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Looting and Shooting: Ownership, Access, and the Quest for Identity in Documentary Film

KHALID SHAMIS
UK/SA NRF Chair in Culture and Technics, Centre for Humanities Research, University of the Western Cape
https://orcid.org/0009-0009-9253-2904

Abstract

The fall of Libya's Colonel Muammar Gaddafi in 2011 provided two key opportunities and dreams to be realised: my exiled father, a long-time opponent of Gaddafi, could return home after 42 years, and I could make a film exploring his relationship with Libya in exile and how it affected his relationship with me. I also hoped to be able to contribute to, and complicate, the binary history that had been feeding us by the propaganda machines of both Libya and the West. My father's eventual return came with complications of perseverance, survival and re-exile. In some ways the filmmaking process itself reflects these very themes. Difficulties of archival access, archival exile, and narrative survival pervaded the filmmaking process and a project that began in 2011 was completed ten years later in 2021. The film was produced with approximately 65 percent of the content coming from archival sources. Of this, 20 percent was from personal archives. The rest would, in theory, require significant financial resources. In this article, I highlight the commodification of archival materials and the constraints this places on the editing and storytelling process. These issues reflect a broader challenge for filmmakers outside the Euro-American cinematic sphere, where archival footage is often inaccessible due to high costs or logistical barriers. As a result, non-Western based filmmakers are disproportionately disadvantaged, forcing compromises in storytelling that impoverish the narratives and histories they can present. These challenges raise critical questions about the geopolitics of archives and the privilege of archival access. How can those who are burnt into the material they seek, claim ownership over their own images and historical narratives? What power dynamics are at play when footage from the Global South is held for generations by institutions in the Global North? How can one reclaim an archival history without reinforcing a paternalist relationship? What alternative approaches can be actively pursued to challenge this? With past and future in mind, restorative repatriation and a process of creative restitution can enhance our histories and provide alternative

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ways of accessing and contributing to history. Equal access to archives is an opening move towards a filmic restitution that can allow us to reimagine our pasts and rebuild our futures. But only if we walk through the door and keep it open for others once it is opened.

Keywords

Archive, Libya, Gaddafi, exile, restitution, film, history.

Introduction: Traces of the shadow man

I had just turned eight when, on the evening of 7 April 1983, the phone rang in our somewhat quiet, south London home. It was quiet because we hadn't had any overseas visitors over the past days, a record by the standards of our household. My parents built together a new life away from their birth homes and so naturally accepted all and any travellers needing a place to stay. *'Is that you baba?'*, I remember my father saying on the other end of the line. He spoke in English, as us kids didn't speak Arabic. We called him Baba with a capital 'B' and he called us 'Baba' affectionately. Baba instructed me to press record on the VHS machine at 10pm sharp that evening. I had the tape ready and applied my fingers to the record and play buttons. When the clock struck for 10pm, I dutifully depressed them both. BBC Newsnight was on and a man, backlit and in shadow, appeared and was questioned by Peter Snow on the Libyan death squads sent by Colonel Gaddafi to liquidate all 'Stray Dog' Libyan dissidents in and outside of Libya.[1] The shadowed man spoke and there was a discreet pleasure in personally knowing that it was Baba while no one else did, especially the death squads watching us. Several of my father's friends had been killed by Gaddafi's forces in recent months and Baba was also on the list. Interpol even had him on a page for a while with a million-dollar figure over his head. Did that mean we were also on the list? What if he was killed? Is that why all those strangers were arriving at odd hours, hugging like old friends and staying over? Those questions, and some answers to them, are in the film I found myself making later in my adult life.

My father was a hoarder of note. Every newspaper article and TV broadcast on and about Libya was gathered, recorded, cut out, and compiled into piles and kept on shelves in his study. His archive was kept all over the house, in filing cabinets, drawers, behind sofas and underneath desks; fragments scattered throughout 40 years of living in a space of dislocation and fragmentation. There was, however, a top shelf that was steadfast and orderly, with a line of VHS tapes constantly standing to attention, waiting patiently and holding onto secrets and stories. This process of archiving came to serve me well when I began making my film, not just in terms of content but also showing respect for the practice of archiving itself. It was the first place I started when embarking on a story of the makings of a revolutionary group, a family in exile and a non-Gaddafi-centred narrative on modern Libya. The fall of Gaddafi meant that Baba could return home to become Ashur again and see his family for the first time in 42 years. It also meant that I could make the film I longed to make, tracing his journey back home and his life in exile and in opposition.

