

Reviews

Archivists, Recordkeeping, and the Declassification of Records: What We Can Learn from Contemporary Histories

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Abstract: Over the past fifteen years, the Reviews section of the *American Archivist* has seen a preponderance of commentaries analyzing guides, manuals, indexes, documentary collections, inventories, and surveys. To a lesser extent, one also finds reviews of texts on archival management, functions, and theory. Although the second of these two groups of writings merits serious and current attention, the former group has been emphasized at the expense of works that can contribute enormously to our understanding of users and recordkeeping systems. This negligence limits our understanding of users, recordkeeping systems, and access issues and minimizes the significance of records as both agent, surrogate, and remnant of human activity and communication. Three recently published volumes from this ignored genre of literature are examined here. These writings contain material relevant to the archival community, and the authors' narratives highlight important archival issues such as access; records creation, destruction, and ownership; accountability; accuracy and authenticity; and document form.

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Christopher Simpson, *The Splendid Blond Beast: Money, Law, and Genocide in the Twentieth Century* (New York: Grove Press, 1993). ISBN 0-8021-1362-1; \$24.95.

Alexander Charns, *Cloak and Gavel: FBI Wiretaps, Bugs, Informers, and the Supreme Court* (Chicago, Ill.: University of Illinois Press, 1992). ISBN 0-252-01871-0; \$24.95.

Eric Wakin, *Anthropology Goes to War: Professional Ethics & Counterinsurgency in Thailand* (Madison, Wis.: Center for Southeast Asian Studies, Monograph no. 7, 1992). ISBN 0-8812-6102-6; \$27.95.

THE NOTION THAT "INFORMATION IS POWER" is a tired, overused adage. However, as amply demonstrated by the three works discussed here, this adage is by and large true. It should be noted at the outset that this essay is not a book review proper that concentrates on the merits of each book and rates the author's success. Rather, the emphasis here is on the importance of this genre of literature for the archivist and on the need for the discipline both to be aware of these types of works and to digest the information they contain on user access, records, and recordkeeping systems.

These books were chosen for two reasons. First, Christopher Simpson's *The Splendid Blond Beast* and Alexander Charn's *Cloak and Gavel* were selected as representatives of a large and growing body of literature that does not rely solely on previously declassified records. Instead, the authors of works such as these aggressively seek out records that remain classified. Their assumption, correctly held, is that in prying open these records they will be navigating uncharted territory and reporting significant new information, which may challenge comfortable assumptions about recent

U.S. history. As such, these works were selected partly to document user access experiences, partly to demonstrate the value that newly declassified documents can have on historical scholarship, and partly to underscore the importance of broadened public access to government archives.

Eric Wakin's *Anthropology Goes to War* was chosen to provide insight into the impact of a small set of records (in this case a cache stolen from an individual's personal papers) on an entire scholarly community. This volume raises important ethical concerns about the inviolability of a person's files and the moral complexities associated with documents from the war in Southeast Asia.

Taken as a group, these three volumes provide compelling evidence of the impact of selective access to and control over records and recordkeeping systems during events of continuing historical interest. Equally important, these texts tell us much about user experiences and frustrations in gaining access to classified government documents. Why many of the records remained classified for decades after their creation in the first place, and why other desired records remain beyond the public's reach, are questions that arise in these volumes. The experiences of many contemporary writers indicate that continued classification is largely a smoke screen designed to hamper public accountability, and that the existing mechanisms for public access, particularly the Freedom of Information Act (FOIA), contain structural barriers that place undue legal, financial, and temporal burdens on requesters.¹

¹For interesting discussions of user access experiences over the last fourteen years see John Marks, *The Search for the Manchurian Candidate: The CIA and Mind Control* (New York: Times Books, 1979), vii-viii; William Shawcross, *Sideshow: Kissinger, Nixon and the Destruction of Cambodia* (New York: Simon and Schuster, 1979), 12; Christy Macy and Susan Kaplan, *Documents: A Shocking Collection of Memoranda, Letters, and Telexes from the Secret Files*

Oddly, and tellingly, the archival literature has been largely mute on these subjects and has ignored fascinating works that

of the *American Intelligence Community* (Middlesex, England: Penguin Books, 1980); Madeleine Kalb, *The Congo Cables: The Cold War in Africa—From Eisenhower to Kennedy* (New York: MacMillan Publishing Co., Inc., 1982), xv–xvi; Lawrence S. Wittner, *American Intervention in Greece, 1943–1949* (New York: Columbia University Press, 1982), x; Steven Schlesinger and Stephen Kinzer, *Bitter Fruit: The Untold Story of the American Coup in Guatemala* (Garden City, N.Y.: Anchor Press, 1983), preface; Raymond Bonner, *Weakness and Deceit: U.S. Policy and El Salvador* (New York: Times Books, 1984), 9–10; Blanche Wiesen Cook, *The Declassified Eisenhower* (Middlesex, England: Penguin Books, 1984), x–xi; Stephen Green, *Taking Sides: America's Secret Relations with a Militant Israel* (New York: William Morrow and Company, Inc., 1984), 12–13; George McT. Kahin, *Intervention: How America Became Involved in Vietnam* (New York: Alfred A. Knopf, 1986), xi; Sigmund Diamond, "Archival Adventure Along the Freedom of Information Trail: What Archival Records Reveal About the FBI and the Universities in the McCarthy Period," *Midwestern Archivist*, 12, no. 1 (1987): 29–42; Cecil B. Currey, *Edward Lansdale: The Unquiet American* (Boston, Mass.: Houghton Mifflin Company, 1988), xii, fn 70, p. 387; Bruce Oudes (ed.), *From: The President, Richard Nixon's Secret Files* (New York: Harper & Row, 1989), xlv–l; Joseph L. Rauh, Jr., and James C. Turner, "Anatomy of a Public Interest Case Against the CIA," *Hamline Journal of Public Law and Policy* 11 (Fall 1990): 363; David L. Anderson, *Trapped by Success: The Eisenhower Administration and Vietnam, 1953–1961* (New York: Columbia University Press, 1991), xvi; Kati Marton, *The Polk Conspiracy: Murder and Cover-up in the Case of CBS News Correspondent George Polk* (New York: Farrar, Straus & Giroux, 1990), 331–32; Michael F. Brown and Eduardo Fernandez, *War of Shadows: The Struggle for Utopia in the Peruvian Amazon* (Berkeley, California: University of California Press, 1991), fn 29, pp. 233–34; Theodore Draper, *A Very Thin Line: The Iran-Contra Affairs* (New York: Hill and Wang, 1991), ix–xi; David N. Gibbs, *The Political Economy of Third World Intervention: Mines, Money and U.S. Policy in the Congo Crisis* (Chicago: Ill.: University of Chicago Press, 1991), 6, 108; John Prados and Ray W. Stubbe, *Valley of Decision: The Siege of Khe Sanh* (Boston, Mass.: Houghton Mifflin Company, 1991), xv–xvi; Laurence Chang and Peter Kornbluh, *The Cuban Missile Crisis, 1962, A National Security Archive Documents Reader* (New York: The New Press, 1992), xvi–xviii; and Natalie Robins, *Alien Ink: The FBI's War on Freedom of Expression* (New York: William Morrow and Company, Inc., 1992), 15–20.

shed light on the artifacts and social processes directly relevant to the archival enterprise. A survey of the last fifteen years of the Reviews section of the *American Archivist* reveals a preponderance of commentaries analyzing guides, manuals, indexes, documentary collections, inventories, and surveys. To a lesser extent, one also finds reviews of texts on archival management, appraisal, arrangement and description, reference, security, automation, law, preservation, conservation, education, disaster planning, and similar topics. Although the second of these two groups of writings merits serious and current attention, the emphasis on the former group has occurred at the expense of works that can contribute enormously to our understanding of users and recordkeeping systems. This negligence limits our understanding of access issues and minimizes the significance of records as both agent, surrogate, and remnant of human activity and communication.

