


Chapter 14

The Fungible Archive: Digital Repatriation and the Illusion of Archival Restitution

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ABSTRACT

This chapter examines three cases—the Ndembu Archives, the documentary heritage of Madeira, and the Lúcio Costa collection—to show how digitisation has functioned as symbolic compensation that substitutes for, without resolving, the issue of material restitution. The Ndembu Archives, removed from their African political context in 1934 and now largely held by the Overseas Historical Archive, illustrate how joint digitisation and inscription in UNESCO’s Memory of the World Register operate as postcolonial legitimising devices, recasting acts of documentary appropriation as shared heritage. Similar dynamics appear in the archival centralisation exercised by the National Archive of Portugal regarding Madeira, and in the transfer of the Lúcio Costa archive to the Casa da Arquitectura in Portugal. The chapter concludes by advancing a neo-custodial perspective that acknowledges the historicity of archival displacement, rejects digital fungibility as a final solution, and recentres material restitution within archival justice.

INTRODUCTION

The increasing use of digitisation as a response to claims for archival restitution or repatriation¹ has generated significant debate within Information Science, Archival Studies, and heritage and memory research. So-called digital repatriation/restitution

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is often presented as a conciliatory solution—much as microfilming was in the 1970s and 1980s (Kecskeméti, 2009; Kecskeméti & van Laar, 1981). In this model, access for claimant communities is ensured through the provision of surrogates in the form of digital copies, while the originals remain in the holding institutions.

Nevertheless, the use of digitisation as a substitute for physical restitution creates an ambivalent situation: while, in some cases, the physical return becomes unfeasible for claimant communities due to the often prohibitive costs of preserving the holdings, in others—where all conditions for receiving the documents are in place—the originals remain intentionally retained by the holding institution, thereby perpetuating the dispute over their custody.

Surrogating technologies were initially designed to ensure both access and preservation, by allowing fragile or hard-to-reach documents to be digitised or otherwise reproduced. The aim was to guarantee their long-term preservation without compromising their use by the communities concerned. The adoption of digital technologies has provided not only broader access but also the possibility of virtually reunifying fragmented collections—often sharing the same provenance—across multiple holding institutions (Punzalan, 2014^a; Punzalan, 2014b). However, these technologies have consistently served the interests of holding institutions, which rely on surrogates and invoke the argument of fungibility, presenting it as a solution that ensures access without requiring the physical return of the originals to the claimant community. This pragmatic and, to some extent, compensatory approach tends to diminish or delegitimise the claims of communities insisting on physical restitution/repatriation, to the point that the supposed fungibility of substitutes becomes the only—albeit always provisional—avenue for resolving disputes.

This type of dispute arises primarily within the broader phenomenon of *displaced archives*. The most widely accepted definition is found in the report submitted to the EGSAH – Expert Group on Shared Archival Heritage of the International Council on Archives, which describes them as “archives removed from the place of their creation, where the ownership of the archives is disputed by two or more parties” (International Council on Archives, 2020, p. 5). This designation coexists with others — *removed, disputed, seized, migrated, expatriated, estray archives* — each pointing to more specific causal contexts, yet all functioning as hyponyms of the broader category of displaced archives (Lowry, 2019). Contemporary understanding of this phenomenon is largely indebted to international surveys conducted by Bautier (1963), Auer (1998), and Lowry (2020), which identified not only cross-national cases but also subnational or intranational ones (Fishman, 2010)². Given the periodic nature of these surveys, it is particularly challenging today to determine which cases have been resolved, which remain active, or which are dormant but may be reactivated at any moment. In both international and intranational contexts,

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