Aside from the filmed components of the uprising, the return, with Libya in a post-revolution stage and the personal familial spaces of life in London intact, a major component in telling the story would have to come from archival material. By this

1 Gaddafi's name has dozens of spellings due to transliterating Arabic sounds into English, but common variations include Gaddafi, Qaddafi, Gadhafi, Kaddafi, Gathafi, Kazzafi, and Qadhafi. The different spellings which I use interchangeably in this article, reflect different dialects and news agency preferences, with some variations like 'Al-Gaddafi' or 'Muammar El-Gadhafi' also used.

I mean historical and contemporary video, image or sound material, resources that I could not get hold of in my immediate surroundings, and things that I would have to search and possibly pay for. Chasing shadows on YouTube, the Commons and various institutional spaces including the BBC brought up scant mention of my father from the 1970s and 1980s, and so the VHS tapes proved to be valuable assets for the record of Libya and its dealings with the West. The digitised VHS recordings began populating and shaping my film. Everything was there, from an early interview with Kate Adie and the new Colonel,[2] to the siege on the Libyan embassy in St James' Park after the tragic shooting of WPC Fletcher[3] and the Lockerbie bombing, as well as my father in numerous shadows and disguises.

As a filmmaker I know that at some point, when I'm close to 'story-locking' the film, I will have to seek permission from all the footage-owning entities to use my father's image. Although some form of payment is almost always involved, my naïve hope was to negotiate down whatever price was requested. After all, Baba was invited to TV studios to talk and provide his expert opinion at his own risk, so maybe that would be taken into account when it comes to tallying up what I needed. Would there be release forms? He was also a journalist and worked for the BBC World Service in the 1990s, perhaps that would be taken into account? It is clear that my father took those risks in good faith, and I was keen to have those conversations as well as to see if there was any other footage of him that we might have missed in our home pirate recordings. I was gearing up for the uphill struggle to find funding to pay for permissions and copies of the source material.

I contacted the relevant department at the BBC and requested several clips with time and date references. None of them could be found and I was asked to provide further specific details on the clips. These could not be found either and, as there was no process of digitisation in those days, I was made aware that in the 1980s news broadcasts were shot on video and to save space and storage it was common practice to record over them. Traces of archives over archives. The images I needed were locked, trapped, held behind other images. Unlike previous eras of filming on celluloid, the videotape era presented a new space for the image, and the image upon the image. It made me think about notions of time, memory, erasure, palimpsest, and the persistence of traces. The way that history is overwritten, yet never fully erased, leaving behind spectral resonances of what came before. A videotape that has been recorded over is not merely a new asset on a surface; it carries spectral remnants. A ghostly presence lingers in the medium itself, whether as visual noise, magnetic disturbance, in the faint memory of the viewers who had witnessed it – if it had been witnessed at all – or the filmmaker who knows what was once there. This echoes Jacques Derrida's notion of 'trace', the idea that meaning, or in this case an image, is never fully present in itself, but always carries the imprint of what came before.[4] To overwrite an archive is to acknowledge that the instability of historical documentation,

2 'Kate Adie says Muammar Gaddafi has a head "full of rubbish"', *BBC Word News*, 7 March 2011, https://www.bbc.co.uk/news/world-12664611

3 'WPC Yvonne Fletcher', *The Police Memorial Trust*, https://thepolicememorialtrust.org/wpc-yvonne-fletcher/

4 J. Derrida, *Of Grammatology* (Baltimore, Johns Hopkins University Press, 1976).

whether institutional or personal, is never neutral or fixed. To film and re-film on the same tape is to acknowledge that images do not exist in isolation, they exist in dialogue with the past, just as every archive is an accumulation of suppressed, forgotten, and rewritten histories. Patricia Hayes, in a different context, has provocatively described this in terms of the 'refusal of light'.[5] When video tape is reused, it mirrors the fragility of official histories, which are often rewritten, censored, or distorted. Yet, the erased images do not vanish entirely; they persist in the medium's materiality, much like marginalised histories remain present as suppressed echoes within dominant narratives. There is a tension between the permanence of memory and the ephemerality of the medium in the act of recording over, where each act of overwriting is both an act of forgetting and of renewal. Obliteration and resurrection are intertwined. Analog videotape in this way is subject to a particular kind of haunting.