Perhaps one reason for the omission from the archival review literature of works such as those by Simpson, Charns, and Wakin is that often the authors and publishers of such works are themselves remiss in drawing attention to the archival dimension of their work. However, when reading these works through the eyes of an archivist, one witnesses an archival subtext that is both rich in content and implication. Records creation, dissemination, retention, and destruction play surprisingly important roles throughout each of these three works. The careful reader may also realize that such works contribute significantly to archival history by fleshing out how recordkeeping systems operate, are manipulated, and are sometimes compromised as a result of the bureaucratic politics endemic to the living organizations that created them. As the following discussion will demonstrate, archivists can no longer continue to ignore this genre of literature.

THE SPLENDID BLOND BEAST

Christopher Simpson, a member of the journalism faculty at American University in Washington, D.C., is no stranger to pioneering research into formerly classified government archives. His earlier work includes the widely hailed *Blowback: The First Full Account of America's Recruitment of Nazis and Its Disastrous Effect on Our Domestic and Foreign Policy* (New York: Weidenfeld & Nicolson, 1988) and a stint as the research director for Marcel Ophuls's Academy Award-winning documentary *Hotel Terminus: The Life and Times of Klaus Barbie*.

In his most recent work, *The Splendid Blond Beast: Money, Law and Genocide in the Twentieth Century*,² Simpson once again returns to Nazi Germany and the complex environment of post-Second World War international relations. Once again he secures the release of formerly classified U.S. files (also drawing on the United Nations' War Crimes Commission archives and collections of personal papers). And once again he reports a profoundly disquieting picture. He argues that many of the perpetrators of genocide in the twentieth century (his two case studies are the Armenian genocide and the Holocaust) escape justice because of their status within society and because of the failings of international law. He asserts that the reasons for this are embedded within the larger structural relations between the dominant sectors of society. The financial, industrial, and legal institutions in Germany facilitated the Holocaust and enjoyed its spoils. However, after the war, the United States relied on many of the key players from the complicitous German elite to rebuild Germany, under the assumption that

these individuals would provide key logistical help in developing a strong and anti-Soviet postwar Germany. Some U.S. policymakers missed the irony of this move because they failed to view these alliances as something inherently inconsistent with U.S. strategic interests. Furthermore, these same policymakers sought to manipulate international law proceedings to ensure that certain guilty individuals escaped justice. Simpson underscores this point in the earlier chapters of his text, where he documents the United States' reluctance to prosecute the Turkish perpetrators of the Armenian genocide in the early twentieth century. This reluctance was due to the perceived greater need to build alliances with the Turks in order to gain an edge in competition for emerging Middle East oil resources.

Simpson, unintentionally no doubt, also contributes enormously to archival history by touching on the roles played by records and recordkeeping systems in this drama. He adds to our understanding of researchers' utilization of classified files and the efforts they expend to acquire the records that are released. In particular, his work provides an interesting perspective on the continued classification of records and the value of new information gleaned from recent declassifications. He also offers an insight into the political circumstances surrounding recordkeeping systems, including document dissemination, authorship, access, and destruction. Finally, he relates an episode in which documents played a pivotal role in establishing blame for one of the Second World War's more notorious massacres.

Classification, Declassification, and Researcher Access

Simpson criticizes access policies for documents that continue to be classified despite the fact that they are nearly fifty years

²The title for this work comes from the philosopher Frederick Nietzsche, who used the term to refer to those elites in society who felt no compunction against using violence to secure "order."

old. He specifically points to the still-classified records of Allen Dulles's wartime negotiations with Karl Wolff, the highest ranking S.S. officer to survive the war. Dulles, then an officer with the U.S. Office of Strategic Services, secretly coordinated with Wolff a possible German surrender of northern Italy in 1945. Based on an existing Allied agreement with the Soviets, the former U.S.S.R. had the right to attend these secret negotiations, but they were denied participation, thereby harming an already fragile wartime alliance. Consequently, President Franklin D. Roosevelt told Dulles that he could negotiate only an unconditional surrender from the Germans. Despite Dulles's later protestations, it was widely held at the time that he had offered protection to Wolff and his underlings in return for a quick surrender.³

Ignoring later orders from the joint U.S.-British Military Command to sever negotiations, Dulles continued his attempt to work out a deal with Wolff. Interestingly, Simpson notes that files from a subsequent U.S.-British Combined Chiefs of Staff investigation into Dulles's actions regarding this incident went missing from both O.S.S. and military records systems after the war and have never been found to this day.⁴

³Among other activities, General Wolff had served for ten years as a top officer-aide to SS chief Heinrich Himmler, and he had written of his sense of accomplishment when, against competing interests, he successfully procured freight cars to transport Jews to Treblinka. Wolff wrote glowingly of this deed, commenting on his "special joy now that five thousand members of the Chosen People are going to Treblinka every day." *The Splendid Blond Beast*, p. 202.

⁴*The Splendid Blond Beast*, pp. 199-205. Given the mass of records created by the government, it is not entirely surprising that some end up missing, whether through purposeful removal or misplacement. One of the more remarkable recent recoveries of lost files was John Prados's discovery of an entire series of memoranda documenting General William Westmoreland's telephone conversations during his service as the supreme U.S. military commander in Vietnam, and later as the Army's chief of staff. While working with Westmoreland's daily schedules, Prados noticed a handwritten notation which indicated that West-

In 1946, Italy wanted to prosecute the S.S. and Gestapo officers active in Italy during the war. Included among these individuals were some of General Wolff's top aides who served him during his secret negotiations with Allen Dulles. The unacknowledged protection promised to Wolff apparently inhibited Italian calls for justice. After a series of discussions on this matter in the United States, Wolff's aides were transported to Germany, outside the reach of the Italian courts.⁵ Unfortunately, the content of these discussions, like the Dulles-Wolff negotiations, remains classified.

The value that access to such records can have for the historical record is illustrated through another case in which Simpson was successful in securing declassification. This episode deals with the U.S. State Department's refusal to fulfill Yugoslavian requests for the repatriation of suspected fascist collaborators. By demurring on the request, both the British Foreign Office and the U.S. State Department reasoned that, while there were indeed collaborators on the request list submitted by the Tito's Yugoslavian government, others named on the list seemed guilty primarily of opposition

moreland's phone conversations were being recorded. Four historians who are writing the Army's official history on Vietnam were consulted by Prados, but none of them were familiar with the existence of these records. After further investigation, the entire series was found, unboxed, among other Westmoreland papers in the vault of the Lyndon B. Johnson Presidential Library. Inexplicably, these telephone memoranda were filed under "Fone," partly explaining why they had remained untouched all of these years. See Prados and Stubbe, *Valley of Decision*, xv-xvi.

