DECOLONIZING RECORDKEEPING AND ARCHIVAL PRAXIS IN CHILDHOOD OUT-OF-HOME-CARE AND INDIGENOUS ARCHIVAL COLLECTIONS

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Abstract

This paper presents the aims and findings of two research projects – *Rights in Records by Design* and *Indigenous Archiving and Cultural Safety* – making particular reference to the ways in which Australia's current child welfare systems and their recordkeeping and archival praxis have been indelibly shaped by colonization and its legacies, which persist into the 21st century. We posit that the classist, heteropatriarchal, sexist and racist colonial constructs of child welfare, the neglected and criminal child, and Indigeneity persist to this day and continue to be embodied in the form and content of records and archives, as well as in the principles and values embedded in recordkeeping and archival systems. The paper begins with discussion of framing concepts drawn from records continuum theory and critical theory, followed by an overview of both projects. We then explore in-depth findings of the Rights Charter, Historical Justice, and Educational components of *Rights in Records by Design* and *Indigenous Archiving and Cultural Safety* with particular attention to colonial values and negative constructs of childhood and Indigeneity respectively, and their impacts from colonial times to the present. Importantly, we discuss the intersection of constructs of childhood and Indigeneity with colonial values and constructs embedded in recordkeeping and archiving systems. We note that the primary purpose of recordkeeping in colonial times was to provide critical infrastructure that enabled imperial control and exploitation. Consequently, we point to the need for childhood recordkeeping and archiving itself to be decolonized, to embody constructs of the child as having agency and rights, and, in turn, to play its part in decolonizing childhood. Finally, we discuss the contributions that each project is making to decolonizing recordkeeping and archiving theory and practice, and the potential for decolonized recordkeeping and archiving to play their part in decolonizing childhood for children in out-of-home Care and Indigenous Australian children caught up in the Indigenous child welfare system respectively

Keywords

Introduction

The recordkeeping systems of child protection today are haunted by … 19th century values of child welfare. Their emphasis on controlling moral destitution is highlighted with children and families encountering systems that consider them undeserving of recordkeeping to support their identity, memory, cultural and accountability needs. Contemporary recordkeeping and archiving systems reinforce the power of institutions to control what is recorded, how records are managed (or often mismanaged), what is destroyed, and who has access to the surviving fragments. Despite rhetoric that emphasises the need for child protection to be child-centred, especially for the children and young people who spend time in out-of-home Care, these recordkeeping systems are still too often colonial and neo-colonial 'weapons of affect' (modified quotation from Rolan et al 2018, p 6).

Cultural and spiritual genocide occurs when oppressors believe that the oppressed are non-persons (Harré 1993, p 106), with no culture or identity as human beings, or with a culture or identity that is inferior. They deny the oppressed the right to a separate identity as a group or as individuals. Such beliefs allowed the oppressors to feel justified in their attempts to destroy customary social and cultural processes … By defining Aboriginal people as non-persons and continuing to do so across the colonising histories, the oppressors justified their behaviours, and in turn, the oppressed came to believe this about themselves. It was this belief that enabled authorities to move Aboriginal children from their families, among many dehumanising and oppressive acts (Atkinson 2002, p. 69).

This article presents initial findings from two research projects – the Australian Research Council-funded Rights in Records by Design, 2017-2019, and the doctoral project, Indigenous Archiving and Cultural Safety 2018-2020. Together, these transdisciplinary projects spanning archives and recordkeeping, information technology, education, social work, Indigenous, and historical studies, are seeking to investigate requirements for participatory recordkeeping where multiple rights in and to records are represented and enacted in recordkeeping and archiving frameworks, processes and systems. In their conceptual design phases, these projects have identified the ways in which Australia's current child welfare and protection systems and their recordkeeping have been "indelibly shaped" by colonization and its legacies, which persist into the 21st century (Van Krieken 1992; Swain 2014a; 2014b). Such an understanding is vital to tackling the ongoing disadvantage and discrimination suffered by those who are the subject of institutional recordkeeping in systems of surveillance and control, and a foundation of their re-imagining and re-design.

In Australia, Out-of-home Care (often abbreviated as Care) is the contemporary term used for when children and young people are not able to live in their family home and are placed in alternate care arrangements. The Rights in Records by Design project is investigating how to support the repositioning of children in Care, and Care-leavers, from powerless subjects of records owned and controlled by government,

Care organizations, and archival collecting institutions, to 'active participatory agents' with an extended suite of rights in records and recordkeeping of their childhood. Note that we use capitalized term 'Care' to denote the ironic connotations of manifestly uncaring treatment without the typographically heavy-handedness of continually enclosing the word in quotation marks (see Wilson and Golding 2016).

The *Indigenous Archiving and Cultural Safety* project is a pioneering study of culturally safe library and archival places. It is investigating issues of power associated with the management of archives – particularly in relation to colonial recordkeeping practices – and the identification of barriers and tensions that might exist in traditional library and archive theory and practice. Key areas of focus include: truth-telling and healing, contesting and reframing records to enable Indigenous voice and ways of knowing, and archival autonomy. Note too that, throughout this article, the terms 'Indigenous Australian' and 'Aboriginal and Torres Strait Islander people' are used interchangeably. In doing so, we acknowledge the diversity of Aboriginal and Torres Strait Islander peoples and communities.

Although many may consider the territorial, political, and economic colonization of imperial conquest a matter of history that can be addressed through restitution, Australian society continues to be structurated (Giddens 1984, p. 17) by colonial institutions, legal frameworks, policies, practice, and philosophies. Evidence from the two projects establishes that, at a transactional level, this structuration serves to perpetuate power inequities as well as political and economic exploitation of the powerless or marginalized. It demonstrates how the classist, hetero-patriarchal, sexist and racist colonial constructs of child welfare, the neglected and criminal child, and Indigeneity persist to this day. These constructs are embodied and perpetuated in the form and content of records and archives. They also manifest as principles and values embedded in recordkeeping and archival systems for appraisal (the iterative decision-making about what records to make; their form and content; and how long they need to be maintained to meet the short and long term needs of multiple stakeholders), collection, classification, and access.

We have found that the challenges of decolonizing recordkeeping and archiving cannot be fully appreciated without an understanding of the impacts of colonization and the long shadow it casts in today's praxis, particularly in the context of out-of-home Care and in relation to Indigenous Australian communities and children. A key finding of the *Rights in Records* project is that decolonization of child welfare recordkeeping and archiving necessitates embedding values and constructs of the child as having agency and rights to participate in decision-making about their lives (including recordkeeping). Mick Gooda articulates this shift from subject to agent in the context of the 2007 UN Declaration on the Human Rights of Indigenous Peoples:

> I want to tell a different story. It's about how Aboriginal people can be the authors of our stories and not the passive and powerless subjects of stories told and written by others. It is the role of

government and others, including archivists and recordkeepers, to position themselves to enable Aboriginal and Torres Strait Islanders to move from passive and powerless subjects to active participatory agents. I hope my insights assist in pushing towards an archive and recordkeeping system that facilitates the active participation of Aboriginal and Torres Strait Island peoples (then Aboriginal and Torres Strait Islander Social Justice Commissioner Mick Gooda speaking at the Monash AIHR Workshop, 12 October 2010).

