

THE  
NEW YORKER

# THE PASSAMAQUODDY RECLAIM THEIR CULTURE THROUGH DIGITAL REPATRIATION

By E. Tammy Kim January 30, 2019



*In 1890, the anthropologist Jesse Walter Fewkes gathered members of the Passamaquoddy to record folk stories, songs, and chants. For years, the tribe did not know the whereabouts of these recordings.*

Photograph Courtesy Passamaquoddy Cultural Heritage Museum

In late September, I travelled to Indian Township, Maine, the largest of three Passamaquoddy reservations, for the tribe's annual ceremonial-days festival. That far northeast, the state is all water-edged hills and long stretches of humanless, single-lane roads, and it was in full autumnal splendor. Outside the reservation's tribal office, in a field that was steps away from a shimmering lake, a few hundred Passamaquoddy people gathered to celebrate in pan-Indian powwow style. Donald Soctomah, the tribe's soft-spoken historic-preservation officer, whom I'd been in touch with by phone,

welcomed me to Indian Township. I knew him as the tireless steward of all things Passamaquoddy: he's a photographer, archivist, museum curator, writer of books, designer of curricula, birch-bark-canoe builder, and former (non-voting) tribal representative to the state legislature. When I met him in person, after hearing his surname mentioned throughout the reservation, I learned that he's also a father of thirteen. "I'm doing my part to keep the tribe going," he said, with a rare chuckle.

The one thing that Soctomah doesn't do is dance, so we stood at a remove from the drum circle, he in a windbreaker and baseball cap, as other festivalgoers moved clockwise around the yard. They danced in the subtle manner of Passamaquoddys: rod-straight backs; short, light steps; offbeat lifts of the abdomen. There was a solemn moment, too, as the names of those who'd died of illness, addiction, and old age in the previous year were called. In the afternoon, the yard was cleared for the traditional Passamaquoddy hunter's dance. The fifty-three-year-old Dwayne Tomah, who was wearing a fringed nubuck tunic and a tall feather hat and carrying a small tomahawk, walked to the middle of the field. A hand drum, amplified from the sidelines, projected a gentle beat. Tomah squatted, knees low to the ground, as if he were stalking prey. Then, as the music crescendoed, he leaped, suddenly, into the air.

Passamaquoddy music and rituals have been studied by academics for more than a century, but the tribe, whose name means "people who spear pollock," has had little say over the use of its cultural property. In 1890, just months before the murder of some hundred and fifty Lakota Indians at Wounded Knee, a mustachioed anthropologist named Jesse Walter Fewkes dragged a state-of-the-art Edison phonograph to Passamaquoddy country. This was during the height of "salvage anthropology," an attempt to document the many tribes that were being massacred into extinction, and Fewkes had received funding to study the Hopi and Zuni people, in the American Southwest. Before journeying there, he decided to practice recording on the "remnants of the Passamaquoddy." The wife of the local Indian agent, who served as a liaison with the U.S. government, recruited members of the tribe to sing and speak at Fewkes's request. For several days, they projected their voices into the giant metal cone of what Fewkes called Mister Phonograph. They told folk stories and performed songs and chants. They watched as a crank-powered needle inscribed thirty-six brown wax cylinders with the sounds.

The recordings were historic: the first sounds ever captured in the field. But, for the next century, they were held by Harvard's Peabody Museum, and lost to the tribe. At least one wax cylinder included portions of a funeral ceremony that was intended to be heard only within the community but was made available to the public. Others registered facts about Passamaquoddy commerce and geography that might have been helpful to the tribal government. All of the wax cylinders contained precious audio of people's grandmothers and grandfathers, in a language that was becoming more endangered with each passing year. In 1980, the American Folklife Center at the Library of Congress, which had obtained custody of Fewkes's catalogue, sent cassette-tape transfers of the recordings to the tribe. These tapes arrived at a fateful time. For decades, tribal members had suffered extreme poverty, seen their language banned by the Catholic priests and nuns who oversaw the reservations, and lost their kids to the child-welfare system. But the Passamaquoddy and a sister nation, the Penobscot, propelled by the radicalism of the American Indian Movement, had just won federal recognition and litigated an unprecedented case against the State of Maine for its seizure of Native territory; the settlement included tens of millions of dollars to purchase a hundred and fifty thousand acres of land. Far-flung members of the tribe were drawn back to the reservations, where their children could learn Passamaquoddy in school and sing traditional songs. The wax-cylinder copies were staticky and difficult to make out, but a few elders recognized sounds from their childhood.