⁵One of Wolff's aides who escaped the Italian courts, Eugene Dollman, never had to face his accusers. When portions of Valentine Grombach's personal archives recently became public, Simpson was able to trace Dollman's postwar activities. Grombach was an intelligence agent who contracted out his network to the CIA in the early 1950s. After a falling out with the agency, Grombach passed on his own damaging reports on CIA agents to antagonists of the CIA, including FBI Director J. Edgar Hoover and Senator Joseph McCarthy. One report given to the FBI asserted that Dollman ended up working for the CIA. *The Splendid Blond Beast*, pp. 242-43.

to Tito rather than of any war-related activity. American obstructionism in protecting the enemies of Tito at the expense of repatriating legitimate war criminals became so overt that John Cabot, who was then U.S. ambassador to Yugoslavia, felt obliged to comment as follows in a June 1947 cable to Washington:

I presume we must protect our agents even though it disgusts me to think that we may be using the same men we so strongly criticized the fascists for using. . . . But so far as I can ascertain [the] record now is, despite our commitments and moral obligations: [1] we have failed to take effective action [to repatriate accused Yugoslav war criminals], [2] we have prevented [the] British from taking effective action, [3] we have not insisted that Italy take effective action, [4] we are apparently conniving with the Vatican and Argentina to get guilty people to haven in the latter country. I sincerely hope I am mistaken, particularly regarding [this] latter point. How can we defend this record?⁶

Attached to Cabot's missive, Simpson found a State Department legal adviser's office note contesting and criticizing his interpretations. Both had remained buried in classified files for more than four decades after they had been written. Simpson also uncovered a previously classified document from September 1947 stating that the refusal to turn over a Nazi collaborator, Nikola Rusinovic, stemmed from the U.S. need to use this individual as a "source of information." The document additionally noted that this individual was likely to be transferred to the United States for this purpose and therefore his case should be considered closed.⁷

Revelations from formerly classified files are not restricted solely to the U.S. archives. Recently opened and translated Soviet archives have provided contemporary Soviet interpretations of U.S. actions in postwar Europe. These lend insight into the circumstances surrounding the emerging Cold War mentality and the intransigence that gripped both sides for over forty years. One September 1946 memorandum to Stalin from the Soviet ambassador to the U.S. summarizes the situation as follows:

The American occupation policy does not have the objective of eliminating the remnants of German Fascism and rebuilding German political life on a democratic basis, so that Germany might cease to exist as an aggressive force. The United States is not taking measures to eliminate the monopolistic associations of German industrialists on which German Fascism depended.⁸

Access to documents such as these and the documents Simpson was able to get declassified will paint a richer, far more accurate history of the Cold War and of U.S. and Soviet relations to Nazi Germany. The picture that emerges is sordid and starkly contradicts much of the history written in the absence of such records. Nevertheless, it is a view that must be drawn out of closed archives if we are to understand better not only the policies pursued but also the rationales and justifications behind those policies.⁹ In this situation, the position taken by archivists who can effect the declassification of such records emerges as one of the more pressing concerns for the profes-

⁶Quoted in *The Splendid Blond Beast*, p. 210.

⁷*The Splendid Blond Beast*, pp. 210–11.

⁸Quoted in *The Splendid Blond Beast*, pp. 381–82.

⁹For a recent seminal history on this era which relies heavily on declassified records, see Melvyn P. Leffler, *A Preponderance of Power: National Security, the Truman Administration, and the Cold War* (Stanford, Calif.: Stanford University Press, 1992).

sion in the post-Cold War era. These archivists would do well to follow the counsel offered by Susan D. Steinwall in an article published in the *American Archivist* in 1986. She advised government archivists to consider the informational value of such records to the public, as opposed to primarily considering the evidential value of such records to the creating agency. In this context, democratic societies require the accountability afforded by access to government records.¹⁰

Recordkeeping Systems—Distribution, Authorship, Access, and Destruction

Beyond the needs of the researchers and the revelations afforded by individual records, Simpson also provides details on how recordkeeping systems themselves become historically significant.

During the summer of 1942, six months after the infamous Wannsee conference authorized the “final solution,” reports were filtering into Washington regarding the occurrence of mass gassings in Nazi-held Poland. Washington policymakers, then as now, were heavily factionalized, and groups competed through various means to see that their interpretation of events rose above all others. Under these circumstances, burying documents became a bureaucratic strategy designed to control policy formation and implementation. Specifically, one powerful faction within the State Department refused to pass on information from German industrialist Eduard Schulte, who stated that mass murder was in fact occurring; they derided his claims as “wild rumor inspired by Jewish fears.” At the same time, this faction also failed to circulate through the bureaucracy a letter from the U.S. ambassador in London regarding a British pro-

posal for White House support in forming an Allied commission on Nazi war crimes.¹¹

Establishing the true authorship of documents does more than provide Simpson with one of the more damning pieces of evidence regarding certain U.S. policymakers’ opposition to war crimes trials. It also provides archivists with a recognition of the complexities surrounding the records under their charge and the significance of marginal markings and office coding schemes.

In June 1943, Herbert Pell, father of U.S. Senator Clairborne Pell, was appointed by President Roosevelt as U.S. representative to the United Nations War Crimes Commission (UNWCC). The aristocratic political appointee immediately clashed with the State Department’s legal adviser Green Hackworth (a member of the faction heavily criticized by Simpson). Pell was adamant about the need for developing a definition of *war crimes* broader than the one articulated by Hackworth in his authoritative eight-volume work on international law. Pell particularly urged consideration of the need to punish those commercial interests that took advantage of and profited from Hitler’s racial and genocidal policies. Unfortunately, Pell’s cables to President Roosevelt on the actions he wished to press with the UNWCC landed on Hackworth’s desk, and it was Hackworth who ghosted Roosevelt’s responses to Pell. The carbon copies of the notes forwarded to Pell, which Simpson found in the State Department’s archives, showed both Hackworth’s and his secretary’s initials in the lower left-hand corner. According to Simpson, such markings were “a

¹⁰Susan D. Steinwall, “Appraisal and the FBI Files Case: For Whom Do Archivists Retain Records?” *American Archivist* 49 (Winter 1986): 52–63.

¹¹*The Splendid Blond Beast*, pp. 103–04. Drawing on these previously classified files and their attachments, Simpson concludes that this group’s “conception of national security led them to deny the Holocaust, obstruct efforts to rescue Hitler’s victims, and . . . oppose trials of Nazi Germany’s leaders” (p. 100).

long-established custom used by the department for designating authorship.”¹²

Instead of benefiting from a direct line to the president, which he hoped would give him an advantage, Pell was unwittingly outmaneuvered by his archrival Hackworth. Not to be deterred from his own agenda, though, Pell interpreted Hackworth’s ghosted memoranda as approval for his chosen course of action.¹³ Pell was eventually dismissed when Congress failed to appropriate funding for his position, no doubt influenced by the low-priority ranking given the position of UNWCC representative by the State Department. Hackworth’s hand was further strengthened when the British Foreign Office, which strongly agreed with his restrictive definition of war crimes, passed classified Combined Chiefs of Staff policy papers to him for use in lobbying Washington officials.¹⁴

One of the more interesting revelations in Simpson’s work regarding recordkeeping systems and access policies surrounds the sealing of the United Nations War Crimes Commission files. Despite its public face welcoming prosecution of suspected war criminals, the UNWCC was doomed when both the United States (under the efforts of Green Hackworth¹⁵) and

the British (who were unhappy with the vigor with which the UNWCC sought to prosecute war criminals) began to cut back on UNWCC funding and staffing. Although France, The Netherlands, and Belgium protested the action, the United States, in the summer of 1947, set a 1 November 1947 deadline as the last day on which U.S. assistance could be requested for the transfer or prosecution of suspected war criminals. As the deadline approached, hundreds of prima facie cases were compiled and filed with the United Nations, which was to serve as the arbiter on the fate of these records. Ivan Kerno, the United Nations official responsible for deciding access to this collection (which included over 25,000 other case files on alleged war criminals), ruled that all these files were to be transferred to a United Nations warehouse where access was to be granted only under extreme instances.¹⁶ In a remarkable twist that raises grave questions on Kerno’s motivations, Simpson was able to secure through the FOIA the release of State Department records indicating that at the time Kerno sealed the UNWCC’s files, he was an informant and an intelligence contact for both the State Department and the FBI and had had a relationship with Allen Dulles dating back to 1919.¹⁷

Finally, Simpson calls attention to the role document destruction played in subverting a full accounting of German commercial and industrial complicity in the Holocaust. In the wake of the Allied victory, the German corporate powerhouse I.G. Farben destroyed thousands of pounds of

¹²*The Splendid Blond Beast*, p. 165.