We begin this article with a discussion of framing concepts drawn from records continuum theory, critical theory, and colonial studies followed by an overview of both projects. We then explore in-depth findings of the rights charter, historical justice, and educational components of *Rights in Records by Design* and *Indigenous Archiving and Cultural Safety* with particular attention to colonial values and negative constructs of childhood and Indigeneity respectively, and their impacts from colonial times to the present. Importantly, we discuss the intersection of constructs of childhood and Indigeneity with colonial values and constructs embedded in recordkeeping and archiving systems.

Finally, we discuss the contributions that each project is making to decolonizing recordkeeping and archiving theory and practice. We outline the potential for decolonized recordkeeping and archiving to play their part in decolonizing childhood for children in out-of-home Care and Indigenous Australian children caught up in the Indigenous child welfare system respectively.

Conceptual framework

We begin with the concepts that inform this work: Records Continuum theory and our approach to understanding colonization.

The Records Continuum

Records continuum and critical recordkeeping thinking provide a conceptual framework for exploring the role government and corporate recordkeeping has played, and continues to play, in colonizing childhood; and for the development of rights-based, decolonized recordkeeping and archiving infrastructures.

Drawing on records continuum theory, the projects use a pluralistic and inclusive definition of recordkeeping which:

encompasses a range of intertwined recordkeeping and archiving processes and activities … Their purposes include the roles that recordkeeping plays in and through spacetime in governance and accountability, remembering and forgetting, shaping identity and providing value-added sources of information. In classificatory terms 'recordkeeping' in this usage subsumes records management and archival administration. It also encompasses the personal and corporate recordkeeping activities

undertaken by individuals in their everyday lives, in families, work or community groups, and in organisations of all kinds (Upward et al 2009, p 4448).

Records take many different forms. They may be spoken, written, or performed. They are created and kept because they "have value to individuals, organizations, and/or societies – 'whether that be for a nanosecond or millennia'" (Rolan 2016, p 4; quoting McKemmish 2001, p 336). Thus society's archive in the very broadest sense includes "oral and written records, literature, landscape, dance, art, the built environment and artefacts" insofar as they provide traces of social, cultural and organizational activity, that evidence and memorialize individual and collective lives (McKemmish 2005, p 1). Records are also embodied in people and, particularly for Aboriginal and Torres Strait Islander peoples, embedded in Country. The concept of 'Country' relates broadly to "a person's land, sea, sky, rivers, sites, seasons, plants and animals; place of heritage, belonging and spirituality" (Australian Museum 2018).

These broad definitions contrast with the narrow and binary view of records and archives found in traditional Western records management and archival theories that focus narrowly on government and corporate records and collecting archival institutions. Continuum definitions resonate with the idea of an archival multiverse defined as:

the pluralism of evidentiary texts, memory-keeping practices and institutions, bureaucratic and personal motivations, community perspectives and needs, and cultural and legal constructs with which archival professionals and academics must be prepared, through [practice], graduate education and through research and development, to engage (AERI PACG 2011, p 73).

We also use the term 'system' broadly to mean a given configuration of human activities and social structures as well as technical artefacts; in other words, a wider socio-technical understanding. Recordkeeping and archival systems then, encompass the documentary artefacts of information technologies, societal structures, and human performance and agency.

Records continuum thinking and modeling address recordkeeping and archiving in a holistic way across space and through time. Accordingly, we would argue that it is essential to consider both historical and contemporary recordkeeping, continuum-style, as instruments of colonial control. A focus on decolonizing archives as a way to remediate the wrongs of the past, while not addressing the continuing colonial aspects of contemporary recordkeeping and archiving, is itself a barrier to decolonization. Decolonization approaches need to deal holistically with the Archive, with all aspects of current and historical recordkeeping and archiving, (including, but not limited to, critiquing the phenomenon of archives as collecting institutions), while addressing all dimensions of the Records Continuum Model, reproduced in Figure 1 (Upward 1996, p 278).
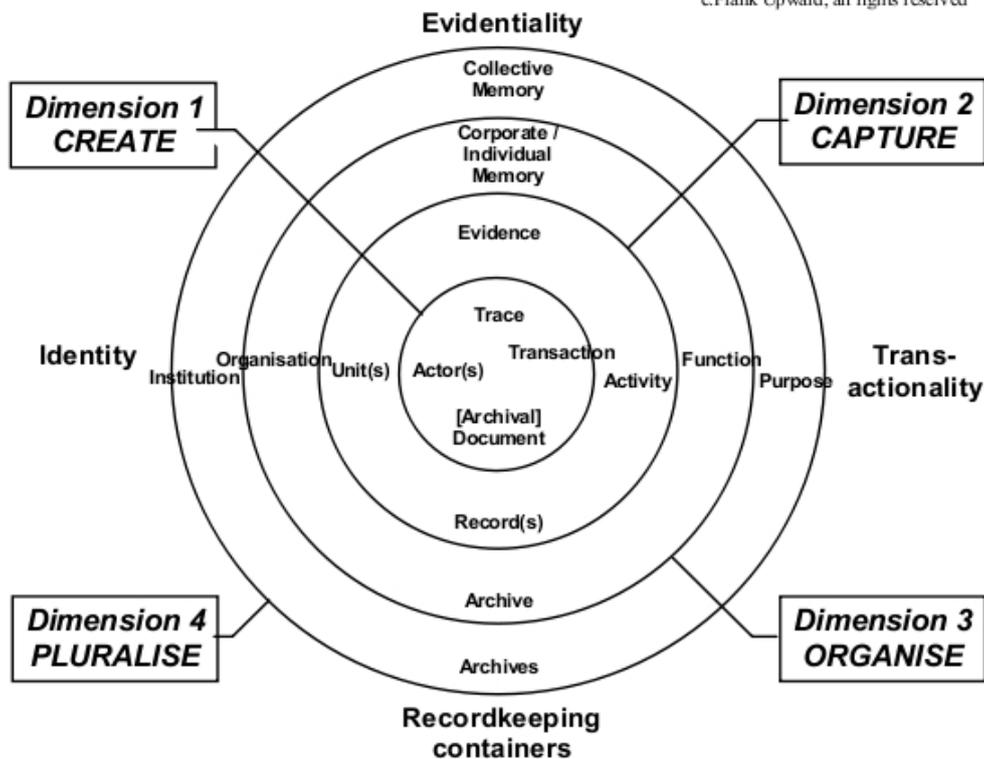
Fig 1: The Records Continuum Model