Today, a renewed spirit of indigenous activism, exemplified by the Standing Rock protests, in 2016, coincides with yet another homecoming for the Passamaquoddy wax cylinders. Audio engineers at the Library of Congress are using new technologies to convert all thirty-one surviving recordings into a much cleaner digital format, and, in a Native-first approach to archival work, the library is giving the tribe curatorial control. Soctomah is part of a team that is translating the audio and deciding which songs and stories the Library of Congress should make available to the public; whatever is sacred or private will be kept out of view. Tribal members, on the other hand, will have full online access, thanks to a content-management system designed for the community. According to the Library of Congress, this is the federal government's most ambitious attempt at a practice known as digital repatriation.



**Audio:** *Peter Selmore, a member of the Passamaquoddy, sings “Esunomawotultine” (which translates to “let’s trade”), more commonly referred to as “Trading Song,” for the anthropologist Jesse Walter Fewkes, 1890, Calais, Maine. This is a digital copy of the original wax-cylinder recording, restored in 2016 by the Library of Congress. (Uploaded with the permission of the Passamaquoddy nation, the Peabody Museum of Archaeology and Ethnology at Harvard University, and the Library of Congress.)*

The day after Tomah performed the hunter’s dance, I visited him at his secluded barn-style house, in the town of Perry. He lives with his wife, Erica, whom he got to know while working at a clothing factory that was once co-owned by the tribe, and their eight-year-old daughter, Lilliana. Tomah, who’s among the youngest people fluent in Passamaquoddy, described himself as “one of the last language speakers, fighting against time.” In the past year, he has joined Soctomah in the task of transcribing the wax-cylinder recordings. Their process is to listen to one digital file at a time, second by second, mining it for phrases, musical elements, and cultural context. Each file is just two or three minutes long but can demand weeks, even months, of attention.

A handful of the recordings have been analyzed to date; the most musically striking of these is what used to be generically known as “Trading Song.” Today, at both the Library of Congress and on the tribe’s new Web site, PassamaquoddyPeople.com, it’s called “Esunomawotultine” (“Let’s Trade”) and is described as the song of a prospective buyer announcing his presence at a seller’s wigwam. The song begins with a chant (“yonnee yonnee yo”) and—because of its easygoing beat and buoyant melody, and a catchy triplet figure—tends to get stuck in my head. (The ethnomusicologist Ann Morrison Spinney notes that Passamaquoddy singers often “extemporize lyrics” on top of musical “building blocks.”) Taina MarcAurele Mendez, a Passamaquoddy who grew up in Connecticut but spent summers on the Pleasant Point Reservation, told me that she learned a version of “Esunomawotultine” in her youth. “My father sang to me in bed, and my grandfather was in the Passamaquoddy band,” she said. Tomah’s rendition is much slower than Mendez’s. He had taught Lilliana the song from the recording, and, in the family’s living room, asked her to sing along. She was too shy to do so in front of a stranger, but she played the hand drum in synch with her father.

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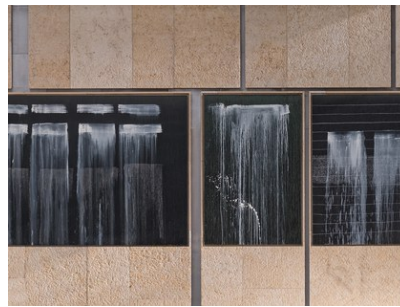
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**Audio:** *Taina MarcAurele Mendez, a Passamaquoddy citizen who lives in Connecticut, sings and drums the version of “Esunomawotultine” that she learned in her youth, September, 2018, Pleasant Point Reservation. (Uploaded with Mendez’s permission; recorded by the author.)*

