I am from Vancouver, Canada which is the unceded traditional territory of the Musqueam, Squamish and Tsleil-Waututh nations. Unceded means that the land was never sold, given, or released to any colonial government. In Canada we’re thinking a lot about relationships between settlers and First Nations in many areas of society.

We’re still deeply feeling the effects of colonization and the effects of Residential Schools where the church and state tried to “kill the Indian in the child”. Through the process of Truth and Reconciliation we’ve witnessed the stories of people who survived. Like the over 6000 children who died at these residential schools, children were deliberately starved in the name of research, nuns and priests put children in homemade electric chairs for their sick entertainment, and the massive amount of physical, sexual and emotional abuse that occurred. The Truth and Reconciliation Report called this cultural genocide. Despite systemic efforts from the church and the state to erase Aboriginal people in Canada these nations and cultures continue to persevere, resist, and First Nations people are actively working to break the cycle of violence and trauma. Dr. Sarah Hunt has smart things to say in this area.

So for me, as someone who is half-Japanese and a settler, learning and naming whose land I’m on is a small thing that I’m committed to doing as part of the process of reconciliation with First Nations.

In that spirit, I’d like to acknowledge that we are on the traditional homelands of the Cayuga People and the Haudenosaunee (ハオデナシャノネ) Confederacy at large.
For me the land impacts my thinking quite a bit. I love this image from Choi+Shine Architects’ concept drawings for powerlines in Iceland.

I’ve worked in libraries for 13 years, 9 of which I’ve been a librarian. I’ve worked doing training and support for small public libraries who migrated to Evergreen, an open source ILS. I’ve worked as a systems librarian at a small art and design college, and currently do accessibility work to remove barriers for students with print disabilities by format shifting their textbooks.

I feel like this photo illustrates the technology work I’ve done in libraries. When having a imposter syndrome moment at a conference, Mark Matienzo said “oh! the technology work you do is the last mile!” So, while I’m not breaking new ground and innovating, I’m chugging along making sure everyone can access information.

I became a librarian because I’m passionate about access to information. My core values are around “open”: open source, open access, open textbooks and open education.

So, why am I arguing that all information should not be accessible?

Before I get into that, I’d like to tell you about one of my favourite writers.
Amber Dawn is a writer, a poet, and a creative writing instructor at a university and in community driven art and healing spaces.

In the preface to *How Poetry Saved My Life: A Hustler's Memoir*, Amber Dawn writes: “...my writing does not stand on its own. My writing is comprised of the lives, deaths, struggles, and the work, accomplishments, alliances, and love of many. My writing is indebted to queers and feminists, sex workers and radical culture makers, nonconformists and trailblazers, artists and healers, missing women and justice fighters. My writing stands with those who also have been asked—in one way or another—to edit their bios.”
While I’m standing at the front of the room on my own, I feel a great deal of gratitude towards many people who support and love me. I can feel them holding me up.

I’m very much a think out loud kinda person and I appreciate the generosity that all of these people have extended to me. These people are friends, colleagues, comrades, librarians, sex worker activists, academics, feminists, queers, artists and pornographers. I think it’s important for me to acknowledge all of these people as extended feminist citation practice but also because I wouldn’t have the courage to speak today. I’m standing on the shoulders of these giants.

I feel privileged to talk to you today about some of the ethical issues I’m concerned about in digitization. For me I need to step out of my comfort and safety of being a professional and share my personal stake in this conversation.

Amber Dawn writes: “If comfort or credibility is to be gained by omitting parts of myself, then I don’t want comfort or credibility. I am not ashamed of my bio. What would be a shame is if I were to fall silent. Each time I bring my fingers to the keyboard, I join the many who also seek to explore and discover seldom-told stories, speak the tough and tender words that are too rarely articulated in day-to-day discourse, and create that place where we have permission to express emotions.”
The first time I did sex work, I was 19 years old and studying Japanese at the University of Victoria. I was a macho third wave feminist and I was broke. I needed to make rent. I dipped in and out of different types of sex work over the next 15 years, usually while doing some other straight job as well. I worked at Legal Aid while I worked at a BDSM brothel and worked at the public library while I worked as an escort. My shame kept these two income streams very separate and my shame made me unable to speak to many people about my experiences.