Editing is in some way a process of forgetting, becoming a site where intergenerational memory is negotiated. A restored clip may re-open a wound; a survivor's guilt in standard definition may be screaming to be upscaled, and a missing segment may be screaming more loudly than the footage that survived. The edit can re-inscribe narratives and make space for new forms of recognition. What passes from one generation to the next is not just information preserved in 4:3,[6] but the history of its transformation, with all the losses, interferences, and interventions embedded in its journey.[7] Editing acknowledges that collective memory is not fixed. It is continually remade, and carrying forth trauma. It is confronted and given room to be understood differently. To work with archival footage, then, is to accept a dual responsibility; editors must shape coherent narratives while also honouring what the image cannot easily express: the absences, ruptures, and silences that trauma leaves behind. Forgetting remains a necessary part of storytelling, but it must be selective enough through a continual process of replacement to create meaning, sensitive to the cost of exclusion.

I imagined my father's already obscured image submerged by new ones. It had not been entirely erased but transformed, in a way embedding history within history, like an unconscious dream that never fully fades. It came with faint resonances of the past emerging unexpectedly through glitches, distortions, or the uncanny feeling that something else lay beneath. This is a technique used in my film to convey the idea that dreams are not distorted and yet never fully disappeared. Filmmaking with archives is not just about creating new images but also about reactivating the ghosts of what has been lost.

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5 P. Hayes, 'Political Funerals in South Africa: Photography, History, and the Refusal of Light (1960s-80s)', in G. Arunima, P. Hayes, and P. Lalu (eds), *Love and Revolution in the Twentieth-Century Colonial and Postcolonial World: Perspectives from South Asia and Southern Africa* (Basingstoke, Palgrave, 2021).

6 4:3 refers to an aspect ratio, meaning the image is 4 units wide for every 3 units tall, representing the relationship between an image's width and height (for example, 1024x768 pixels). This is a traditional format, distinct from modern widescreen (such as 16:9).

7 Considering Steyerl's concept of the poor image, an image degraded through copying, circulation, compression, and displacement, the poor image is not merely low-resolution but politically displaced, traveling across borders, servers, and informal networks, and detached from origin and authorship. Both exile and the poor image exist outside institutional guarantees of authenticity and preservation. H. Steyerl, *The Wretched of the Screen* (London, Sternberg Press, 2009).

I gave further information to the BBC, down to the date and time of airing and the name of the presenter at the time. I was in fact helping them research their own archive, which was lost to themselves and covered by years of re-recording.[8] I held the traces of the search and it seems that only I was in possession of what I sought. I had in fact the only copies of my father's shadow. Carl Jung's 'shadow' becomes relevant here, especially in films that confront colonial legacies, personal and collective trauma, and marginalised histories.[9] Filmmaker Jean-Marie Teno examines censorship and colonial legacies in Cameroon, also showing that the act of filmmaking itself is about bringing the shadow of history into light.[10] In my film, I engage with presence and absence, my father is both central and elusive, much like a shadow self that one struggles to fully grasp. The absence of Libya itself as a place to which I had no access and he had no access to show me, for me and my father, reinforces the idea of an unresolved shadow, a homeland I can only piece together through secondhand stories and images. Libya for my father is a former place, a place that no longer resides in the forefront of his mind, like a late afternoon shadow when one looks toward the sun. The influence of Gaddafi himself, even after his fall, remains a spectre looming over history.

When accessing older archival material, the material is often of inferior quality. The degrading is a natural process in the material itself. Even digitised material has a life and is not totally lost as it moves towards us through time. Steyerl tells us that 'as it accelerates it deteriorates'.[11] Sourcing and paying for access to the original source material should ensure the transaction of a higher visual resolution, allowing the image to appear at its best when integrated into a film and projected for an audience. My tapes, however, would not differ too much from the source material. Another point of ownership in the visual space is a release form signed by the subject allowing use of their image. I wondered if there were any release forms with my father's name on them. Morally, who then actually owns this material?

Who is watching the watchers?

My other problem, the holy grail for this project, was accessing archival materials from inside Libya, the kind of things that Gaddafi would have used to propagate his message that *'all the riches of Libya belonged to the Libyan people'*,[12] or broadcasts of public executions in stadiums used to instigate fear among his subjects. Before 2011, there was an attempt to build a National Archive. This was not successful. The course of the 2011 revolution did not prioritise the preservation of archives when the fight for life and the sanctity of the living archive were more important. It is the peculiarity

8 This was the process with a number of the other 'rights holders', although the BBC held the majority of material I needed to use. Reaching out to the entities themselves is a bureaucratic process and there is no room for negotiation. When locking the story on film, the archival component from various sources added up to around $60,000 to clear permissions and to retrieve said source material.