It was once the case that museums and libraries had unfettered control of objects in their possession. “Academics hoard research like dragons hoard gold,” Guha Shankar, a folklife specialist at the Library of Congress who works closely with the Passamaquoddy, told me. “But the question becomes ‘Well, how did you get those materials?’ ” The Smithsonian long maintained a collection of thousands of Indian bodies and burial objects; the British Museum still holds some six thousand indigenous crafts and artifacts taken from tribes in Australia. In 1978, the Standing Rock Sioux writer Vine Deloria, Jr., criticized this system, arguing that Native people had a “right to know” their past and take charge of their heritage. His vision was partially fulfilled in 1990, through the Native American Graves Protection and Repatriation Act, which required museums and libraries receiving U.S. federal funds to return Native art, human remains, and religious and funerary objects to indigenous communities. Yet the law made no provision for other objects, including photographs, maps, oral histories, films, and audio recordings.

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In 2006, a group of nineteen archivists, librarians, curators, historians, and anthropologists gathered in Arizona to draft a set of best practices for dealing with such materials—an effort to repair what one researcher described to me as our “colonial collecting endeavor.” The resulting guidelines, known as the Protocols for Native American Archival Materials, encouraged holding institutions to open a dialogue with indigenous representatives, to eliminate “outdated, inaccurate, derogatory, or Eurocentric language” in catalogues, and, most controversially, to seek “clearance from Native American communities before accessing sensitive materials.” When the drafters sought an endorsement from the Society of American Archivists (S.A.A.), a battle ensued. Many S.A.A. members thought that it was wrong to prioritize the needs of a small group: If Native communities were given veto power, wouldn’t other minorities demand the same? One librarian called the Protocols “incompatible with our basic professional tenets of open and equitable access to information.”

Jennifer O’Neal, a historian and archivist at the University of Oregon and a member of the Confederated Tribes of Grand Ronde, who helped draft the Protocols, was disappointed but undeterred by the opposition. She became an evangelist for

repatriation, urging her peers to review their holdings. In the past decade, and particularly in the wake of the Standing Rock protests, storage rooms and stacks have become sites of quiet rebellion. The Art Gallery of Ontario changed the name of a painting from the generic “Indian Church” to “Church in Yuquot Village”; the San Diego Museum of Man hired a director of decolonizing initiatives to partner with a local tribe in curation; and the ethnomusicology library at the University of Washington repatriated film of a Hopi snake dance that was meant to be seen only within the tribe. Finally, last August, after twelve years of intermittent debate, the S.A.A. voted to officially adopt the Protocols. It also issued an apology, acknowledging that “many of the original criticisms of the Protocols were based in the language of cultural insensitivity and white supremacy.” (An early critic told me that he had gradually changed his mind about the Protocols while collaborating with local tribes.) For O’Neal, the S.A.A. decision was welcome but a bit “anticlimactic.” “The work goes on whether the Protocols are passed or not,” she said.

The return of the Passamaquoddy archive involves the work of a large interdisciplinary team. There are, in addition to the librarians and engineers at the American Folklife Center, two academics who specialize in digital repatriation: Kim Christen, at Washington State University, and Jane Anderson, at New York University. Christen manages an open-source content-management program called Mukurtu, the word for “dilly bag” in the language of the Warumungu, of central Australia. Since its launch, several years ago, the software has been used by more than six hundred groups, including the Passamaquoddy, to curate their own Web sites and regulate access in accordance with custom. On the Plateau Peoples’ Web Portal, for example, members of eight participating tribes can log in to view materials specific to their community; the Web site of the Warumungu tribe restricts access to certain items according to gender. The tool is not only for First Nations; Terry Baxter, an archivist in Oregon, is helping Don’t Shoot Portland, a civil-rights group that opposes police violence, use Mukurtu to organize everything from children’s drawings to protest announcements.