Colonization

Colonization is often narrowly defined in territorial, political and economic terms as imperial conquest and occupation. In this sense, decolonization is said to occur when the colonial power withdraws and a sovereign state is established. In many places in the world, although colonizers withdrew physically, newly formed countries have achieved varying degrees of independence from the ongoing imperialism of the colonizing powers – described as a state of "coloniality", a term first coined by Quijano (2000). As decolonial scholar Grosfoquel has emphasized, referring to the colonization of the Americas:

> One of the most powerful myths of the twentieth century was the notion that the elimination of colonial administrations amounted to the decolonization of the world … The heterogeneous and multiple global structures put in place over a period of 450 years did not evaporate with the juridical-political decolonization of the periphery over the past 50 years. We continue to live under the same "colonial power matrix." With juridical-political decolonization, we moved from a period of "global colonialism" to the current period of "global coloniality." (Grosfoquel 2011, np)

Moreover, in Australia, Canada, New Zealand, the USA, and parts of Africa and South America, the 'settler' colonizers stayed on. Despite waves of migration from many different places, and its regional

proximity to Southeast Asian nations, multicultural Australia remains "a paid-up member of the Anglosphere" (Keating 2012, np) in terms of geo-political positioning as well as its hegemonic structures. In our research, continuum-style we are taking a pluralist view of the overlapping, co-existing, interacting and evolving layers of colonization, colonial structures and 'coloniality', which are manifest today, among other ways, through US imperialism and global capitalism.

In this context, we define colonization in Australia broadly, to encompass the continuing hegemony of Anglo-heteropatriarchal social, economic, political, cultural, and knowledge structures, and the infrastructures established by white male 'settler' colonizers and their successors, and imbued with their belief systems and values. For Indigenous peoples, colonization continues through 'white possession' and an ongoing denial of sovereignty (Moreton-Robinson 2015) as well as through continued violations of human rights (Australian Human Rights Commission 2010), for example, in relation to growing rates of incarceration and child removal.

With reference to this broad view, decolonization involves calling out and challenging legacy colonial belief systems, values, embedded racism, classism, sexism and heteronormativity, with the ultimate aim of disrupting and transforming legacy structures and infrastructures.

> Decolonization requires acknowledging that these ways of knowing have been historically and institutionally contrived. They are ways of knowing that are no longer useful or healthy for any Australian. Australia requires a contextualized discourse for re-claiming knowledges informed through a balance of truths and histories. Reflecting upon the cause and effect of past action and its policies rather than continued constructs of problematizing those who have survived such events (Sherwood, 2009, p 24).

Similarly, for leading Maori scholar Linda Tuhiwai Smith

> Decolonization, once viewed as the formal process of handing over the instruments of government, is now recognized as a long-term process involving the bureaucratic, cultural, linguistic and psychological divesting of colonial power (Smith 2012, p 101).

The research projects

Our research thus involves the explicit articulation of the colonial power embedded in existing frameworks, processes and technical systems as an essential step towards the design of participatory recordkeeping infrastructure for the Australian Care sector. Before discussing these findings we first provide a detailed description of the individual projects.

Rights in Records by Design

The *Rights in Records by Design* project is one component of a broader participatory and transdisciplinary research program to explore critical issues relating to recordkeeping for childhood out-of-home Care. This research engages with intersecting groups in the academy and broader community from a range of disciplines and fields, including archives and recordkeeping, information technology, the arts, social work, law, education, Indigenous studies and history. A key element of this program was holding the *Setting the Records Straight for the Rights of the Child National Summit* in May 2017. This event brought together Care leavers, their advocates and stakeholders from across Australia and from many different communities to address the issue of rights in records as emphasized in the findings of many inquiries and other research projects (Setting the Record Straight for the Rights of the Child Initiative 2017; Reed, Frings-Hessami and Evans 2017). At the Summit Indigenous and non-Indigenous Care leavers and advocates explored similarities and differences in their experiences and the implications for recordkeeping, endorsing a 10-year plan supported by a research agenda, to marshal the pluralities of expertise and living experience needed to make the breakthroughs critical to solving the complex, multifaceted, and fundamental recordkeeping and archiving problems.

The scope of the *Rights in Records by Design* research is thus closely aligned with the Summit outcomes. The Chief Investigators (Jane Bone, Joanne Evans, Frank Golding and Jacqueline Wilson) received funding from the Australian Research Council for a three-year project to conceptualize the policy and technological infrastructure for rights-based recordkeeping in this sector. Figure 2 illustrates its scope, with this article focusing on findings of the Records Charter, Historical Justice and Education components.
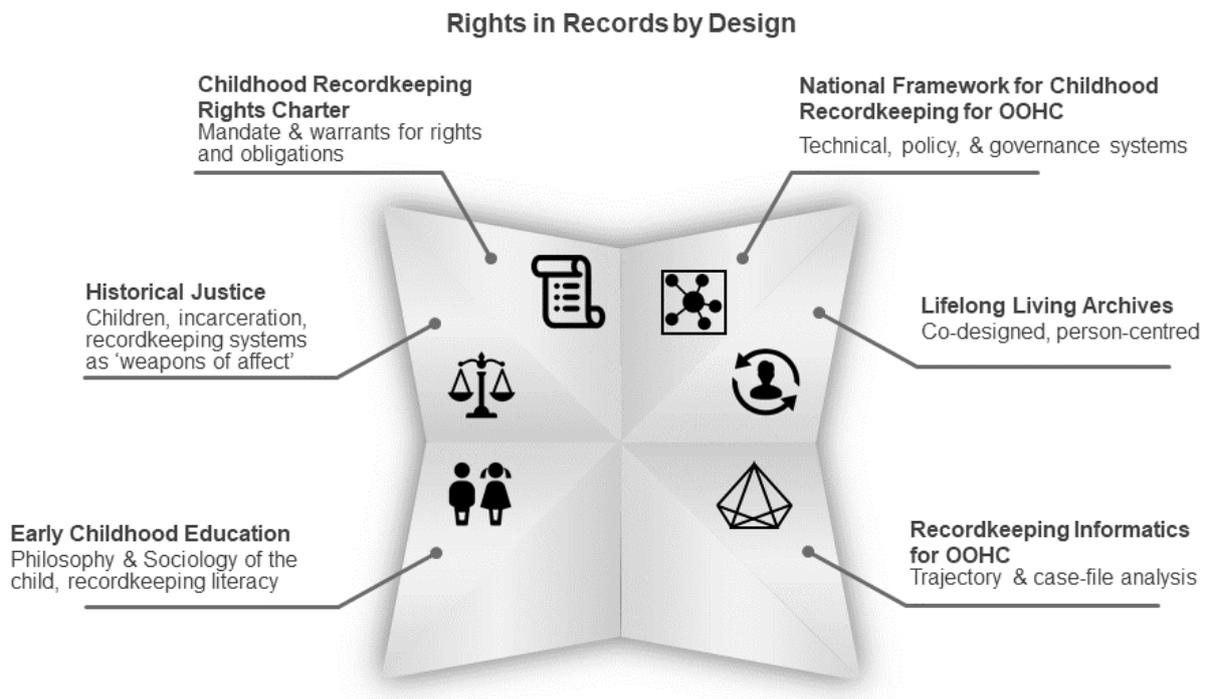
Rights in Records by Design