This is the first time I’ve shared this information so broadly.

It's interesting to be a stealth about my sex work history while working in higher education. At last year's Open Ed conference the participant swag were red umbrellas. It rains a lot in Vancouver. What the organizers didn’t know is that red umbrellas are the symbol for sex worker rights.
When I was working at the public library as a library assistant I was selected to represent my union at an international LGBT labour union conference in Montreal that was part of the Out Games. One of the goals was to produce a proclamation on LGBT human rights. We met in various caucus groups to learn about issues from different countries and the issues facing workers in different industries.

The plenary took place in a large, generic, beige conference room with copious amounts of fluorescent lighting. There was a panel at the front of the room on the stage, mic in the middle of the centre aisle, and the simultaneous translation booths were at the back. In the caucus meetings leading up to the plenary I’d listened to most of the older feminist union leaders talking about us sex workers as pitiful and naive victims operating on the margins of the economy and undeserving of workplace protections.

I hadn’t planned on speaking, so I’m not sure how I ended up at the mic. My hands and my voice were shaking. I remember introducing myself as a feminist, a sex worker and a library worker. I said inherent in the phrase “sex worker” was that we were workers and like all workers should be entitled to a safe and respectful workplace. Shortly after I spoke there was a break. I felt super overwhelmed and my hearing started to go, like it does before I black out. Through my inadequate high school French and some professional translators I had a passionate discussion with some of the feminist leaders of the Quebec labour movement who had done a 180 and were now supporting including explicit protections for sex workers in the proclamation. Svend Robinson (that’s me and him in the top left photo), Canada’s first openly gay national politician, was at the conference. He crossed the floor and gave me a big hug and told me how proud he was of me for strategically coming out to facilitate a more inclusive proclamation. It was really powerful for me to speak from my experience, one that was very private and shameful, and know that I contributed to changing people’s attitudes about sex workers.
What I didn't know was that a reporter from the Montreal Gazette was in the room. The next morning while reading the newspaper I almost threw up when I saw I had been quoted in the newspaper as "Tara Robertson, Vancouver public librarian and former sex worker".

Honestly about half my fear was the wrath of librarians policing the border between paraprofessionals, which I was, and their credentialed selves. The various types of sex work I had done had always been under a pseudonym and with the makeup and wigs, I wasn't easily recognized as my library worker persona. I was angry and scared. I didn’t know that there were media in the room and I hadn’t intended to come out, let alone make a public, searchable record of it.

The Montreal Gazette is indexed in a couple of Proquest databases. My biggest fear, earlier in my career, was that I would be outed through a thorough reference check for a job. People would be searching for “Tara Robertson and librarian, or libraries, and learn that I was a former sex worker. This is one of the reasons that I purchased my website domain when I was a library school student. I wanted to do what I could to control what came up when people searched for me.

I didn’t have the courage to retrieve this article until earlier this year. Even with my knowledge of databases and knowing what newspaper it was in, and approximate date— it still took me about 10 minutes to find it.
So, I know firsthand what it’s like to have information out there that you didn’t consent to, the fear that it could harm your career, and the double standard against women’s sexuality in our culture.

In March of this year I learned that Reveal Digital has digitized On Our Backs, a lesbian porn magazine that ran from 1984-2004. It had actually been online for several years before I learned about it. For a brief moment I was really excited — porn that was nostalgic for me was online! Then I quickly thought about friends who appeared in this magazine before the internet existed. I was worried that this kind of exposure could be personally or professionally harmful for them.

While Reveal Digital claims to have gone through the proper steps to get permission from the copyright holder, there are ethical issues with digitizing collections like this. Consenting to a porn shoot that would be in a queer print magazine is a different thing to consenting to have your porn shoot be available online.