¹³During his tenure on the UNWCC, Pell became frustrated by the lack of information forthcoming from both U.S. and British intelligence. It was believed that such information would have greatly assisted the commission as it went about compiling evidence to be used in future war crimes trials. To expedite information gathering, in 1944 the UNWCC successfully lobbied Allied military authorities to institute use of a standardized form when interrogating German POWs on war crimes. *The Splendid Blond Beast*, p. 166.

¹⁴*The Splendid Blond Beast*, p. 183.

¹⁵According to a February 1946 memorandum written by the State Department’s senior European specialist, who was approached by Hackworth, “[Hackworth] wishes to have the Commission discontinued and desires to use the question of appointing a successor [to serve as the new U.S. representative to the UNWCC] as the occasion to bring this about.” Quoted in *The Splendid Blond Beast*, p. 257.

¹⁶Incidentally, these records remained closed until November 1987, after the furor over former United Nations Secretary General Kurt Waldheim’s Nazi connections forced them open. For an account of this, see Robert Edwin Herzstein, “The Recently Opened United Nations War Crimes Archives: A Researcher’s Comment,” *American Archivist* 52 (Spring 1989): 208–13.

¹⁷*The Splendid Blond Beast*, pp. 275–77.

documents regarding its operations at Auschwitz. Such documents would have been useful to the 1947 War Crimes trials against several of the corporation's directors, minimally bearing evidence of their reliance on slave labor.¹⁸

In each of the three books examined here, document destruction played an important role in eliminating evidence of the actions of participants. However, in one instance, the survival of records laid to rest questions on responsibility for one of the most infamous massacres of the war.

Documents as Evidence

During the winter of 1942 an international debate raged over who was responsible for the Katyn forest massacre in which thousands of Polish military officers were summarily executed. The Nazis found the mass graves and assigned blame to the Soviets, asserting that after Nazi Germany and the Soviet Union had split Poland, these Polish officers were interned by the Soviets in prisoner-of-war camps and massacred in 1940. The Soviets countercharged, claiming that the Nazis had murdered the Poles in the wake of their 1941 thrust into the Soviet Union. The key to unlocking true responsibility pivoted on the discrepancy between the dates proposed by the Nazis and the Soviets for the massacre. The Nazis fortified their claims against the U.S.S.R. by marshaling documents found on the corpses, including letters, diaries, Soviet prison-identification papers, and newspaper articles that proved beyond a doubt that the massacre had taken place during the first part of 1940, well before the German invasion. The Soviets did not admit their guilt for nearly fifty years. In 1990 they claimed that new documents had recently come to light indicating the responsible party

belonged to a group within the N.K.V.D. (the predecessor to the K.G.B.).¹⁹

Publication of Documents

Obtaining declassification of documents is one thing, but making them widely available is quite another. An author who gets records declassified frequently remains the only holder of copies of these records outside of the federal government. Once the author's book is written, these declassified records typically are stored away in the author's basement, out of reach of other researchers. Some declassified records, however, do find a wider audience if they are published, as exemplified by the contents of the State Department's *Foreign Relations of the United States* series.²⁰ The vast majority of declassified records, however, do not end up in published form.²¹ Simpson offers an interesting example of this phenomenon.

In 1945, William Draper, a partner from the private investment banker firm Dillon, Read & Co., was appointed as the chief economist for the Allied occupation government in Germany. During the 1930s, Dillon & Read had advocated and managed international investment in Hitler's Germany. From his new position and despite his public actions, Draper aggressively countered de-Nazification and decartelization efforts against the German economic elite who had profited tremendously from

¹⁹*The Splendid Blond Beast*, pp. 126–27.

²⁰This series is not without its problems, however; it has been widely criticized for being behind schedule and for allowing political concerns to damage its integrity as the official record of foreign policy decisionmaking. For a discussion of this, see Bruce R. Kuniholm, "Foreign Relations, Public Relations, Accountability, and Understanding," *Perspectives: American Historical Association Newsletter* 28 (May–June 1990): 1, 11–12.

²¹The Washington, D.C.-based National Security Archive has made important strides in dissemination by publishing tens of thousands of formerly classified U.S. government documents that would otherwise be available only in the nation's capitol.

¹⁸*The Splendid Blond Beast*, footnote 30, pp. 336–337.

such Hitler policies as the seizure of Jewish property and the use of slave labor. Draper's fear was that, despite the culpability these groups had for the Holocaust, any harm done to German financial and business institutions would backfire and benefit the Soviet Union. Criticisms and investigations from some of Draper's own staff remained sealed in classified files for over four decades. Ironically though, several of these documents have been made widely available only in German translation, where they have been published by the Hamburger Dokumentationsstelle zur NS-Sozialpolitik.²²

Taken in total, *The Splendid Blond Beast* is a rich resource for archivists. Unfortunately, based on past experiences, neither the author nor the archival community is likely to promote the cross-fertilization of knowledge that can occur by drawing on texts such as these. However, as even these cursory observations amply demonstrate, archivists would be remiss to pass over this book and others like it, which on face value seem to hold little of relevance. Alexander Charns's volume on the FBI and the U.S. Supreme Court is another work deserving the attention of archivists.

CLOAK AND GAVEL

In his work *Cloak and Gavel: FBI Wiretaps, Bugs, Informers, and the Supreme Court*, practicing attorney Alexander Charns shows how both the White House and the FBI set out to undermine the independence and integrity of the Supreme Court. This work is merely the latest in a string of books that have dug deeply into declassified FBI files and that paint enormously unflattering, though deserved, portraits of both J. Edgar Hoover and the FBI.²³ Using records

obtained largely through the Freedom of Information Act (FOIA), each subsequent volume has peeled back another layer, further dissolving the carefully constructed public image of both Hoover and the bureau.

Charns's text runs a mere 130 pages (supplemented by 59 pages of footnotes), but the author succinctly enumerates five areas of FBI activity vis à vis the Supreme Court:

1. Support of conservative nominations to the Supreme Court by influencing the nomination and confirmation process
2. Whipping up public furor against Warren Court rulings
3. Lobbying for legislation to counteract Supreme Court decisions
4. Penetrating the Court [through the assistance of Justice/informant Abe

Free Press, 1987); Ward Churchill, *Agents of Repression: The FBI's Secret War Against the Black Panther Party and the American Indian Movement* (Boston: South End Press, 1988); Herbert Mitgang, *Dangerous Dossiers: Exposing the Secret War Against America's Greatest Authors* (New York: Donald I. Fine, Inc., 1988); Gary M. Stern, *The FBI's Misguided Probe of CISPES* (Washington, D.C.: Center for National Security Studies, 1988); Athan G. Theoharis and John Stuart Cox, *The Boss: J. Edgar Hoover and the Great American Inquisition* (Philadelphia, Pa.: Temple University Press, 1988); Kenneth O'Reilly, "Racial Matters": *The FBI's Secret File on Black America, 1960-1972* (New York: Free Press, 1989); Ward Churchill and Jim Vander Wall, *The COINTELPRO Papers: Documents from the FBI's Secret Wars Against Dissent in the United States* (Boston: South End Press, 1990); Clayborne Carson, *Malcolm X: The FBI File* (New York: Carroll and Graf, 1991); Herbert N. Foerstel, *Surveillance in the Stacks: The FBI's Library Awareness Program* (New York: Greenwood Press, 1991); Curt Gentry, *J. Edgar Hoover: The Man and The Secrets* (New York: W. W. Norton & Company, 1991); Athan Theoharis, ed., *From the Secret Files of J. Edgar Hoover* (Chicago, Ill.: Ivan R. Dee, 1991); Natalie Robins, *Alien Ink: The FBI's War on Freedom of Expression* (New York: William Morrow and Company, 1992); James Kirkpatrick Davis, *Spying on America: The FBI's Domestic Counterintelligence Program* (New York: Praeger, 1992); and Anthony Summers, *Official and Confidential: The Secret Life of J. Edgar Hoover* (New York: G. P. Putnam's Sons, 1993).

