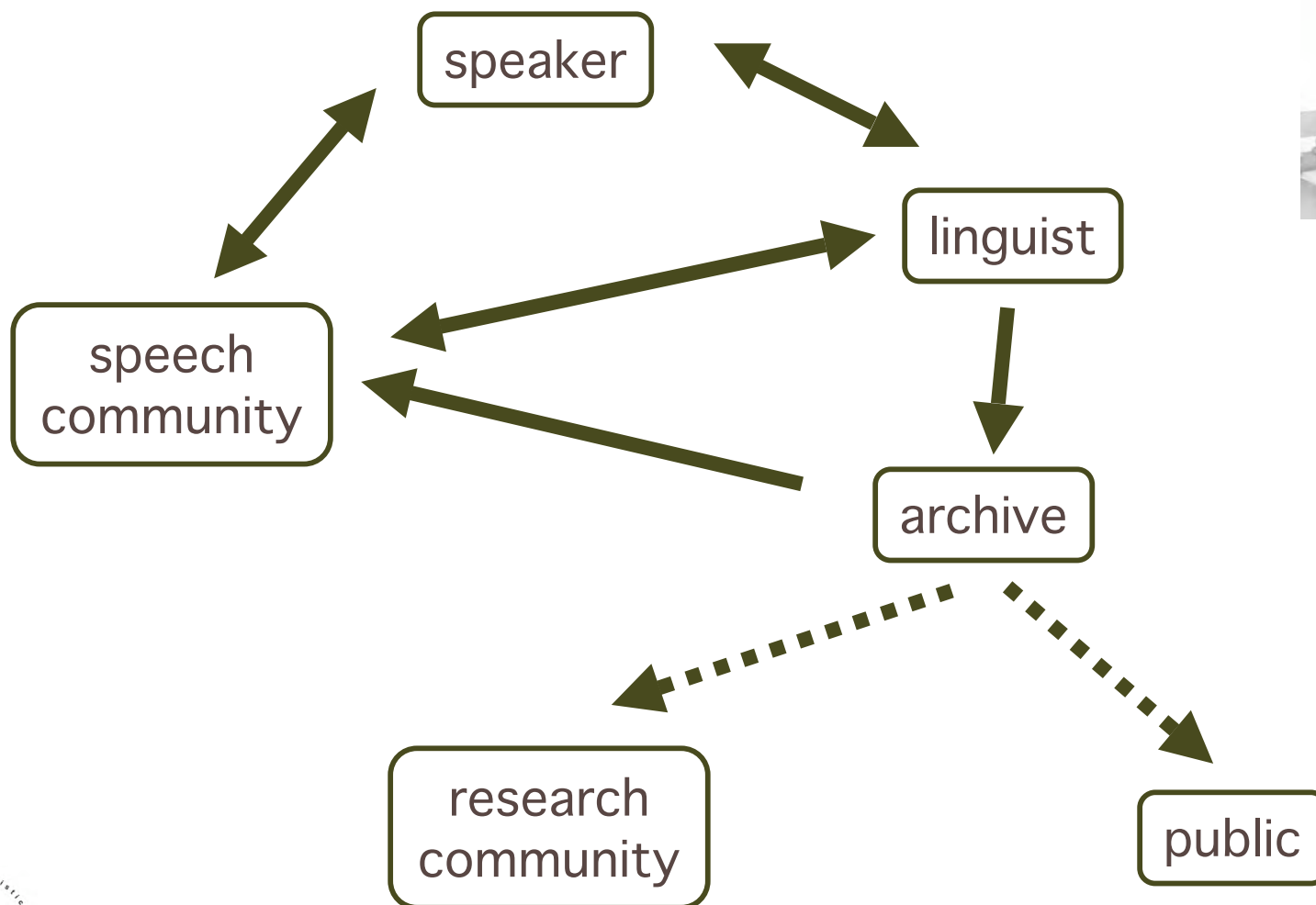
# *A call for access*



You know, all these recordings ... if we don't get it out and learn about it, where are we going to learn from? These are old recordings. We want to get it out and teach our younger children what the elder people are talking about. I think that's a very good idea for getting it free so we can listen to them.

*Andrew Balluta*

# *Complex chain of access*



# *The problem*

- ❖ institution (archive) responsible for providing access
- ❖ individual (linguist) has best knowledge of access rights
- ❖ where access rights are not sufficiently documented, *both* preservation and access may be jeopardized





## *Example 1: no permissions*

- ❖ archive holds recordings obtained without documented permissions
- ❖ speaker, depositor, and close relatives now deceased
- ❖ community would like access to recordings for revitalization project
- ❖ archive legal counsel advises against providing access



## *Example 2:* *no provision for inheritance*

- ❖ archive holds recordings with permission to make them available to “community members”
- ❖ telephone call from person claiming to be community member and wanting access
- ❖ who verifies membership?



# *Legal and ethical issues are intertwined*

- ❖ Legal -- what people can do
  - varies by jurisdiction
  - usually involves money
  - impinge more on institutions (archives)
- ❖ Ethical -- what people should do
  - generally agreed moral principles
  - more important in the non-profit domain
  - impinge more on linguists





# *Recommendations*

- ❖ Before beginning a documentation project
  - develop an archiving plan in consultation with
    - language archive
    - language community
  - obtain informed consent
  - secure and document permissions



# Deed of Gift / License Agreement

- ❖ permits explicit specification of access restrictions
- ❖ provisions for future control of access restrictions
- ❖ permits copying and transfer of media

**Alaska Native Language Center Archive (ANLCA)**

**Deed of Gift**

The Alaska Native Language Center Archive is a repository for materials which document the indigenous languages of Alaska. ANLCA will consider for accession any written material and recordings in and about the indigenous languages of Alaska. This form should be used by persons wishing to deposit materials with ANLCA. Questions regarding deposit of materials should be directed to Lorraine Kaplan, ANLCA Director, (907) 474-7874 or [lgk@alaska.edu](mailto:lgk@alaska.edu)

**A. PERSONAL DETAILS**  
Name of depositor: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Check this box if you do not wish your contact information to be made available to potential users of this material.

**B. DETAILS OF THE MATERIAL TO BE DEPOSITED**  
Title of collection (if your collection does not have a title, please provide information which will assist in assigning a collection title): \_\_\_\_\_  
Brief description of collection: \_\_\_\_\_

**C. ACCESS RESTRICTIONS**  
In archiving audio recordings ANLCA assumes ownership only of the physicality of the material being archived at ANLCA. This is not a waiver claim to intellectual property rights or ownership of content of the recording. Ownership of the content of the recording remains with the original speaker, their descendants, their community, the depositor, and their representatives. ANLCA is committed to honoring access restrictions requested by the speaker or depositor.  
Ownership of intellectual property often extends across several individuals, communities, and/or organizations. Please indicate names and addresses of relevant individuals, communities, tribal organizations, and/or funding organizations who you believe may have rights to this material.



# *Seek local guidelines*

## Assembly of Alaska Native Educators

- “Linguists can help strengthen heritage languages through ... **assist[ing] in the conservation and preservation** of heritage language materials, including appropriate media and storage facilities.”
- “Researchers may increase their cultural responsiveness through ... **ensur[ing] controlled access** for sensitive cultural information....”





# *Respect moral rights*

“right to claim authorship ... and to object to any distortion, mutilation, or other modification of, or other derogatory action...” (Lieberman 2000)



# *Think long-term*

- ❖ make archiving an integral part of the documentation process
- ❖ encourage speech community to develop procedures for long-term preservation and access
- ❖ document access rights





# References

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