9 C. Jung, *Aion: Researches into the Phenomenology of the Self* (New Jersey, Princeton University Press, 1959).

10 T. Jean-Marie, *Afrique, Je Te Plumerai* (Bandjoun Film Studio / Cameroon and Les Films du Raphia / France, 1992).

11 H. Steyerl, *The Wretched of the Screen*.

12 M. Gadaffi, *The Green Book* (Libya, People's Establishment for Publication, Distribution, and Advertising,1975).

of weaving a story of multiple fragmented histories into one thread with coherence, engagement, aesthetics and emotion that necessitates the use of archival fragments (static, moving and aural) from personal, political, public and hidden spaces. This is an underlying thrill of filmmaking. The challenges of accessing these artifacts requires persistence and survival skills in the realm of exiled elements. What I needed was to stage a coup.

Imagine my excitement when it was revealed just a month after Gaddafi was killed that Human Rights Watch (HRW) 'struck gold' as they came across 'a treasure trove' and 'quickly secured' intelligence archives from Gaddafi's bombed compound.[13] Wonderful news. They even made a film about it in 2013 for The Guardian.[14] In an article written for Human Rights Watch by the then Director of Emergencies, it is salient to note excerpts of what was written and what piqued my interest that gave me hope of finding unique material for my story. A story that I had every right to tell:

> The Human Rights Watch teams didn't seek to haul off the files we were trying to preserve – those belong to the Libyan people. In any case, the files of a state which had just about all of its citizens under surveillance were just too massive to haul away. We quickly photographed what we thought relevant, and then worked with Libyan lawyers and rebel representatives to impress upon them the importance of securing the archives, as they surely held answers to some of the mysteries from Qaddafi's 42-year rule. There were so many unsolved mysteries.
>
> By now, our collection of images of Qaddafi's rule number in the thousands. The photo albums and the images themselves belong to the Libyan people – and our role is to ensure their survival… While it is important that the archives from the Qaddafi era remain in Libyan hands, the history they illuminate are relevant to us all. In conjunction with Foreign Policy, we'll be presenting hundreds of these never-before-seen photos, building an online archive for scholars, historians, and curious readers.
>
> We were given a set of ancient Betamax videotapes that were recorded back in the mid-1980s, showing an infamous public trial and hangings at a sports stadium. Those too are an integral, if more brutal, part of understanding the nature of Qaddafi's regime.[15]

I absolutely agreed with these sentiments and so contacted Human Rights Watch in good faith. Maybe it wouldn't cost too much, and perhaps I could replace much of the BBC archives if I could tell the story with materials from inside Libya. Reusing the material that Gaddafi himself used to propagate his image to his own people would be a chance to use the material against the intentions of its original use. This would be an archival coup, and a potential victory for independent filmmakers. My hopes

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13 P. Bouckaert, 'The Gaddafi Files', 20 October 2011, https://www.hrw.org/news/2011/10/20/gaddafi-files

14 'Libya archive reveals pictorial history of Gaddafi's brutal reign', *The Guardian*, 2013, https://www.youtube.com/watch?v=sscfVilthak

15 P. Bouckaert, 'The Gaddafi Files'.

were soon dashed. It became a game of cat, mouse, cold shoulders and legal briefs. A process that should have been easy to procure became impossible. I was asked to list the exact material I needed. Yet, as I did not know what they were holding, how could I know what to ask for? 'Found' in 2011, by 2015 there was still no log of the materials available. As a filmmaker and film editor I have experience gathering and organising all kinds of archival material. Perhaps they did not have the means or experience to sift through and sort such a gathering. I offered my services to help them scan, catalogue and prepare for researchers, like me, to access the material. My offer was refused.