For her part, Anderson has developed a complementary tool, Traditional Knowledge Labels, which labels and licenses content. The idea is to correct for a regime in which the intellectual-property rights to, say, the Passamaquoddy wax cylinders belong to Fewkes rather than the tribe. Though Anderson’s system cannot compel a transfer of legal title, it can, for instance, be used by a First Nation to insist that a ceremonial



wampum belt be catalogued in a library as “noncommercial,” “culturally sensitive,” and for “community use only.” Anderson said, “We’re reimagining who actually should have the authority.”



*Members of the Passamaquoddy dance at the tribe’s annual ceremonial-days festival, at the Indian Township Reservation, in Maine, in September.*

Photograph Courtesy E. Tammy Kim

The idea of enlightened archival work might seem esoteric in the sobering context of indigenous peoples’ history. Yet the loss of culture is its own form of structural violence. Between 2013 and 2015, the country’s first government-sponsored truth-and-reconciliation commission gathered testimonies from Native people across Maine who were sent to abusive boarding schools or placed in assimilationist foster care between 1960 and 2013. The commissioners found that the separation of families and the attempted erasure of tribal languages and traditions amounted to “evidence of cultural genocide.” Soctomah and other Passamaquoddis told me that, given this history, the process of reclaiming their language, songs, and dances felt defiant.

For the tribe’s three hundred and fifty or so known members based in Canada—“We never consented to the border,” I was told repeatedly—the music and stories being culled from the wax cylinders may have an additional, practical use. The northerly Passamaquoddy are nearing victory in a prolonged campaign for federal recognition.



Part of this process has turned on establishing the group's history in the region, which, after so much cultural and population decline, can be difficult to do. "They kept telling me, 'You have to prove that you exist, that you have community in Canada, that you've always had continuity in Canada,'" Hugh Akagi, the chief of the tribe's St. Croix-Schoodic Band, explained. Several years ago, Akagi heard Wayne Newell, a tribal elder from Maine, sing "Qonasqamkuk," a war song that appears on one of the wax cylinders. The song references Saint Andrews, a sandy protrusion in Canada that has been occupied by the Passamaquoddy for hundreds of generations. Akagi realized that "Qonasqamkuk" could serve as evidence. "Our very history was in that song," he said. "It's another one of those things I point to when they say, 'You don't exist.'"

On my last day in Passamaquoddy country, I visited Newell at the one-story brick house he lives in with his wife, on the southwest end of Indian Township. We were joined by Robert Leavitt, a professor emeritus and former director of the Mi'kmaq-Maliseet Institute, at the University of New Brunswick. Newell met Leavitt, a Jewish man from New Jersey, while studying with him, at Harvard, in the early nineteen-seventies, and Newell convinced him to teach on the reservation. Leavitt began to learn Passamaquoddy and fell in love with the tongue. "There are two genders in the language—animate and inanimate," Leavitt explained, "and roots with entire ideas wrapped in them, such as shape and direction. And humor." For about forty years, Leavitt and Newell, along with the late tribal leader David A. Francis, have worked together to develop a written system of Passamaquoddy (which was originally an oral language), assemble an English-Passamaquoddy dictionary, create bilingual school curricula, and publish nearly three dozen illustrated storybooks, one of which I spotted in active use at the Indian Township School.

Newell is seventy-six and ailing, but he was how I imagined he would be, based on newspaper clippings and recordings of his music: warm and optimistic, with thick hair and a sonorous baritone. He told me that, though the Passamaquoddy were pushed from their sprawling Northeast territory to the cold, rocky edge of the continent, they had never stopped demanding what they were owed. He recalled his childhood, when the reservations lacked indoor plumbing and were ruled by nuns who punished kids for speaking their own language. Newell helped negotiate the 1980 land-claims settlement, and saw its benefits lure people home. "There was a time I thought, Who will take over all of this?" he said. "It isn't just language preservation or cultural preservation; it's

people preservation.” Newell felt heartened by the recent ceremonial-days festival, and also by the return of the wax cylinders. “There are songs on there we can relearn, if that’s the right word,” he said. “We can *learn* them and bring them back.”

*This article was supported by the Economic Hardship Reporting Project, a nonprofit dedicated to reporting on American financial struggle.*

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## Video

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