Childhood Recordkeeping
Rights Charter
Mandate & warrants for rights
and obligations

National Framework for Childhood
Recordkeeping for OOHC
Technical, policy, & governance systems

Historical Justice
Children, incarceration,
recordkeeping systems
as 'weapons of affect'

Lifelong Living Archives
Co-designed, person-centred

Early Childhood Education
Philosophy & Sociology of the
child, recordkeeping literacy

Recordkeeping Informatics
for OOHC
Trajectory & case-file analysis

Fig. 2: Aspects of the Rights in Records by Design research agenda

Rights in Records by Design uses a participatory methodology. Working with Care leavers (people who have exited the out-of-home Care system) at different life stages, it centres living experience as a site of expertise in conversations about how recordkeeping serves the lifelong administrative and affective needs of those who intersect with child protection services during childhood (Rolan et al. 2018). In deliberately privileging the perspectives of care-experienced individuals over entrenched recordkeeping rhetoric that continues to perpetuate emotional dispossession and political disempowerment, we are consciously choosing in our research to place the psychosocial function of recordkeeping ahead of its transactional utility. Other methods include historical analysis and analysis of authoritative sources of warrant for human rights linked to rights in childhood recordkeeping, are incorporated into a participatory design science framework. The project has a practical and advocacy purpose in surfacing new possibilities for codifying and carrying significant knowledge in both institutional and non-institutional contexts, and it is working on a theoretical level to challenge dominion attitudes to records that continue to prevail as default recordkeeping protocols in organizational settings.

Complemented by aspects of the *Indigenous Archiving and Cultural Safety* project, this research includes a focus on issues relating to archival autonomy for Indigenous Australian children in the Indigenous Care system, building on the findings of the Australian Research Council-funded Trust and Technology project (Monash University et al 2009a; 2009b; 2009c; McKemmish, Faulkhead and Russell 2011; McKemmish, Iacovino, Ketelaar, Castan, Russell 2011). *Rights in Records by Design* imagines decolonized

recordkeeping and archiving, embodying values and constructs of co-creation and archival autonomy (Evans et al 2015), and principles of child safe recordkeeping (Royal Commission 2017, Vol. 8, p 108)

Indigenous Archiving and Cultural Safety

Indigenous Archiving and Cultural Safety is a doctoral research project being undertaken by Kirsten Thorpe. Its inspiration comes from her own personal experiences as an Indigenous Australian, working across libraries and archives over the past two decades to create spaces for Indigenous people to both engage with collections and to bring them to life in local community contexts. It employs community based participatory action research processes, informed by both Indigenous and critical perspectives; the narrative method of "Yarning" (Adams and Faulkhead 2012); and autoethnography (Bainbridge 2007). It engages with both sector leaders and members of Aboriginal and Torres Strait Islander communities to give voice to Indigenous Australian aspirations within libraries and archives. The research also considers the central role of Country in the management of records and stories, including the relationships between place, land and people in Indigenous archiving.

The *Indigenous Archiving and Cultural Safety* project is progressing the findings of the Trust and Technology project to investigate issues of power in relation to the ongoing management of Indigenous materials held in Australian libraries and archives. The aims are twofold, firstly to identify potential structural barriers that subjugate Indigenous worldviews; and, secondly, to examine the question of cultural safety in Australian libraries and archives. Cultural safety in this context is defined as "an environment that is safe for people: where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience, of learning, living and working together with dignity and truly listening" (Williams 1999, p 213).

The models and methods developed in the research will be useful for considering issues of archival autonomy and Indigenous self-determination in libraries and archives. Additionally, they will inform new ways of archival praxis which focus on tools to decolonize archives through both theory and practice.

Research findings and colonization

Our research exposes the devastating legacies of colonialism in the out-of-home Care sector, and Indigenous child welfare, manifest in their recordkeeping and archiving, both historically and contemporaneously. It is based on analysis of historical and contemporary records, government inquiries and reports, and the testimony and living experience of those who have experienced out-of-home Care. Our findings evidence how colonial constructs and values are still embedded in current cultures, processes and recordkeeping in out-of-home Care and Indigenous child welfare (Wilson and Golding 2015; 2016; AHRC 1997).

Childhood as a colonized space

Childhood is a colonized phase of life that has gradually changed over centuries in line with the increased chances of survival in childhood and shifts in political thought. Constructions of childhood have been influenced by turns taken in European history and their impact in places where Western thinking still dominates. Through colonizing ideologies "entire peoples are created as lacking – labelled as needy (in the case of children) and corrupt, lazy, or underdeveloped (the adults)" (Canella and Viruru 2004, p 89). These colonized spaces and ideologies continue to construct the child in terms of deficits rather than as a human being with rights.

Philippe Aries (Jenks 2005) describes how the children of the wealthy in Britain were characterized as small adults; for example, their official portraits show them in the same clothing as courtiers and royalty. They had no choice in their future as they embodied dynastic longing and desire. Alongside this however, working class children became sources of labor with their childhoods exploited in order to increase Imperial wealth (Wilkes 2011). In the 18th century the parallel exploitation of the inhabitants of whole countries, the rise of slavery, and children as slave laborers, marked a turning point for many as "Children as young as four years old crawled underground in coal mines…they toiled in factories and print-works…drudged for long hours in squalid workshops" (2011, p 18). Fatalities were high, and poverty was a fearful thing. Children whose parents were also suffering and dying in these conditions were orphaned, and eventually "Tens of thousands of children were sent to Canada and Australia as domestic servants or agricultural workers" (Wilkes 2011, p 266).

The Industrial Age paved the way for the rise of the Romantic Movement in Europe and the French Revolution. Reformers argued against slavery and aristocratic privilege. At this time, Rousseau became the philosopher mostly credited with introducing a notion of childhood as a period of innocence. This enduring image was supported by Froebel's kindergartens, or gardens for children, and underpins the argument that children must spend time in nature, a view that continues to influence Waldorf kindergartens, forest schools, nature schools, and bush and beach kindergartens today (Bone 2018). However, this construction is no less colonizing, because the innocent child is often perceived to be helpless and passive.

The neglected and criminal child

From the outset, colonial welfare services problematised children and their alienated families as an 'other' who needed to be controlled (Golding and Wilson 2019). In fact, recent movements to introduce child-centred care frameworks, policies and systems (Department of Families 2011), face a major obstacle in the colonial constructs of child welfare and the neglected and criminal child still embedded in current systems and cultures.

In 1864, the Colony of Victoria's first law to deal with child welfare, the Neglected and Criminal

Children's Act, began with a preamble that has shaped policy for the next century and beyond:

> 'Whereas it is expedient to provide for the care of "neglected" and "criminal" children, and to prevent the commission of crime by young persons…'.