Now, I must be clear that I was not requesting the material to be handed back to Libya. I was not on a mission to sequester what was taken back to a Libyan institution or even into my own hands. I merely wanted to see what had been taken and to then make decisions as to how to use them or not. In the spirit of the HRW article I wanted to share the spoils. To know what exists also points us to that which does not. The subtext is one of critical importance to understanding the complexities of our histories. The looting of archives during the 2011 Libyan uprising, particularly those involving collections acquired by HRW, presents a complex and significant case in the discourse on archival justice, restitution, and historical memory. This entry raises important questions about access, ownership, and the ethics of handling sensitive materials originating in conflict contexts. Under Gaddafi's 42-year rule, Libya maintained a tightly controlled information regime, with extensive state surveillance, documentation of dissidents, and propaganda records. These archives were critical for understanding the mechanisms of repression under Gaddafi's dictatorship. In the aftermath of the 2011/12 conflict in Libya my father was handed his security file when he returned to Libya, once it was considered 'safe'. Libyans were coming across troves of security files and rightly handing them to the people they were about. So shouldn't those whose files had been taken from HRW have access to their own records? Some of these materials included intelligence files, personal records of dissidents, and evidence of state-sponsored violence. HRW were graciously led to the office buildings of Gaddafi's foreign spy chief, Musa Kusa, in the abandoned compound of Gaddafi's military intelligence headquarters in Tripoli.[16] Among the trove were files documenting the collaboration between Western governments (particularly the U.S. and the U.K.) and Gaddafi's regime in matters such as the rendition and torture of Libyan dissidents during the 'War on Terror'. HRW's discoveries apparently provided critical evidence of human rights abuses, including Western complicity in Gaddafi's oppressive tactics, but now after fourteen years they were hauled off we still don't know for sure. However, the looting of Gaddafi's archives and HRW's involvement, possession and use of these materials, raises questions about ethical access and ownership. The archives represent the collective memory of Libya, yet they were removed from Libyan custody, violating principles of national sovereignty and hindering the ability of Libyans to reconstruct their history on our own terms. By controlling access to

16 'The Libya archive reveals a pictorial history of Gadaffi's brutal reign', *The Guardian*, 9 May 2013, https://www.youtube.com/watch?v=sscfVilthak

the archives, HRW centralises the interpretation of Libya's history in the hands of external actors. This case illustrates the dual-edged role of international organisations: while they can expose injustices, their involvement in local archives during conflicts also risks overstepping ethical boundaries. The long-term consequences for Libya are profound.

When engaging with archives, I am careful not to treat them as a single, fixed entity. Acknowledging that different actors, state institutions, NGOs, activists, filmmakers and communities each produce and police their own forms of record-keeping, they are also always contested and shaped by power relations, whether political or aesthetic. In my work, I approach archives as dynamic and operative sites, rather than monolithic repositories of truth. The politics of memory and the plurality of voices, practices, and histories that constitute what we call 'the archive' have to be foregrounded. At the time of writing, HRW had not explicitly articulated a comprehensive policy regarding the release of these materials to Libyan authorities or to the public, perhaps arguing that Libya's fragile post-conflict environment and lack of robust archival infrastructure make it risky to return the materials. It seems as if HRW perceives itself as a custodian, justifying its actions on the grounds of preservation and advocacy. Perhaps there is not an experienced archivist at HRW to manage the files. Perhaps there is a fear of compromised access by releasing the archives to independent researchers, but what this retention means for Libyan history-telling is that there is an external alienation from national history, depriving Libyans of the opportunity to independently reconstruct their past. The colonial echoes do not go unnoticed. The perpetuation of paternalism and dependency continue to inform contemporary practices. The incomplete narratives are further rendered opaque to the public; local perspectives are sidelined, while values and cultural nuances are nullified. A Western-centred version of Libya's past threatens its future, as Libyan researchers are pushed to the margins and denied access to the primary sources needed to challenge dominant narratives or build alternative histories. Is this representative of the narrative that Libyans, and the Global South more generally, are deemed incapable of managing their own historical assets? Are stereotypes of incompetence being reinforced? Whose interests should the archive serve? Does this act reinforce the model of knowledge production where external actors dictate terms of historical inquiry? Repatriation of archival material, whether physical or digital, is a necessary step toward restoring historical ownership and fostering an inclusive, self-determined future for Libya and Libyans.

Exile, Archive, and the Dispersal of Memory

In the post-Gadaffi Libya that my father returned to, there emerged a new, derogatory term for the returnees, which enabled their eventual expulsion. 'Double Shafra' was meant for those who had two passports and could come and go as they pleased.[17]

17 N. Elfeituri, *Double Shafra Culture* (Brave New Libya, 2015). https://bravenewlibya.wordpress.com/2015/01/13/double-shafra-culture/

This led to a doubling of self and space for many returnees. Eventually my father was forced to return to his adopted homeland where, as the HRW case shows, he is denied access to his own story.