I talked to a few people I know who modelled and they generously agreed to give me quotes to use in this talk.
”When I heard all the issues of the magazine are being digitized, my heart sank. I meant this work to be for my community and now I am being objectified in a way that I have no control over. People can cut up my body and make it a collage. My professional and public life can be high jacked. These are uses I never intended and I still don't want.”

–Anonymous #1

Quote #1

From the first discussion with the editors, I knew I had to weigh what appearing in the magazine might cost me in my work and community life. But at the time, I felt that the magazine had a small print run, and was sold in queer spaces to queer audiences.

When I realized the distribution was broader, I requested that my name not be added to metadata, and tried to do my best to protect myself. The editors respected my request and even had the UK distributor edit their tags and metadata for me.

When I heard all the issues of the magazine are being digitized, my heart sank. I meant this work to be for my community and now I am being objectified in a way that I have no control over. People can cut up my body and make it a collage. My professional and public life can be high jacked. These are uses I never intended and I still don't want.
“I actually never consented to have my photoshoot published in On Our Backs in print, in 2002. My ex and I were in a photoshoot specifically for a photographer’s book on kink in 1993—before the first web browser was released!—and signed a model contract for limited use. So 9 years later, I felt fairly fucked over to discover this shoot in On Our Backs—with our real names on the cover—after it had already been out for over a month.”

—Anonymous #2

Quote #2

I actually never consented to have my photoshoot published in On Our Backs in print, in 2002. My ex and I were in a photoshoot specifically for a photographer's book on kink in 1993—before the first web browser was released!—and signed a model contract for limited use. So 9 years later, I felt fairly fucked over to discover this shoot in On Our Backs—with our real names on the cover—after it had already been out for over a month.

This person works in the tech industry and as a queer woman has to work harder to be taken seriously as an expert in her field. She’s worried that if this is digitized, with her name on the cover, it’ll impact what is searchable under her name. She says “It’s one thing to have regrets over what you’ve published, but I actually never consented to have this photoshoot published by On Our Backs in the first place, let alone digitally.”
“What was once a dignified choice now feels like a violation of my body, my voice and my right to choose. In no small way is the digitization a perpetuation of how sex workers, survivors and queer bodies have been historically and pervasively coopted. How larger, often institutional, forces have made decisions without consulting us or considering our personal well-being.”

–Amber Dawn

Quote #3

In 2005, I co-edited a queer erotica anthology titled *With A Rough Tongue: Femmes Write Porn*. The collection marked many things for me, the most significant of which was my coming out as a queer, femme sex worker and survivor within published writing. I was motivated by the growing number of mentors and peers who had spoken up before me, and also by the much larger number of sex workers and survivors I knew who did not have the privilege or ability to speak up. The evolving sex-positive and social justice values of the mid-2000s did not protect me from fear and stigma I faced coming out. Backlash, I discovered, was very real consequence. I quickly learned importance of making strategic and self-caring choices about where to use my voice and body.

Some early decisions Amber Dawn made for myself include 1) to only speak, publish or showcase body art in forums where she can directly speak to and negotiate with the editor or curator, 2) where she understands the intended audience to be communities that share similar sex-positive and social justice values and 3) where she has the ability to directly connect with audiences and foster future respectful dialogue.

Amber Dawn says that choosing to appear in OOB in 2005, soon after the release of *With A Rough Tongue* allowed her to adhere 3 of these conditions.

Amber Dawn says:
“Years later, the digitization of On Our Backs strips me of all three. What was once a dignified choice now feels like a violation of my body, my voice and my right to choose. In no small way is the digitization a perpetuation of how sex workers, survivors and queer bodies have been historically and pervasively coopted. How larger, often institutional, forces have made decisions without consulting us or considering our personal well-being.”
These three quotes clearly illustrate that these people had clear ideas about the content, how they wanted it viewed and used. They all have sophisticated and nuanced understandings of media representation and how they wanted to be represented.

The consent issues here are dodgy. For the second woman there was no consent given to even appear in the magazine. For the first woman there was an agreement that this content would never be online. For Amber Dawn having OOB digitized and put online violated the conditions that she had decided were critical for her.