This Act—like similar legislation in other jurisdictions (Musgrove 2013)—was framed within a criminal justice system rooted in crisis and moral panic. Colonial—and after Australia's federation—state and territory governments removed children from their 'unworthy' families and handed them over to the care and control of institutions run by governments and their delegates in churches and charities (Bessant and Watts 2016).

The construct of the 'criminal' or 'neglected' child of the 1860s was later cast in stone in legislation as "lapsing or likely to lapse into a career of vice or crime" (Victoria 1933), or in the case of girls "exposed to moral danger" (Victoria 1954; Penglase 2005; McCallum 2017). The objective of the system was to remake 'tainted' working class children into better citizens than their parents (Ferguson 2014, p 123; Swain 2014b, p 6). From colonial times until the late twentieth century, the process of becoming a ward of the state of Victoria involved taking babies and children to court, charging them with being neglected (Norgard 1976, p 78), and giving them a criminal record – a process rightly described as 'barbaric' (p 26).

In this context, the colonial ruling class and their welfare delegates were propelled by a power-coercive ideology and adopted management practices in which control always mattered more than care. Examples abound through the decades: in 1865, a boy aged 11, brutalized by his stepfather, was found to be "uncontrollable" (Golding and Wilson 2019) and sent to an Industrial School; in 1943 a girl aged 7 and her young brothers were charged with being "without sufficient means" and sent to separate institutions (Australia Parliament 2004, Submission 24); in 1989 a teenage girl was charged with "being in moral danger" after police removed her from a house where a man repeatedly raped her. The criminal was never prosecuted. However the girl was sent to a notorious youth training centre (Springle 2018, Video at 2.53). It has taken until 2018 to have those childhood criminal records expunged although most of the real criminals remain unpunished (Victoria 2018).

Child removal as a weapon of racial and cultural genocide

The experiences of children affected by out-of-home Care through ongoing colonizing forces are diverse and complex. We acknowledge that the removal of Indigenous Australian children from their families has been and is still part of a larger colonial project of dispossession and denial of Indigenous sovereignty – perpetrated in the context of 'white possessiveness' where the nation-state legitimizes control and domination by discursively and materially 'disavowing' Indigenous sovereignty (Moreton-Robinson 2015, p xiii). The Australian child removal polices, originally designed to "breed out Indigeneity" (McGregor 2002), remain an insidious form of racial and cultural genocide. While the research reported here relates to

Indigenous and non-Indigenous cases, we recognize that the dispossession and genocide of the Indigenous Australian population brings a different dimension to the experiences of the Stolen Generations and Indigenous children caught up in the child protection system today. In fact, there are more Indigenous Australian children in out-of-home Care than ever before (Wahlquist 2018), and ten times the number of children in Care relative to their numbers in the general population (Australian Institute of Health and Welfare 2018a; 2018b).

Indigenous Australian children have become collateral damage as colonization aimed to destroy Aboriginal culture (Sherwood 2013, p 30) through invasion, targeted action, and policy. Colonizing forms of 'nation-building' exercises altered existing Indigenous political and economic structures and modes of governance used by Indigenous people within their communities (Cunneen and Hocking 2005, p 48). Oral traditions were impacted, particularly in South-Eastern Australia where communities were the first to engage with British settler invaders from 1788, leading to disruption of the transmission of language, Indigenous knowledge and culture. Atkinson describes these periods of control as being facilitated by three prominent areas of abuse, being "overt physical violence, covert structural violence, and psycho-social domination." (Baker 1983, cited in Atkinson 2002, p 59).

The report of the Royal Commission into Aboriginal Deaths in Custody (1991) and the Bringing Them Home *Report* from the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families (AHRC 1997) both evidenced the colonizing practices of the state. The various state Aboriginal 'Protection' and 'Welfare' Boards that were in operation across Australia up until the 1967 Referendum produced a biased and (again) deficit-oriented archival legacy which positioned Aboriginal children as needing to be "rescued" and "saved" from the "deprivation" of their culture. For example, "The 1921 Report of the Board stated that 'the continuation of this policy of dissociating the children from camp life must eventually solve the Aboriginal problem" (Read 1982, p 3). "Story after story spoke of psychic and cultural dislocation; terrifying loneliness; physical, sexual and moral abuse; and to continuing pain, numbness and trauma experienced after an often bewildering and inexplicable removal from mother, family, community, world" (Manne 2001, p 5). The power of the state, manifest in a range of government 'protection' or 'assimilationist' policies, ultimately sought to categorize, contain, and control Indigenous Australian identity.

Economic exploitation

The industries of Intervention, Protection, and Care serve to not only justify and perpetuate their existence, but to exploit the marginalization of the colonized for profit and as part of the unpaid labor force within institutions. Annual Reports of Welfare Departments cited calculations of the economic value of child labor in institutions together with the number of young people placed "in service" as farmhands, domestics, and

less frequently as apprentices. There is abundant evidence, too, that children boarded out in foster Care were often exploited as cheap labor by their foster parents (Australia. Parliament, pp 111-114; Musgrove pp 134-157). This child labor was often performed at the expense of schooling; and the bigotry of low expectations meant that few children were given the opportunity to complete their education – belying much of the rhetoric about moral improvement.

From a historical perspective, we clearly see these motivations and outcomes in the Child Protection sector broadly, and in Indigenous Australian child separation more specifically. Such industrialized exploitation would not have been possible without the colonial recordkeeping designed for its support. Today, even if this institutionalized servitude is no longer imposed, an industry of outsourced, non- and for-profit organizations is deeply embedded in the structures of service provision across both of these sectors. Furthermore, the recordkeeping associated with this outsourced service remains largely concerned with organizational exigencies and is loosely regulated. In particular, the terms on which access is provided to those with Care experiences is left up to record holders.

Recordkeeping and archiving embodying, bearing witness to, and perpetuating the legacies of colonialism

Currently, and historically, archiving and recordkeeping have been a vital part of the infrastructure that enabled colonizing nations to control their far-flung empires (Stoler 2002, McKemmish 2017). The only national or state-level recordkeeping frameworks or archival institutions established in Australia lie within the government and corporate sectors. Recordkeeping classification schemes, catalogues and descriptive systems embed the worldview, values, power structures, and ways of knowing of the socio-cultural and political mainstream (Star and Bowker 2007). Our research has explored how these manifest in terms of the colonial gaze – in particular, what is recorded and what is not – in service to the colonial mission.

As instruments of colonization and the subjugation of Indigenous peoples, records and archives embody, bear witness to, and perpetuate the colonial structures and legacies in the Indigenous out-of-home Care sector, and the continuing removal of Indigenous Australian children from their families. Consequently collecting, curating and cataloguing have been and continue to be powerful tools of colonization and coloniality for Indigenous peoples, women and children, LGTBQI+ communities, peoples of color, the working class and differently abled communities.