The figure of the exile exists at the intersection of personal history, collective memory, and the archival record, or its absence. Exile is not just the loss of home but also the fragmentation of narratives, the dispersal of belongings, and the disruption of the archive itself. It is both a physical and epistemic condition, where the displaced must contend with not only the erasure of their past but also the challenge of reconstructing it through scattered fragments. Archives, whether state-controlled, institutional, or personal, are shaped by the politics of power. This is equally the case in contexts of war, revolution, and struggle, often manipulated or obliterated to distort or even erase unwanted histories.[18] Exiles, by virtue of their displacement, are often excluded from national archives and must rely on alternative means to preserve their pasts. In oral histories, personal collections and underground networks, the archive itself is an unstable entity shaped by movement, loss, and politics. The archive resides in the body and is a residue of what remains when the body has been displaced, pointing to the traces of existence that confirm one's place in history that are rendered impossible to return to. There is therefore a profound connection between the displacement of bodies (the dead and the living) and the displacement of objects. Material cultures are displaced, looted, trafficked, or destroyed. Imperial and colonial violence has long functioned through the theft of cultural objects, from museums filled with looted African and Middle Eastern artifacts to the ongoing destruction of Palestinian libraries and archives as we speak/read/edit/construct. Just as bodies are dislocated, objects too are uprooted, severed from their original contexts, and repurposed to serve new narratives and new 'owners'.

Displacement, for the exile, is rarely a voluntary act but many in exile carry within them the ghosts of past struggles, attempting to piece together their histories in new geographies. Their archives, whether formal or informal, are often precarious, stored in private collections, smuggled across borders, or destroyed before they can ever be reconstructed. In this sense, exile is not just about displacement from home, but a rupture in historical continuity. It is a condition where the body, the archive, and the material remnants of history exist in fragments, waiting to be recovered, reassembled, or permanently lost.

Exile is a double shafra, and multiplied. It is immediate, tangible, and often violent. It is marked by borders, passports, refugee status, and the impossibility of return.[19] It is an exile that is recorded in state documents, yet it is also one that different states oftentimes seek to erase. The exile of memory, of narrative, of materiality and the erasure of histories that do not align with dominant powers is what happens when the things that make history legible are displaced, stolen, or destroyed. This, it

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18 Said's *Orientalism* offers that the Orient ‹exists' in the Western archive only through representations crafted to serve imperial authority. The archive is not neutral, it is a technology of domination. See: E. W. Said, *Orientalism* (New York, Vintage Books, 1979).

19 U.D. Mesthrie, 'The Form, the Permit and the Photograph: An Archive of Mobility between South Africa and India', *Journal of Asian and African Studies,* 46, 6 (November 2011), 650-62.

can be argued, is more insidious because it extends beyond the individual; it affects generations, shaping how history is told and who is remembered. In this way, exile is not just about displacement, but about a continued state of dislocation. It is a struggle over narrative and historical ownership, a battle over who gets to be remembered and who is consigned to oblivion. The double exile, then, is not just about being expelled from home, but about being expelled from history itself.

Edward Said's *After the Last Sky* (1986),[20] a deeply personal and politically charged meditation on Palestinian identity, exile, and representation, provides a crucial lens through which to understand this doubling of the exilic experience. Said and his photographic collaborator, Jean Mohr, juxtapose images of Palestinian life with Said's reflections, exposing the fragmentation, erasure, and misrepresentation that mark the condition of exile. He argues that there is an exile from the land and from narrative. The erasure of Palestinian history and the appropriation of stories shows how Palestinian experience has been distorted, how history has been rewritten or silenced in favour of Zionist narratives, and how their representation in Western media often reduces Palestinians to either victims or terrorists, denying them their full humanity. The Palestinian experience is thus shaped by fragmentation and the films we make in order to understand a whole, are also shaped by fragmentation. The archive itself becomes a site of struggle (physically, emotionally, and aesthetically), and in the absence of formal documentation, oral histories, personal testimonies, and even artistic representations become crucial acts of resistance that must become their own archive. In this sense, my film itself is an attempt to rebuild an archive, to create a space where lives, histories, and images are preserved and given meaning beyond the frameworks imposed by looting and displacement.

Repatriation and restoration

Is repatriation and the return of archival materials to their communities of origin an act of restorative justice or, as filmmakers, is it a self-indulgent practice of working with material no one has seen before in order to have the last word? Is this process a decolonising one and does it enable a reparative historiography? Can it expand our historical horizons, adding new dimensions to historical discourse, or does it muddy the waters as we dissect and fragment the fragmented, further obfuscating memory and meaning? At the very least this practice counters historical domination by imperial powers and validates lived experiences that were previously suppressed. However, it may not be enough to repatriate without the acknowledgment of harm already caused by their removal. Digital restitution perhaps makes more sense to a filmmaker where archives are both repositories of power and arenas of struggle. Ownership, access, and financial barriers shape the narratives we can produce, and so these are not just acts of returning artefacts but of healing historical wounds, democratising knowledge, and constructing more inclusive futures.