²²*The Splendid Blond Beast*, pp. 248-52, and footnote 17 on p. 374.

²³See the following: Richard Gid Powers, *Secrecy and Power: The Life of J. Edgar Hoover* (New York:

Fortas] itself to gain advance knowledge of Court business and influence rulings

5. Attempting to remove enemies from the Court.²⁴

Charns contends that these actions not only overran Article III of the U.S. Constitution but were also inconsistent with the FBI's mission as the prime law enforcement agency of the federal government. In a startling conclusion, Charns asserts that the Supreme Court would look very different today if Hoover and the FBI had been less successful in interfering with it. He maintains that William O. Douglas would probably have been appointed chief justice in 1946 and would have served in this capacity until his retirement in 1975. He suggests further that Douglas's successor would have been John Paul Stevens, who presumably would still be chief justice today instead of William Rehnquist.²⁵

While he presents much that is new, Charns acknowledges the impossibility of elucidating the "full degree of collaboration between the FBI and the federal judiciary." He attributes this impossibility to two factors. First, the FBI maintained an unofficial filing system that kept certain records apart from the bureau's legitimate recordkeeping system and ensured that potentially damaging records were regularly destroyed. Second, the FBI violated the spirit if not the letter of the Freedom of Information Act (FOIA) in its dealings with Charns. Charns, fortunately, discloses far more information on the subject of user access than does Simpson.

Freedom of Information Act

Regrettably, Charns's negative FOIA experiences mirror those of other users who are frustrated by the length of time practi-

cally all federal agencies take to respond to requests; by the release of heavily redacted records; and by the spurious use of the national security exemption allowed by the FOIA.²⁶ For example, Charns was denied hundreds of pages of FBI documents regarding Justice William O. Douglas on the grounds that their release would damage national security. The FBI also initially told Charns that his 1983 request for a Supreme Court subject file was too broad, and then, in 1984, that no such file existed. Finally in the summer of 1988, after lawsuits were filed, a two-thousand page Supreme Court subject file was presented to him. Interestingly, he discovered a document "search slip" in his own FBI FOIA file,²⁷ obtained through a separate FOIA request. The slip showed that although the FBI had in fact traced documents found in the Supreme Court subject file as early as 1984, they did not get around to searching for these until 1987, when the file itself was uncovered. Clearly, the FBI's labyrinth of official and unofficial filing systems set up during Hoover's tenure to hide illegal and questionable activities from outsiders was partly responsible for the bureau's inability to meet many of Charns's requests for information. However, how does one explain the inability to track down and release records that had been locatable years earlier, or the failure to inform Charns that an FBI fee waiver com-

²⁶See citations listed in note 1 of this article and see also Athan G. Theoharis, "The FBI and the FOIA: Problems of Access and Destruction," *Midwestern Archivist* 5, no. 2, (1981): 61-74; David Corn, "Freedom of Information? Not from the CIA," *Washington Post*, 22 May 1992; and James Popkin, "Running the New 'Improved' FOIA Obstacle Course," *Columbia Journalism Review* (July-August 1989): 45-48. For a contrary view which holds that by and large the FOIA works, "striking a balance" that fully pleases neither requesters nor government officials, see Trudy Huskamp Peterson, "After Five Years: An Assessment of the Amended U.S. Freedom of Information Act," *American Archivist* 43 (Spring 1980): 161-68.

²⁷The FBI opens such a file for all requests.

²⁴*Cloak and Gavel*, p. xiv.

²⁵*Cloak and Gavel*, p. 128.

mittee had granted him a waiver on copying costs for other bureau records?²⁸

Besides access issues, Charns also delves into recordkeeping topics such as parallel filing systems, document destruction, access control, and subversion of accountability through recordkeeping lapses. He also addresses the policies and issues surrounding the personal papers of the Supreme Court justices. Like the issues raised in Simpson's book, these subjects underscore the roles played by records and recordkeeping systems. They eloquently serve as evidence that archivists need to understand the social environment surrounding records and the ways in which it impacts their creation, use, dissemination, and destruction.

Recordkeeping Systems—Parallel Filing Systems, Destruction, Subverted Accountability, Access Control

Charns provides an interesting summary of Hoover's infamous "June Mail" and "Do Not File" records.²⁹ Hoover used these unofficial parallel recordkeeping systems to track sensitive and illegal activities that could remain hidden in case of an independent congressional audit of FBI records.

Hoover initially set up an unofficial filing system to shield the existence and breadth of the bureau's electronic surveil-

lance operations.³⁰ In 1940, FBI employees were ordered to compose memoranda dealing with "illegal or embarrassing activities" (Charns's words) on blue (later replaced with pink) stationery. These memos were to be innocuously identified as administrative documents. Hence, copies that were not personally retained by Hoover in his office were regularly destroyed. (Normally, official bureau communications were written on white paper and indexed for retrieval purposes before they were entered into the FBI's records system.) As reported by historian Athan Theoharis elsewhere, the "Do Not File" system was later used by Hoover to manage requests and authorizations for FBI burglaries. Copies and originals of the "Do Not File" records held by the bureau's field offices around the country were regularly destroyed to ensure that no paper trail of malfeasance existed. Fortunately for history's sake, a lode of such records maintained by the FBI field office in New York City were not extirpated and have since come to light. "June Mail" files came into existence in 1949 for a similar purpose. They also were managed outside of the bureau's normal recordkeeping system, locked away in secure "Special File Rooms." These documents contained information on the bureau's most sensitive sources and investigative techniques.

²⁸*Cloak and Gavel*, pp. xv–xvi, and footnote 32 on p. 138.

²⁹Historian Athan Theoharis has explored this topic in great detail. See Theoharis and Cox, *The Boss*, 8–12, 282–84, 365–71; Athan G. Theoharis, "In-House Cover-up: Researching FBI Files," in *Beyond the Hiss Case: The FBI, Congress, and the Cold War*, edited by Athan G. Theoharis (Philadelphia, Pa.: Temple University Press, 1982), 20–77; and Athan G. Theoharis, "FBI and the FOIA," 61–74. For a recent discussion of FBI recordkeeping, see Gerald K. Haines and David A. Langbart, *Unlocking the Files of the FBI: A Guide to Its Records and Classification System* (Wilmington, Del.: Scholarly Resources, Inc., 1993), xi–xv.

³⁰From the mid-1940s through at least the early-1970s, the FBI secretly monitored several private conversations in which one of the participants was a sitting Supreme Court Justice. (Five sitting Justices were picked up in the taps, and three others were picked up prior to their appointment to the Court.) Transcripts from only two of these discussions have been made publicly available. The rest remain classified on grounds of national security (*Cloak and Gavel*, pp. 17–18, and footnote 7 on p. 145). Two conversations electronically captured by the FBI, of which the subject may have been Supreme Court Justice Abe Fortas, remain classified as well. "Non-Court luminaries" were also picked up by FBI wiretaps. Just over the course of the spring of 1946 the following were overheard: Congressman Lyndon B. Johnson, Fiorello La Guardia, Speaker of the House Sam Rayburn, and Navy Secretary James Forrestal (see p. 30).