The use of 'race' to create categories and hierarchies underpinned a range of colonial practices, including that of child removal or abduction (Harris, Carlson, and Poata-Smith 2013, p 1). These colonial constructs were also systematically embedded in government and private recordkeeping systems used to enforce removal of those children defined as being Indigenous. These powerful weapons diminished

Indigeneity, through caste-based classification systems such as "full-blood", "half-caste" or "octoroon". Recordkeeping systems thus supported assimilationist goals of bringing "fair-skin" Indigenous Australian children with less "admixture of blood" into the mainstream. As instruments of colonial control, recordkeeping systems reinforce a denial of culture, identity and human rights and continuing cultural genocide "in an Australia that has failed to decolonize" (Short 2010, p 45).

The fragmentation and dispersal of official records of and about Indigenous people mirrored their displacement from their Country and dispersion in all but the remotest communities. Moreover, during colonial times and post federation, Indigenous Australian human remains, records and cultural artefacts were looted ("collected", from the colonial perspective) by public institutions and private collectors locally, in the UK, USA and Europe, becoming "displaced, decontextualized fragments of living culture" (McNeil 2018, McKemmish, Faulkhead and Chandler forthcoming). The dispersal of records has real, immediate, and ongoing impacts on the lives of Indigenous Australian people and communities, as their ability to connect with their histories and vital evidence of theirs (and their family and community) lives has been diminished.

In contrast was the sparse making and keeping of children's records in general. Despite the hyper-surveillance within the Care sector (Wilson and Golding 2016), scores of thousands of children passed through the system without anything resembling even what would now be regarded as case notes (Golding and Wilson 2018). The recent Australian Royal Commission into the Institutional Responses to Child Sexual Abuse—like many other official inquiries before it—heard repeated evidence that whole childhoods spent in Care went undocumented, with some 'clients' never even issued with a birth certificate (Royal Commission 2017a, p 43). Given heavy caseloads, a crisis management orientation, and high staff turnovers, welfare workers gave 'paperwork' a low priority (Scott et al 2008, p 33).

Even so, making and keeping personal records about children were never high priorities because such records were irrelevant to the state-sanctioned re-socialization of these troubled and troublesome children. Having had their children removed so as to "train them up in virtue's way" (Victoria 1878, pp 7-8), parents were deemed to have forfeited their custodial and caring rights and were owed no accountability. Many were denied visiting rights, further punishing the child, and the very idea of parent interviews or written reports about the child's progress was unthinkable. Furthermore, the state exercised little or no scrutiny of child Care agencies and required negligible accountability about how the children fared. Where records were created and archived, their form and content follow the template of criminal and prison records, presenting a negative and deficit view of the 'needy' child of the undeserving poor. To this day, there has been little regard for recordkeeping as an instrument of child-centred accountability, evidence of a child's identity, source of authoritative information about a childhood in Care, or repository of memories for

the child and their families. In fact, within the state of Victoria, there were no mandatory government recordkeeping requirements until the passage of the *Public Records Act 1973*.

The ever-changing and fragmented out-of-home Care system created a hotchpotch of records being dispersed across state libraries, government archives, government departments, non-government Care organizations, and other organizations that inherited the records of now-defunct agencies that once ran children's institutions (Find and Connect 2011). Importantly, many surviving records remain in the hands of organizations that were found to have covered up incidents of neglect and abuse of all kinds while protecting the perpetrators. This has led to the extraordinary situation where archival evidence of abuse is held by culpable and complicit organizations (Royal Commission 2017b, pp 42-50).

Indigenous Australian worldviews

Australian records and archives traditions are amongst the most ancient and the most recent in the world. Within Australia today and historically, there is and has been a plurality of traditions within different communities of records, some privileged and some marginalized. Recordkeeping traditions in Indigenous Australia are many, many thousands of years old and take many forms, including records embodied in people or contained within country. They are "living archives" transmitted and accessed through storytelling and performance using speech, dance, art, music and song (for example the songlines in which a wealth of Indigenous knowledge is embedded in country-centric ribbons of song, narrative and performance (Pascoe 2014, p 129); rock paintings and carvings; markings on message sticks; and in Southeast Australia stories and maps of country and the identity of the wearer etched into the linings of possum skin cloaks (Faulkhead 2008; McKemmish 2017; Thorpe 2017, p 903).

Nonetheless, Aboriginal history has been described as being 'firmly clasped in a white hand' (Fourmile, 1989, p 165) and the notion that Aboriginal records and archives are in someone else's hands is relevant to the creation, management and care of records relating to child removal. As with the 'native title' processes, where the written record or text is considered more complete or reliable than oral evidence provided by Indigenous Australian people, this 'racially and culturally biased' recordkeeping privileges colonial power structures and 'white expertise' (Moreton-Robinson 2015, p 16). Colonial perspectives and narratives reflected in official recordkeeping systems continue to dominate, perpetuating a silencing of Indigenous Australian voice that can lead to historic erasure, a denial of memory, and a concealing of the past that underpins a continuation of injustice (Bird 1991, p 259).

The findings of the Australian Research Council-funded Trust and Technology project (Monash University et al 2009a, 2009b, 2009c, McKemmish, Faulkhead and Russell 2011; McKemmish, Iacovino, Ketelaar, Castan and Russell 2011) called for action in regard to the retrospective management of collections, and the ongoing rights of Indigenous people in recordkeeping; the need to 'set the record

straight'; and more holistic community-based approaches to recordkeeping through both research and practice. The findings of the Trust & Technology project are yet to be realized across the sector; instead colonial values and recordkeeping constructs prevail.

The state continues to construct Indigenous Australian culture through a deficit lens and Indigenous Australian children as being 'at risk'. Given the continued rates of removal of Indigenous Australian children from their families, it is vital that recordkeeping systems be transformed to support participation and enable multiple perspectives to be equitably represented. An example of this need relates to enabling voices of family or community to be captured, particularly in cases where state intervention is contested as Indigenous people continue to navigate structural racism, over-policing and state intervention. The emergence of Life Story Work, e.g. in New South Wales Family and Community Services, and in particular the development of an expanded Aboriginal Life Story framework, encourages a more holistic capturing of material relating to culture, kinship and community (FACS 2018). However, these practices still fail to provide voice to the living experiences of families.

Archival fragility

Research findings in *Rights in Records by Design* point to how the embedded and persistent unitary values and belief systems of mainstream recordkeeping and archiving can be attributed to colonization. Coloniality takes the form of recordkeeping and archival constructs like the singularities of the records creator, subject, owner, and user (with far reaching consequences of missing voices and agency of marginalized communities in appraisal, intellectual control, access control, and utility); the subjugation in the record of the 'others' engaged in or impacted by the events or activities documented; and the binaries of recordkeeping/archiving, records/archives, records management/archival management in the life cycle construct.