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20 E. Said, *After the Last Sky* (New York, Columbia University Press, 1999).

The issue of looted or externally controlled archives extends beyond Libya and reflects a broader pattern of cultural and historical dominance. Numerous examples illustrate how external actors have (and still do) seized, retained, or controlled archives belonging to other nations or marginalised communities, often justifying their actions with claims of preservation or security. During the nineteenth and early twentieth centuries, the U.S. government and missionary organisations seized vast amounts of tribal records, including treaties, cultural artifacts, and documentation of Native American histories. Many of these materials are housed in national archives, universities, or private collections, inaccessible to those directly effected. This lack of access perpetuates the marginalisation of Native American voices in their own historical narratives and the absence of tribal control over these records also limits cultural preservation and the ability of Native communities to reclaim their histories. Recent years have seen calls for the repatriation of these records under the Native American Graves Protection and Repatriation Act (NAGPRA), but progress has been slow.[21]

After the establishment of Israel in 1948, Israeli authorities seized archives and documents from Palestinian homes, libraries, and institutions. Many of these materials remain in Israeli state archives or private collections, inaccessible to Palestinians. These archives which document long histories of expulsion and land confiscation are critical to understanding the Nakba (catastrophe) and ongoing disputes over land and rights. Such acts have continued throughout Palestine's recent history.

In 2001 Israeli police raided the Orient House in East Jerusalem, which until then had constituted the main and only representation of political institutions in the city.[22] The absence of these materials contributes to a fragmented historical narrative and undermines claims for restitution and justice. Following Algeria's independence from France in 1962, vast amounts of official documents and archives were retained by the French government, who have resisted calls for the full return of these archives, citing national security and the need to protect sensitive information.[23] France's control over these archives hampers Algeria's ability to fully document, teach and understand its colonial history. The return of the Benin Bronzes by European museums has become a focal point for broader discussions about the need to return looted African artefacts.[24] While the illicit trade in artefacts from Syria and Iraq underscores the need for stronger international enforcement, the repatriation of stolen items to their war-torn homelands is also an issue.[25] The British Museum, Musée du Quai Branly, German state archives,Haitian revolutionary archives, Jewish archives looted by the Nazis, and Tibetan archives under Chinese control are among numerous other examples.

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21 'Native American Graves Protection and Repatriation Act', *US Department of the Interior: Indian Affairs*, https://www.bia.gov/service/nagpra

22 'The Looted Archives of the Orient House', *The Jerusalem Quarterly*, 13 (2001) https://doi.org/10.70190/jq. I13, 3.

23 F. Soufi, 'Algerian Archives in 1962: Legacy and Plunder', *Insaniyat; Revue algérienne d'anthropologie et de sciences sociales,* 43 (2004).

24 Dahomey Review, 'Exquisite Tale of Repatriation', *The Guardian,* 27 October 2024. https://www.theguardian.com/film/2024/oct/27/dahomey-review-mati-diop-exquisite-tale-of-repatriation-atlantics

25 S. Eskander and S. Farhan, *The Looting and Repatriation of Iraq's Archives* (Toronto, University of Toronto Press, 2023).

These cases reflect a recurring pattern of power asymmetries in archival control whose consequences are profound, shaping how histories are told, who gets to tell them, and which narratives are legitimised. Efforts at restitution and repatriation are essential not only for correcting historical injustices but also for fostering equitable access to knowledge and cultural heritage. The dynamics of archival control, ownership, and access have significant implications for independent documentary filmmakers, particularly those who work to uncover suppressed histories or challenge dominant narratives. We often rely on archives to expose untold stories, but access is shaped by gatekeeping institutions, financial restrictions, and geopolitical considerations. Incomplete narratives compromising our independence and forced editorial negotiations are compromises just to obtain permissions. Can a filmmaker produce a fair account of Libyan history if access to sensitive materials is filtered through a Western NGO's agenda? Operating on tight budgets, high archival usage fees, legal expenses, and unaffordable travel costs, married with institutional exclusion where privileged access leaves independent creators at a disadvantage leads to incomplete (his)stories. Stifled creativity perpetuates power imbalances and limits our scope. Ultimately, the democratisation of archival resources is essential for fostering a vibrant and inclusive documentary filmmaking landscape.