Interestingly, Charns's interview with former Hoover aide Cartha DeLoach led him to believe that DeLoach removed "some or all" of his own files upon his retirement, creating additional questions about the role played by parallel recordkeeping systems. In all likelihood large caches of official FBI files are probably still held by ex-employees, files that remain outside the purview of the government.³¹ Any detailed systematic survey of retired and ex-government officials from all branches of government would show that mountains of federal documents have been permanently and illegally removed from official files.

Hoover held his most important secret files, marked "Personal and Confidential," in his office, and they were destroyed by his personal aide immediately after his death. This destruction led to a congressional hearing questioning FBI records management policies and practices.³² Fortunately for Charns, Hoover's files documenting Supreme Court Justice Abe Fortas's secret liaisons with the bureau were spared destruction when they were transferred out of the "Personal and Confidential" files and into the "Official and Confidential" files.³³

Hoover's total control over FBI records also meant that the dissemination of information damaging to individuals depended on Hoover's opinion of the individual. Such selectivity proved particularly helpful when it came to providing background information to the U.S. Department of Justice on prospective Supreme Court nominees. Friendly nominees were accorded different courtesies, including, in Abe Fortas's case, the omission of potentially embarrassing

information that would certainly have torpedoed his chance for chief justice. (He was denied this position anyway when other incriminating information arose independently.)³⁴ Selectivity also played a factor in determining which FBI documents were disseminated outside of the bureau to meet Hoover's political ends.

In 1964, lobbyist Fred B. Black, Jr., was convicted of tax evasion. Unknown to both Black and his lawyer at that time was that the FBI had secretly and illegally recorded some of their conversations, violating lawyer-client privilege. Two years later, in the absence of this information, the Supreme Court refused to hear his appeal and the conviction stood. Things changed, however, when sitting Attorney General Nicholas Katzenbach ordered then Solicitor General Thurgood Marshall to inform the Court of the FBI recording sessions. As a consequence, the Court ordered the government to provide all information it had concerning the details of the Black surveillance. Hoover was rightly concerned that he would be placed in the position of scapegoat for an activity fully known to several former attorneys general, including Robert Kennedy and Katzenbach. This case took on a larger political dimension when it became increasingly evident that Bobby Kennedy was becoming President Lyndon B. Johnson's chief rival for the 1968 Democratic candidacy for president. Both Hoover and Johnson had good reason to shift the blame for the illegal bugging to Kennedy, or at least to publicize the fact of Kennedy's awareness of Hoover's actions.³⁵

The trick would be to monitor the Supreme Court's deliberations and influence their thinking on the Black case and to do

³¹*Cloak and Gavel*, pp. 31–32.

³²For a detailed account of this episode, see Congress, House, Committee on Government Operations, Subcommittee on Government Information and Individual Rights, *Inquiry into the Destruction of Former FBI Director J. Edgar Hoover's Files and FBI Recordkeeping*. 94th Cong., 1st Sess., 1 December 1975.

³³*Cloak and Gavel*, p. xvi.

³⁴*Cloak and Gavel*, pp. 14–15.

³⁵In the end, the Supreme Court vacated the Black conviction and required that the case be reheard at the district court level. Black was acquitted during his retrial. *Cloak and Gavel*, pp. 74–77.

an end run around Katzenbach and the Justice Department. Despite the fact that both Justices Fortas and White excused themselves from the case, both continued to be involved. Fortas took the extra step of acting as informant to the White House and the FBI on the Court's deliberations. Hoover's assistant Cartha DeLoach passed to Fortas documents taken from Hoover's Official and Confidential files, which showed that, as attorney general, Bobby Kennedy had signed authorizations for Hoover to conduct electronic surveillance and was aware of the bureau's microphone surveillances. During his meeting with DeLoach on the Black case, Fortas assured him that if Jimmy Hoffa's case was ever reviewed by the Supreme Court, he would make known Kennedy's involvement in the electronic surveillance (ELSUR).³⁶

In December 1966, while the case was still in the public eye, Hoover chose to declassify documents showing that Kennedy had formally authorized some FBI electronic surveillances. Before the documents were made public, DeLoach called White House aide Marvin Watson and, in DeLoach's words, "explained to him the matter of declassification" and that a Kennedy ELSUR authorization was "hereby declared declassified."³⁷

Hoover's political use of information in the FBI's files demonstrates for archivists a rich example of the social context surrounding record creation, control over access, and accountability. A second example from an earlier time helps to underscore this point.

In 1928, the Supreme Court provided legal justification for FBI wiretapping, arguing that wiretapping did not violate an individual's constitutional rights if it was accomplished without trespassing onto their property. In 1937, the Court apparently reversed itself and ruled that information obtained from such wiretaps was inadmissible in a court of law. In response, the assistant attorney general, Alexander Holtzoff, cited the Federal Communications Act of 1934 to justify continued FBI wiretapping, arguing that information circulated within the federal government did not violate the act's prohibition on dissemination since the material was not disseminated *outside* the government. In either case, any information obtained through a wiretap had become inadmissible in a court of law. However, the FBI was still free to use tapped information for leads in obtaining information that was admissible.

It is interesting and relevant to the notion of accountability through records auditing that from 1940 through 1964, seven attorneys general failed to keep complete and accurate records of approved wiretappings in their offices. Only in 1966 did the Department of Justice order the FBI to maintain a complete list of its electronic surveillance activities and to compile this information all the way back to 1960. But, as noted by Charns, even this index was not comprehensive because of the unofficial parallel filing systems maintained by Hoover.³⁸

Supreme Court Justices' Personal Papers

As evidenced in the recent controversy over Thurgood Marshall's papers, U.S. Supreme Court justices maintain complete ownership over their Court papers. Justice Hugo Black destroyed his conference notes

³⁶Later, when the Hoffa case was heard by the Court, Fortas had to recuse himself, since prior to serving on the Court he was Johnson's legal adviser and had been forwarded a Department of Justice memorandum on the government's prosecution of Hoffa. Ironically, Fortas was later allowed to sit in on the case after Hoffa's lawyers filed a motion that they did not object to Fortas's participation. *Cloak and Gavel*, pp. 80–83.

³⁷*Cloak and Gavel*, p. 78 and footnote 9 on p. 170.

³⁸*Cloak and Gavel*, pp. 18–23, 77, and footnote 61 on p. 148.

from his days on the Court. Justices Byron White's and Potter Stewart's records are still closed for use, and Stewart's will not be opened until every justice who served with him on the Court has passed away.³⁹ Abe Fortas's papers are to remain sealed until the year 2000. Charns was granted special early access to the disgraced justice's papers by Fortas's wife. Unfortunately for the archivist-reader, Charns never explains how this came about or what, if any, stipulations were made regarding use of the collection.