Even the copyright issue is complicated: the photographer would’ve held copyright, not the models. The photographer would’ve then either handed over copyright to the magazine, signed over copyright for a specified time period, or agreed to have them published and retained copyright. OOB doesn’t exist anymore, so it takes some sleuthing to track down who now owns the rights.

In talking to some queer pornographers, I’ve learned that some of their former models are now elementary school teachers, clergy, professors, child care workers, lawyers, mechanics, health care professionals, bus drivers and librarians. We live and work in a society that is homophobic and not sex positive. This could negatively impact many people’s careers.

When I brought up these concerns in March the most common critique from librarians was about our responsibility to be good stewards of our collections. A few people viewed this as limit on open access and worried about censorship. A year ago these would’ve been the same points that I would have made.

We talk about our responsibility to the collections, but what about our responsibility to communities. In this case I found myself caught between my profession and one of my communities, and I noticed that my opinion changed. “The community” wasn’t an abstract notion, it was the people who gave me those generous quotes. I could see their faces and empathize with their fears and feelings that institutions had screwed them over again.
We need to have an in depth discussion about the ethics of digitization in libraries. The Zine librarian’s Code of Ethics is the best discussion of these issues that I’ve read. I’d encourage you to read it. It’s excellent.

There two ideas that are relevant to my concerns are about consent and balancing interests between access to the collection and respect for individuals.

Zines are often highly personal and some authors might find the wider exposure exciting, but others might find it unwelcome. “For example, a zinester who wrote about questioning their sexuality as a young person in a zine distributed to their friends may object to having that material available to patrons in a library, or a particular zinester, as a countercultural creator, may object to having their zine in a government or academic institution.”

The Zine librarian’s Code of Ethics does a great job of articulating the tension that sometimes exists between making content available and the safety and privacy of the content creators:

“Librarians and archivists should consider that making zines discoverable on the Web or in local catalogs and databases could have impacts on creators – anything from mild embarrassment to the divulging of dangerous personal information.” Zine librarians/archivists should strive to make zines as discoverable as possible, while also respecting the safety and privacy of their creators.
Here’s another example of something that was inappropriate to digitize.

The Supreme Court of Canada decision in the Delgamuukw case in late 1997 is widely seen as a turning point for treaty negotiations. This was, and still is, a landmark case for treaty negotiations. ([http://www.bctreaty.net/files_3/pdf_documents/delgamuukw.pdf](http://www.bctreaty.net/files_3/pdf_documents/delgamuukw.pdf))

The Delgamuukw trial transcripts are widely available in print in law libraries across Canada. At the request of UBC’s Law Library the Library digitized these. As you can see in the screenshot, these are part of UBC’s “Open Collections”.

They chose to break cultural protocols for the greater good of their community’s land rights. As this was in the courts their testimonies were part of the court record.

Even though these materials are widely available in print at law libraries across Canada, UBC should not have digitized this collection. Librarians at the Xwi7xwa (First Nations Branch) Library at UBC objected to this. There was an acknowledgement that a policy is needed, but this collection is still up while there’s slow progress towards writing the overall policy. UBC should take this collection down and consult with the nations whose traditional knowledge was put online without their consent.

This is also an act of violence. This is an act of colonial and institutional violence.
So, I’ve showed you a couple of examples of digitization projects that I consider really problematic. What’s a better way to do this?

I remember hearing Kim Christen Withey at the Access Library Technology conference in 2011. I wondered what was going on with the Mukurtu project, so I contacted them and attended one of their twice monthly online office hour sessions. This is a great strategy for open source software projects. It’s really accessible, welcoming and while documentation is good, it’s great to talk to someone who really knows the software.

Mukurtu is an awesome grassroots project aiming to empower communities to manage, share, preserve, and exchange their digital heritage in culturally relevant and ethically-minded ways. It’s open source and community driven. The top priority is to help build a platform that fosters relationships of respect and trust.

Mukurtu allows you to set up complex permissions, for both digital objects and users, so that the digital access mirrors existing cultural protocols around accessing information. I also love how the community can contribute metadata alongside our spare institutional metadata.
I’ve read several of Greg Younging’s publications on traditional knowledge and copyright. I love the ideas he’s introduced me to and how accessible his writing is.