The old monopolies over the flow of information maintain and validate themselves through the neo-colonial commodification of historical resources. This means that stories are often only told by western journalists and storytellers. We have a right to our image that sits in those storehouses and the continuation of these habits hampers the development of alternative perspectives on our very own stories. Narratives of history are maintained with no alternatives. The inability to exercise our right to examine our own narratives means that we cannot reflect, contest and complexify history. It means that the acceptable story of Libya is one of a fetishised eccentric Gaddafi, refugee crises, and the slave trade. Not a story of exile, opposition and home.

When shaping the possibilities of production, our lack of ownership of materials is impacted because as we are alienated from the material, the material becomes alienated from our histories, and our histories lose the opportunity to become wider and more complex. The limits of critical engagement with our past, our understanding of cultural heritage, the hindrance of producing new narratives and interpretations grounded in primary sources is challenged. Without ownership, even a marginal kind of ownership, historical records are mediated by the gatekeeper's choices about access; this introduces incompleteness of the already fragmented bias. Restricted access, often due to financial or institutional barriers, maintains inequities in knowledge production where scholars, activists, artists and whole communities are denied the tools and possibility to challenge dominant narratives or construct counter-histories. The history thus skewed forces us without awareness toward the perspectives of those in power, breathing in their stories, and breathing out their morals.

The financial barriers, as well as privileging wealthier researchers and institutions, determine what archives are preserved, digitised, and prioritised for study. Because they don't let us into the room to see what they 'got', we don't know what

exists. Our histories are inaccessible and invisible. Who then will benefit from the findings unfounded?

As custodians of the past and holders of the future, the fragments of our histories act as sites where collective memory is either preserved or erased for good. What is chosen for preservation determines how societies remember their past, and what they forget, risking the creation of historical voids that perpetuate ignorance and misrepresentation. As custodians of a blueprint for the future, the controlling of which narratives are accessible today influences our ideological frameworks of tomorrow. Would a future shaped by diverse archival materials enable multiple perspectives to inform more inclusive and equitable development, or are we destined to reproduce singular narratives?

Conclusion

My film provides a poignant example of how restricted access to archives and the dynamics of ownership and control affect the storytelling process, particularly when dealing with personal and national histories. It also shows how creative use of personal archives and fair use are the tools in the hands of filmmakers determined to tell their stories. The film explores my relationship with my father who became an enemy of the Libyan regime and relies on a combination of personal archives, fragmented historical records, and oral histories to reconstruct both the personal story and the broader political history of Gaddafi's Libya. The West's presentation and interaction with Gaddafi as well as Gaddafi's own regime curated an official history that obscured or erased dissenting voices. Meanwhile, significant archives related to Libya's political history remained outside Libyan hands. My focus on personal archives and family stories offers an intimate, subjective perspective that contrasts with the impersonal, inaccessible state archives. The fragmented nature of the archival record mirrors the dislocation experienced by many Libyans during Gaddafi's rule and its aftermath. My aim was to create a narrative structure that reflects the fractured reality of Libya's history.

By working with personal archives, I sought to reclaim the history of modern Libya from the shadow of state and Thatcher/Reagan era propaganda. This act of storytelling and the routes chosen to 'free' the archives becomes a form of resistance against a history we have been told. The absence of comprehensive archives amplifies the emotional resonance of personal materials, such as letters, photographs, and home videos, which carry the weight of what has been lost or suppressed. The retention of Gaddafi-era archives by HRW and other external entities means that Libyan filmmakers like myself must navigate a treacherous landscape.

Despite these challenges, my film exemplifies how independent filmmakers can use limited resources to craft powerful narratives by reclaiming historical agency, illuminating the personal/political connection, bridging the gap between individual and collective memory, and creating a narrative that resonates beyond Libya. Leveraging alternative archives, embracing fragmentation and advocating for repatriation, as well as the urgent need for equitable access to archives and the repatriation of looted

materials shows the resilience of independent filmmakers in reclaiming and reconstructing histories against the odds. Intimate, personal storytelling can confront and challenge systemic barriers, offering a powerful counter-narrative to official histories.

Archives are repositories of collective memory, preserving the stories and experiences that define a society, and equal access to them can have profound implications for historical scholarship, cultural preservation, justice, and democracy. Equal access ensures that these memories are shared and protected for future generations, building a more inclusive and accurate collective memory. The return of looted archives to indigenous and colonised communities reflects the principle of equal access, allowing these groups to engage with their histories on their own terms. It is about more than open doors; it is about dismantling barriers that perpetuate inequity and exclusion. It ensures that all people can engage with the past and understand their cultural heritage. For us, this means empowering diverse voices, fostering justice and accountability, and nurturing a society where knowledge is a common good. Equal access transforms archives from tools of power into resources for liberation and progress.