Based on his privileged access to Fortas's papers, Charns was able to determine that "Fortas had collected so many documents from the FBI and the White House about the Black case that he opened two secret file folders apart from his official court records on the case."⁴⁰ One of these files contained FBI documents passed to Fortas from President Johnson's aide Marvin Watson, who received them from Hoover. (Several of these exhibit White House date and time audit trail stamps, thus authenticating their routing.) The other secret file, entitled "Technical and Microphone Surveillances," included a May 1961 memorandum from Hoover to Justice Byron White (who was then a deputy attorney general) establishing that as attorney general, Bobby Kennedy had given authorization for a microphone bugging in New York. Hoover and DeLoach also commu-

nicated with Watson on the Black case. Unfortunately, several memos from Watson to Johnson dated to this time period remain classified.⁴¹

Despite these back-room dealings, the Justice Department's supplemental memo to the Supreme Court on the Black case squarely laid the blame for the wiretap on Hoover and the FBI. In response, Hoover sent out a memo to top officials at the bureau, stating that "black bag" burglaries had to be approved by Hoover or by Clyde Tolson, and that any authorizations committed to paper on this issue were to be maintained outside of the legitimate FBI records system.⁴²

Fortas eventually resigned from the Court under a cloud of ethical suspicion regarding possible influence peddling and receiving payment for a consultancy to the tune of \$20,000 per year for life from an individual under investigation by the Securities and Exchange Commission. Partly behind Fortas's downfall was newly elected President Richard Nixon's desire to rid the Court of Fortas' liberal leanings and to fill the vacancy with a candidate more ideologically palatable. Ironically, Nixon seemed unaware of Fortas's usefulness to Hoover as a leaker of information on the Court's internal discussions.

Charns concludes his work with seven recommendations, three of which are important to archivists. The first prods Congress to conduct its own independent background investigations of Supreme Court nominees, view FBI reports with a critical eye, and demand all FBI records pertinent to the nominee. Another calls for the promulgation of a new executive order on declassification⁴³ and suggests that the

³⁹*Cloak and Gavel*, p. xvi and footnote 8 on p. 167.

⁴⁰*Cloak and Gavel*, p. 59. Fortas himself had once opined that he would leave no paper trail to feed posthumous examinations of his tenure on the Court. Ironically, it is precisely the records that he did keep which provided the evidence of malfeasance laid out in great detail by Charns. This attitude of public officials on the perils of their records and paper trail was more recently articulated by Casper Weinberger on the day he was pardoned by President Bush for activities which, strangely, he had yet to be tried for. When asked by reporters what advice he would like to give to those who followed him in government service, he replied, "Never buy a pen or a pencil." (Excerpt from press conference interview shown on ABC's *Nightline*, 24 December 1992.)

⁴¹*Cloak and Gavel*, pp. 70, 60, and footnotes 117 and 118 on p. 164.

⁴²*Cloak and Gavel*, pp. 36-63 for a thorough synopsis of the Black case.

⁴³In April 1993, President Clinton notified the public of his intention to draft a new executive order on

Freedom of Information Act and the Privacy Act should be strengthened for greater public access. The last implores the Court to promote laws that will make their inter-chamber and case memoranda and case files public property.⁴⁴

ANTHROPOLOGY GOES TO WAR

The last work examined here grew out of a master's thesis in anthropology at the University of Michigan, and it is based in part on research conducted at the National Anthropology Archives at the Museum of Natural History in the Smithsonian Institution in Washington, D.C. Its author, Eric Wakin, fills in the gaps in a fascinating episode in the history of American anthropology. The work's value to archivists is twofold. Like the Simpson and Charns works, Wakin's book contains relevant archival and recordkeeping insights on such topics as the sanctity of an individual's personal papers, the disposition and ownership of an investigative body's records, records destruction, the reliability of information in documents themselves, and classified information. It also presents the complexities rife in a profession that forms an Ethics Committee and then struggles to give it meaning. On this second point, Wakin's narrative speaks to the archival profession's recent failure to confront effectively the ethical dilemmas posed by the revelations regarding ex-Archivist of the United States Don Wilson's tenure at the National Archives and Records Administration, in particular his agreement with outgoing

President George Bush.⁴⁵ At issue in both Wakin's work and the recent Wilson conflagration is the definition of actions considered to be in violation of professional ethics and of the steps that can be taken against the violator.

Invasion of Privacy, Collection Development, Access Restrictions, and Document Destruction

In early 1970, a cache of documents was removed from an anthropology professor's personal files and published without his permission in a student antiwar publication. The documents, detailing the contacts between members of the anthropological community and the U.S. Department of Defense, raised questions about the propriety of anthropologists' contributing to U.S. counterinsurgency efforts in Thailand.⁴⁶ Through archival research and interviews, Wakin reconstructs the ensuing firestorm, which created deep divisions within the anthropological community.⁴⁷

The documents that fueled the contro-

declassification. An expert body convened by him is drafting its language, and Clinton is expected to sign it before 1993 is out. See Presidential Review Directive dated 26 April 1993 and entitled "National Security Information," and Tim Weiner, "President Moves to Release Classified U.S. Documents," *New York Times*, 5 May 1993, p. A1.

⁴⁴*Anthropology Goes to War*, pp. 130–31.

⁴⁵On Wilson, see United States, Senate, Committee on Governmental Affairs, *Serious Management Problems at the National Archives and Records Administration* (Washington, D.C.: Government Printing Office, 1992); United States, Department of Health and Human Services, Office of the Inspector General, *Study of the National Archives and Records Administration for the President's Council on Integrity and Efficiency* (Washington, D.C.: Department of Health and Human Services, April 1993); "Archivist Resigns to Take Bush Job," *New York Times*, 14 February 1993, p. A16; George Lardner, Jr., "Archivist's Disposition of Bush Files Brings Calls on Hill for Probe," *Washington Post*, 17 February 1993, p. A4; "That Archives Deal" (editorial), *Washington Post*, 18 February 1993, p. A18; George Lardner, Jr., "Archivist Was Sounded Out In December on Library Job," *Washington Post*, 3 March 1993, p. A2; and George Lardner, Jr., "Eleventh-Hour Covenant: Lost Memory Computes to Gain for Bush," *Washington Post*, 13 March 1993, p. A12.

⁴⁶Unfortunately, Wakin never really expounds on the reasons for the Thai insurgency in the first place, leaving out contextual information important for understanding the rationale behind the counterinsurgency programs.

⁴⁷*Anthropology Goes to War*, p. 1.

versy were taken without authorization from the files of anthropology professor Michael Moerman. One of his graduate assistants, apparently shocked by the contents of the records, photocopied the documents without permission and sent the copies to the antiwar Student Mobilization Committee to End the War in Vietnam (SMC), which published excerpts from them in its newsletter.⁴⁸

After being photocopied, the originals were reintegrated in Moerman's files. Although the documents were not stolen and the integrity of the collection was not harmed, Moerman's privacy was clearly violated. Oddly, it appears that no formal charges were brought against the graduate assistant. Wakin explains this by noting "the graduate assistant's legitimate access to Moerman's files and the lack of laws at the time regarding the personal copying of documents."⁴⁹

The SMC sent copies of the documents to Eric Wolf and Joseph Jorgensen, two anthropologists who were known for their antiwar stance and who served on the American Anthropological Association's (AAA) newly formed Ethics Committee. The committee had begun to grapple with the complexities of anthropological ethics and had submitted an appeal to colleagues for materials and case studies. Shortly thereafter, Wolf received the copies of the documents abducted from Moerman's files. After going through them, Wolf and Jorgensen wrote to the SMC that "these documents contradict in spirit and in letter the resolutions of the American Anthropological Association concerning clandestine and secret research [and] we feel that they raise the most serious issues for the scientific integrity of our profession."⁵⁰

In May 1970, the AAA Executive Board

issued a statement of instruction to the Ethics Committee commanding it to cease "further collection of case materials" and criticizing committee members Wolf and Jorgensen for making public their views on the Moerman documents. In addition, the anthropologists named in the Moerman documents charged that, by releasing the statement, Wolf and Jorgensen had violated the ethical standards required of their position on the Ethics Committee. Subsequently, both Wolf and Jorgensen resigned from the committee, countercharging that the Executive Board failed to address fully the serious charges implied in the contents of the Moerman documents.⁵¹

Finally, in November 1970, responding to calls for a formal investigation into the Thailand matter, the AAA Executive Board established an ad hoc committee and selected Margaret Mead as its chair. By its own account the committee collected and read roughly six thousand pages of published and unpublished material during its tenure. The Mead committee completed its report in September 1971 and distributed it to the AAA's Executive Committee and its Council of Fellows. The committee sought to keep the report from the general membership of the association until after the AAA annual meeting, which was to be held later that month in New York City. Executive Board member David Aberle was uncomfortable with withholding the report from the general membership. When he voiced this concern to Edward Lehman, the executive director of the AAA, he was informed that each officially distributed copy of the report was uniquely marked to enable the identification of any individual who leaked the report.⁵² These precautions,

⁵¹*Anthropology Goes to War*, pp. 186–88.