In the recently released (July 2016) IFLA publication *Indigenous Notions of Ownership and Libraries, Archives and Museums* he has a chapter where he gives many examples of customary laws around the use of traditional knowledge. These vary greatly between indigenous nations and include:

- certain plant harvesting, songs, dances, stories, and dramatic performances which can only be performed/recited in certain settings, seasons and for certain cultural reasons;
- artistic aspects of TK, such as songs, dances, stories, dramatic performances, and herbal and medicinal techniques which can only be shared in certain settings or spiritual ceremonies with individuals who have earned, inherited, or gone through a cultural or educational process.

These are just two examples, Younging identifies several more.

I struggled to find an appropriate image for this slide. I thought it was best to leave it blank.

Younging identifies 3 major ways that TK and Western system of intellectual property rights clash:

1. that expressions of TK often cannot qualify for protection because they are too old and are, therefore, supposedly in the public domain;
2. that the “author” of the material is often not identifiable and there is thus no “rights holder” in the usual sense of the term;
3. that TK is owned “collectively” by indigenous groups for cultural claims and not by individuals or corporations for economic claims.

So, what is a good way to respond to these conflicts?
There are some TK licenses that have been developed for when people own the copyright for their traditional knowledge. But what about cases where someone else, like a museum or a library holds the copyright to traditional knowledge that belongs to an Indigenous group? TK labels were designed for this scenario. TK labels are educational and informational. They are not legal.

I watched a video of Kim Christen Withey (https://youtu.be/4jQqfdp-cgM) speaking on TK. She says: “Many Indigenous knowledge systems rely on protocols. Many of the protocols have to do with “not” seeing, which very much is the antithesis of the Western “seeing is believing”. You have to see it to know it. And these systems are saying you don’t get to see it or know it—deal with it.”

Last summer I went to the čəsnaʔəm exhibition where the Musqueam nation told the story of their history and culture in their own words. One of the most impactful things was a display case with photo of a bowl. The actual bowl wasn’t inside. The explanation read: “Our relationships with the spiritual and sacred world are personal and private. Some belongings, such as those used in ceremonies and the ornate stone bowls used for mixing medicines, were the property of powerful ritualists who lived at čəsnaʔəm. These belongings remain spiritually potent and can be dangerous. They must not be touched or viewed by people who do not have the proper ritual training, hereditary privileges, or ceremonial knowledge.”

Like Kim Christen Withey said “you don’t get to see it, deal with it”.

At localcontexts.org there are recommendations on how to go about using TK labels: “Using the TK Labels requires community decision-making. This is especially the case for cultural material that is not owned individually but should be managed collectively by your local community. The decision-making processes for using these TK Labels should be established before you choose which labels will suit your needs. The TK Labels can also facilitate dialogue about what options are more appropriate for your local context, and what kinds of conversations need to happen before
Moko; or Maori Tattooing was published in 1896 by Chapman & Hall in London. Horatio Gordon Robley wrote this book, and it contained many illustrations that he did of mokomakai. According to Wikipedia: “Mokomokai are the preserved heads of Māori, the indigenous people of New Zealand, where the faces have been decorated by tā moko tattooing. They became valuable trade items during the Musket Wars of the early 19th century.”

The New Zealand Electronic Text Collection has a thoughtful report (that includes background information, outlines a range of digitization options, describes the community consultation process and concludes with the digitization path that they chose. I love that they’ve put their report online, which raises awareness of the issues that surround digitization of textual taonga, or cultural treasures.

The perceived options for digitization ranged from:
- Present everything online.
- Provide access to all content except photographs of mokamokai.
- Provide access to all content except photos and line drawings of mokamokai.
- Provide access to all content except all photos of people and line drawings of mokamokai.
- Provide access to text only.
- Suppress everything.

They consulted with academics, librarians and curators, and with communities.