One way in which colonial legacies play out in recordkeeping and archiving is in the form of 'archival fragility'. The concept of archival fragility applies DiAngelo's (2011) construct of white fragility to the classist, heteropatriarchal, sexist and racist domain of archives, and begins to explore its manifestations in a variety of national and sectoral contexts. Development of the concept is based on archival literature relating to power, professionalism, affect and the archive; Sue McKemmish's reflections on her experiences as a practicing archival professional (drawing on personal observations, conversations, and research findings); and an evidence base from commissions and inquiries, and survivor testimonies as well as unpublished transcripts of a series of focus group discussions held in 2016 on the subject of records and rights in the lead up to the Setting the Record Straight Summit, bringing together voices of lived experience with multi-sector service and policy provision (Lewis 2017).

Archival fragility as defined does not describe the instability of archival records, but rather the brittleness of archival professional identities that construct themselves around safeguarding for the future,

memory institutions, gatekeeping and collecting. Archival fragility manifests in the behavior of individuals working with archival records in organizations and exhibiting a dissociative mechanism around their complicity in the structural effects of archival power. In some cases, especially when interacting with the "powerless subject of records", this may render them ill-equipped or unable to acknowledge (and remedy) how their own behaviors directly contribute to power imbalances, exploitation, and denial of rights (Ketelaar 2002, p 236). One such effect of archival fragility is to inflict further political, cultural and narrative violence, especially on marginalized communities or Indigenous communities who are critically impacted by colonial legacies.

Although archival fragility may manifest in the behavior of individuals, the concept can be usefully extended to encompass institutionalized behaviour, especially in the face of challenges to archival impositions of control. We posit that at both individual and institutionalized levels, archival fragility ranges across a spectrum from complete denial, for example, claims to archival neutrality (Winn 2017), to blinkered privilege (projects described as being 'participatory' or 'community-centred' while enforcing terms of exchange premised on unimpeachable governing standards (Drake 2017 np; Caswell and Cifor 2016, p 27). Archival fragility can serve to maintain archival equilibrium through processes of denial and misdirection that seek to shift attention away from how people may actually be experiencing the effects of the record in the present (Thorpe 2017, p 905). Instead of actual damages caused *by* records, focus may centre on potential damages caused *to* them (Ketelaar 2002, p 235). Consequently, archival authority remains normalized and the sources of destabilization remain marginalized as both political and personal agents.

Indicators of archival fragility become obvious in the face of pressures to cede intellectual or physical control over archival material. For example, rebuffs to demands for repatriation of archival materials such as letters written and addressed to children in out-of-home Care but withheld from them at the time (eScholarship Research Centre 2016). In Australia and elsewhere, access may be denied to indigenous communities seeking access to records collected without freely given consent (Christen 2011, p 197), or without acknowledgement of shared intellectual property and moral rights (Smith et al 2018). Arguably, this may betray on their part both a disregard for the rights of those affected by lack of free access to the archive and a limited view of what the survival of records entails. Equating survival with archival preservation and continuing control over records by archival institutions or organizations that 'created' the records implicitly disparage and depreciate the capabilities of people and communities to preserve their records in meaningful ways (Ghaddar 2016, p 22; Gilliland and Caswell 2016, p 60; Gilliland and Flinn 2013, p 15).

Towards transformative, participatory, rights-based and child-centred recordkeeping and archiving

Our findings directly challenge colonial legacies that continue to inform recordkeeping in child protection and welfare services. Both projects address "fundamental shortcomings in recordkeeping and archiving designed around the requirements and demands of government, big business and other information elites" (Evans, McKemmish, and Rolan 2017). One of their key aims is to imagine the role that decolonized recordkeeping and archiving, embodying values and constructs of co-creation and archival autonomy linked to human rights principles of self-determination, might play in decolonizing childhood.

Children as human beings with rights and agency

As has been established, in Australia, the idea of childhood from a welfare perspective as needy, and of Indigenous Australian children as 'a child-race in need of state-sponsored, protective custody, and re-education (Kociumbas 2004, p 93) has persisted from the 18th century. The still prevalent perception of the deficit child is in stark contrast to concepts of the child that emerged in the field of early childhood education, and in the human rights context.

In the early 1900s, Maria Montessori argued that children deserve to be independent and to make their own decisions (Bone 2017). Following World War 1, the Save the Children Movement's 1919 Declaration of Child Rights and the League of Nations' ratification of the Geneva Declaration of the Rights of the Child in 1924, focused mainly on child protection, as did the 1959 UN Declaration of the Rights of the Child. It was not until the 1980s that a view of the child as someone who counts and is not a representation of past or future, but a citizen with rights to participate was proposed by founders of the preschools of Reggio Emilia in Northern Italy. Malaguzzi's conceptualization of a rich, competent and able child, creative, active and capable (Malaguzzi 1998) is reflected in the UN 1989 Convention on the Rights of the Child which for the first time included both protection and empowering rights and specified that children in out-of-home Care have the same rights as any other children (Article 2).

In Malaguzzi's view (1998, p 60), constructions of childhood must be seen through a political lens and education "must continuously address major social changes and transformations in the economy, sciences, arts, and human relationships and customs". In early childhood education, the persistent deficit view of the child of welfare and charity came increasingly under challenge, an exemplar being the first New Zealand curriculum for early childhood, Te Whāriki (Ministry of Education 1996). Within its holistic framework, Carr developed the learning story as mode of assessment (Carr 2001) – a significant departure from the tables, checklists and observational charts that proposed norms for childhood growth and development. Carr's influential narrative way of assessing included the voices of children, teachers and families, and learning stories designed to focus on children's strengths. Carr's child, like Malaguzzi's, is

worthy of notice, deserves positive attention, and is only the object of the official gaze insofar as it provides support and ensures that the child's rights are upheld. Childhood, from this perspective, is a time of richness, the child is a protagonist, with agency, an active participant in life.

This construct of the child as a human being with rights and agency are being leveraged in human rights and social justice contexts; in the movement to transform the child welfare system; in the campaigns waged by Care leavers to redress the abuse and neglect of children in out-of-home Care and by Indigenous Australian communities in the context of the UN Declaration on Indigenous Human Rights (United Nations Commission on Human Rights 2007); in reports of commissions and inquiries (e.g. Australia. Parliament. Senate Community Affairs References Committee 2004); in the UN Convention for the Rights of the Child (United Nations and Canada 1994); Children Commissioners' Rights Statements (National Children's Commissioner 2017); in child and cultural safety principles (Commission for Children and Young People 2014); and in the assertion of rights by stakeholder communities (Golding 2018).

Archival autonomy and rights in records

Archival autonomy draws on Hurley's concepts of co-creation, multiple simultaneous provenance and parallel provenance (Hurley 2005a; 2005b), complementing Ketelaar's writing on multiple, mutually negotiated rights in communities of records as defined by Jeanette Bastian (Ketelaar 2006; 2005, Bastian 2003). These theoretical perspectives radically redefine agency in records in a way that supports a more extensive suite of rights for all those who participate in, or are directly or indirectly impacted by, the events or actions documented in the records in and through time. From these and other postmodern theories of agency, archival autonomy in the archival multiverse has been conceptualized as the repositioning of "records subjects" "to participate in societal memory, with their own voice, and to become participatory agents in recordkeeping and archiving for identity, memory and accountability purposes" (Evans et al 2015, p 338).