Academics were generally in favour of retaining the integrity of the book in the interests of scholarship by presenting all the content online.
I’m really interested in learning more about what’s going on in the European Union around the right to be forgotten and what that means for national laws, data policies, information policy and libraries. I’m also curious to learn more about what the balance between privacy and rewriting history looks like.

My research process for this talk was mostly conversations with people. Listening to what people had to say I heard that currently in libraries we have a different set of rules for rich people.
I was surprised to learn that in digitizing content about wealthy that it’s not uncommon to receive requests to remove embarrassing content.

For example, an Ivy League alumnus wanted a DUI or arrest removed from the digitized version of the student newspaper. Also, a representative of a different donor, whose family bred and raised horses, wanted the archival finding aid description changed because they were concerned that people might misunderstand the phrase “stud farm”.

The outcome was the DUI or arrest was removed from the digitized student newspaper and the finding aid was changed to please the donor.

A librarian working in a large Canadian university’s Special Collections didn’t have specific “stud farm” stories, but shared his concerns about how wealthy donors “can subtly compromise the values of our public institutions.” He reports seeing lots of wealthy donors that have had all of their donation costs covered by a university, which is against the policy, while working class donors have been made to cover the costs of their own appraisals. He’s also seen collections of somewhat dubious value receive large valuations and place of pride in collections while other, more valuable collections have languished in donation purgatory due to the lack of ‘development’ opportunities that go along with the donor.
What can you do?

- Proactively develop policies on appropriate digitization in consultation with communities
- Publicly post the takedown process
- Talk with colleagues about our duty of care towards people and communities, not just collections

And I’d ask you to put pressure on colleagues at Duke University’s Sallie Bingham Center for Women’s History and Culture, and Northwestern University’s Charles Deering McCormick Library of Special Collections, to change their agreements with Reveal Digital to not digitize the issues of OOB that are missing, and to work to take the existing ones down.
I work at a really wonderful community college. In preparation for this talk, I had a few meetings to make sure that speaking about being a former sex worker wouldn’t compromise or cost me my job. Both my director and faculty association president had awesome, supportive responses. I used to describe myself as lucky, but more and more I’m realizing that it’s not luck—it’s privilege. Because I have this privilege I have a responsibility to speak up about these things.

I’d like to end with another quote from Amber Dawn. She writes about a social experiment she ran in the 90s when she would answer the question “what kind of work do you do?” with “prostitution.” She observed that this made people uncomfortable and speechless. She writes: “While this little investigation was by no means sound research, it revealed a larger truth—that to listen to and include sex workers’ voices in dialogue is a skill that we have not yet developed, just as we have not learned how to include the voices of anyone who does not conform to accepted behaviours or ideas. What does it mean to be given the rare and privileged opportunity to have a voice? To me, it means possibility and responsibility. It means nurturing my creativity and playing with personal storytelling, while honouring the profound strength and dignity of a largely invisible population of workers and survivors. It means revelling in the groundbreaking work of voices that have come before me.”

I’d like to ask you to listen to the voices of the people in communities whose materials are in the collections that we care for. I’d also like to invite you to speak up where and when you can. As a profession we need to travel the last mile to build relationships with communities and listen to what they think is appropriate access, and then build systems that respect that.
How do you think libraries can do a better job with digital collections?

- Silent self reflection (1 minute)
- Share in pairs (3 minutes)

1-2-4-all: http://www.liberatingstructures.com/1-1-2-4-all/

There are so many smart people in this room. Instead of doing a Q&A I’d like to tap your smart brains.
Jenna Freedman and I are hosting a #critlib chat on this topic on Monday and I’d love it if you joined us.
• Choi+Shine Architects. The Land of Giants. http://www.choishine.com/Projects/giants.html (used with permission)

• Umbrella Trees: https://flic.kr/p/kAT3Ws

• Boxing Glove Wind Chime? https://flic.kr/p/at6R5g

• Occupied http://imagicity.com/2011/10/27/occupied/

• 192/365: Delete https://flic.kr/p/cwScWu

• Horses: https://www.pexels.com/search/horse/

• Microphone: https://flic.kr/p/axnVcw