Thus, archival autonomy demands the representation and enactment of a broader spectrum of rights, responsibilities and obligations relating to appraisal, description, management, accessibility, and use of records in and through spacetime. It brings the multiple contexts and perspectives of the repositioned participants into play in decision making – about what records to create and keep; what records are of continuing value; what metadata needs to be captured to document their multiple contexts; whose rights need to be taken into account in determining disclosure, access, and use policies; and what perspectives need to be addressed in access pathways.

The *Rights in Records by Design* project involves the collaborative design of a framework for decolonized recordkeeping and archiving infrastructure. We are working with those with living experience and expertise to imagine and co-design independent *Lifelong Living Archives* (Rolan et. al. 2018), for those

who are, or have been, in Care in a participatory information ecology enabling children and young people in Care to have appropriate agency in their records and in recordkeeping processes, and Care-leavers to exercise greater control over the ongoing management, access, and use of their records (Evans et. al. 2017). Other components of the framework are particularly concerned with specifying participatory governance (Evans, McKemmish, and Rolan 2019), and deploying the Records Continuum Model along with the Participatory Recordkeeping Continuum Model (Rolan 2016) and risk analysis, to identify the key stakeholders in childhood recordkeeping and the degree of agency they may need.

Another key deliverable of the research is a Charter of Rights in Childhood Recordkeeping (Setting the Record Straight for the Rights of the Child Initiative, 2017). Critical to its development, has been the historical and contemporary analyses of the persistence and impact of colonial and neo-colonial constructs of childhood and Indigeneity in the out-of-home Care sector. The Charter is derived from the recordkeeping needs of children in out-of-home Care, care leavers and Indigenous Australians who are or have been caught up the Indigenous child welfare system, and sources of warrants for recordkeeping rights in childhood records that would enable the actualization of human rights of self-determination, including identity, memory, cultural and accountability rights. Participatory rights in all aspects of childhood recordkeeping (including archiving) are vital to the continuum concepts of archival autonomy that is crucial to the exercise of such human rights. Apart from its intrinsic value as a fundamental decolonization mandate and guide, ongoing research will explore the systemization of the Charter as a core component of the Lifelong Living Archives to facilitate agency in records.

Indigenous Archiving and Cultural Safety

Emerging research into Australia's history has turned to a focus on deep time (McGrath and Jebb, 2015); a long view of Australia's national history as being made up of 'thousands of generations' (Griffiths, Russell and Roberts 2017). This challenges the notion of *terra nullius* – the doctrine of *a land belonging to no one* – and repositions Indigenous Australia history as being in continuous existence throughout millennia. Preliminary findings of the *Indigenous Archiving and Cultural Safety* project are that the Australian archival legacy does not encapsulate this expansive and deep view of Aboriginal histories, cultures and experiences. Colonization and dispossession have produced an archival legacy that is frequently biased, positioning Indigenous people as the subject or the *other*.

Australian archives and libraries continue to produce dominant structures and systems that silence a long view of history; they render invisible and often demean a history informed by orality and oral records. They silence recordkeeping in its multiple forms such as archives and records being formed through dance, art and care of the land. They also silence Aboriginal responses to the archives in these multiple and dynamic forms. The dominant and visible narratives are perpetuated within libraries and archives through colonial

paradigms of managing Indigenous collections. Such paradigms enable biased agendas, disproportionate power structures, white privilege and racism – all of which have an impact on making Indigenous people culturally unsafe. Indigenous self-determination is difficult to realize within the confines of these structures and major transformation needs to take place across the sector to shift power and to deconstruct the dominant mainstream structures to enable new dynamic frameworks that support Indigenous worldviews and ways of doing.

The *Indigenous Archiving and Cultural Safety* project is employing decolonizing methodologies to critically examine colonial legacies and processes that create culturally unsafe archival and library spaces. For example, Kaupapa Maori Theory has developed decolonizing methodologies that are both critical and anticolonial, and which challenges dominant systems of power (Pihama 2015, p 11). Within this framework, the concept of 'decolonization' is at the core of concerns for transformation (Smith, 2012) and 'praxis' is envisaged as a dialectic relation between theory and practice and a place for 'conscientisation, resistance and transformative action' (Smith, 2015, p 19). The next phases of this research will explore how to transform collecting libraries and archives into culturally safe spaces for Indigenous Australians.

Conclusion

The long shadow of colonialism is evident in the cultures, policies and practices of the child welfare and protection sector, and the continuing disproportionate removal of Indigenous Australian children. Colonial values and constructs are particularly persistent in the two most dominant records and archives traditions in Australia today – the government recordkeeping and the collecting traditions (McKemmish and Piggott 2013, p 118; Piggott 2012). The lack of holistic, pluralizing recordkeeping frameworks for historical and contemporary recordkeeping and archiving; significant gaps and silences in the record; almost no resourcing for recordkeeping and archiving outside the government; corporate, and mainstream archival and library collecting institutions (McKemmish and Piggott 2013, p 118); and ongoing fragmentation and dispersal of records (where they exist or have survived), have an acute impact on Indigenous Australian and out-of-home Care communities (Thorpe 2001, p 11).

We have shown how new constructs of the child as a human being with rights and agency have emerged from a colonized past; and how these developments have yet to significantly affect out-of-home Care, Indigenous child welfare, and related fragile recordkeeping and archival spaces. Recordkeeping systems continue as institutional instruments of power and control and do not yet meet the identity, memory, cultural, information and accountability needs of children caught up in the out-of-home Care and Indigenous child welfare systems (Evans et al 2015; Royal Commission 2016).

We note that the primary purpose of recordkeeping in colonial times was to provide critical infrastructure that enabled imperial control and exploitation. Consequently, we point to the need for childhood recordkeeping and archiving itself to be decolonized, to embody constructs of the child as having agency and rights, and, in turn, to play its part in decolonizing childhood. The challenge then, is for a reflexive recordkeeping praxis for archivists and other recordkeeping professionals. We must recognize our fragility and become comfortable with complexity, multiplicity, and incommensurability. We need to become able to cultivate respectful relationships with communities so impacted on by colonial recordkeeping processes and systems. We also need a technological and process infrastructure co-designed for participation. Otherwise, we will forever be in a fractured archival multiverse that continues to visit trauma upon powerless participants in records.

In the preschools of Reggio Emilia, children are given provocations in the form of questions with which they engage in a number of ways. Our provocation here is as follows: what will it take in the archival sector to move on from an outmoded view of records and recordkeeping and to embrace individuals and communities with rights to have control over the records of their own life? Can we transcend the fragility of colonial recordkeeping and archiving? We hope so.

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