⁵²In an interesting aside, Alexander Charns related an instance in 1974 when the Supreme Court had the FBI check leaked documents for fingerprints in order to establish the identity of the leaker. The documents dealt with internal labor disputes at the Court. *Anthropology Goes to War*, p. 125.

⁴⁸*Anthropology Goes to War*, p. 8.

⁴⁹*Anthropology Goes to War*, pp. 156–57, 214.

⁵⁰*Anthropology Goes to War*, p. 8.

however, proved futile since a subsequent telephone vote of the Executive Board approved release of the report to the general membership before the annual meeting.⁵³

The report was critical of both Wolf and Jorgensen, condemning them in part for “their use of unethically procured documents without public denunciation of the sources of such materials”; it additionally concluded that “[n]o civilian member of the [AAA had] contravened the principles laid down in the 1967 Statement on *Problems of Anthropological Research and Ethics*.” The Council of Fellows rejected the Mead report in total, overwhelmingly voting against all three of its sections in three separate polls, and concluded that the “issue of anthropologists in Thailand [remains] unresolved.”⁵⁴

Just before the Mead report was debated at the annual meeting in New York, consideration was given to the disposition of the papers amassed by the ad hoc committee. One option called for the destruction of all or part of the committee’s files. Fortunately, the committee rejected this option and instead noted in the report’s preface that it would deposit its documentation in the AAA’s archives. However, once the report had been rejected, the committee’s members unanimously agreed that their files on the matter should be destroyed. Committee member William Davenport justified the destruction on the grounds that the files might be used at some later point to resurrect the issue in an act mirroring the Student Mobilization Committee’s original dissemination of the Moerman documents.⁵⁵

For archivists, several issues stand out. First and foremost is the violation of Moerman’s personal papers. The controversy surrounding the contents of the documents

was muted by claims that an investigation should be undertaken into the theft of the documents themselves. This issue served as the main cornerstone defining the battle lines staked out by members of the anthropological community. Some believed the invasion of Moerman’s privacy was the main issue, whereas others argued that Moerman’s privacy concerns were irrelevant due to the incendiary nature of the documents.

Other issues of concern to archivists were the creation and termination of the record series collected by the Ethics Committee and the destruction of the records collected by the Mead committee. Both collections underscore the social dimension of archives. Understanding the circumstances surrounding the creation of these two collections and the function they were to serve is as important as understanding the contents of the documents in these collections. Issues of control over access to the collections, especially the coding of the Mead committee report, also need to be more fully explored by archivists. It is imperative for archivists to give as much importance to documenting the reasons that lead to and drive the accumulation of a series as they give to drawing out the content of the materials within the series itself.

Researcher Access and Record Accuracy

In *Anthropology Goes to War*, Wakin also recounts his experiences as a user of anthropological archives. He quotes directly from several letters, some very personal, between Wolf and the anthropologists named in the Moerman documents. The privacy issues regarding some of these letters seem to have been negotiated during Wakin’s research. He notes in several footnotes that he was enjoined by the authors of some of the letters from quoting from them directly.⁵⁶

⁵³*Anthropology Goes to War*, pp. 203–04.

⁵⁴*Anthropology Goes to War*, pp. 206–07, and 211.

⁵⁵*Anthropology Goes to War*, pp. 229–30.

⁵⁶*Anthropology Goes to War*, pp. 161–81.

Another interesting point noted by Wakin regards the completeness and accuracy of minutes of meetings contained in the Moerman documents. Both Moerman and his anthropological colleague Herbert Phillips contend that the documents' scribes had misrepresented the tone and content of some of the meetings. Phillips in particular seems to imply that his criticisms of U.S. government policy were not recorded.⁵⁷

The contents of a second set of minutes were also disputed. These minutes were from a meeting of the Academic Advisory Council for Thailand (AACT), a council of social scientists established by the U.S. Agency for International Development to provide insight into the counterinsurgency program. Cornell University anthropologist Lauriston Sharp and University of Michigan historian David Wyatt in 1991 criticized the AACT minutes as being both incomplete and selective.⁵⁸ Debates over the accuracy of a record's content underscore the supplemental value of oral history to archivists. Although the documents can stand on their own, Wakin has provided a service by noting that a discussion with the principals can lend insight into record accuracy as a surrogate documenting human interaction. Wakin also addresses the issue of classification of information and researcher access to such information.

Classification

One of the documents secured from Moerman's files was a record of the minutes of a summer 1967 meeting of the Thailand Study Group. This body was convened and overseen by the Institute for Defense

Analyses (IDA), a Defense Department federal contract research center that funded and conducted some defense-oriented social science research. (It also funded other research on foreign and domestic issues deemed to contain a national security dimension.) Unfortunately much of the research on Southeast Asia undertaken by the nonprofit multidivisional IDA remains classified even today.⁵⁹

A 1965 IDA document titled "Consultant Security Briefing" comments on the classified nature and control over the release of any reports written by consultants: "All papers generated by you, including both classified and unclassified, that have been prepared in connection with your consultancy to IDA should be submitted to IDA for approval prior to publication or distribution." In one instance of the contested IDA minutes, anthropologist Herbert Phillips is recorded as saying he would work on "some problems if I could get an unclassified paper out of it," while Moerman suggests providing social scientists with greater amounts of classified information and giving them a larger say in the types of data to be collected.⁶⁰

Wakin uses other documents leaked from Moerman's files to discuss a Department of Defense Advanced Research Projects Agency (ARPA) effort, Project Agile, which enlisted social scientists in its counterinsurgency program in Thailand. Employing a "systems" perspective, these social scientists "welded weapons and politics, mobility and social development,

⁵⁷*Anthropology Goes to War*, pp. 53–55. Wakin counterargues that, even if one takes Moerman's and Phillips's statements at face value, the minutes' "discussions often centered around the function of social scientists in helping the government to formulate, evaluate, and implement counterinsurgency policy" (pp. 58–59; emphasis original).

⁵⁸*Anthropology Goes to War*, p. 129.

⁵⁹See *Anthropology Goes to War*, pp. 45–78, for a description of the IDA and the Thailand Study Group. Another document secreted out of the Moerman files was written by the American Institutes for Research, a Pittsburgh-based consulting firm. A 1967 proposal urged that social scientists evaluate "reports and documents pertaining to the insurgency in at least Thailand and Vietnam" and supplement this work through interviews and fieldwork. Other aspects of this proposal advocated crop destruction to influence the local population.

⁶⁰*Anthropology Goes to War*, pp. 60–62.

communications and economic progress” toward counterinsurgency. To mute potential criticism of the use of social science for counterinsurgency, Project Agile’s director, Seymour Deitchman, oversaw the elimination of overt mention of a social science research program and the classification of most of the research. Such a strategy was meant to take the social science component of Agile out of public view. Despite these efforts, one of ARPA’s programs, the Rural Security Systems Program (RSSP), became public. It attempted to compile demographic and attitudinal data into files that could then be analyzed to enhance the counterinsurgency effort.⁶¹

Document Form

U.S. counterinsurgency in Thailand led to the creation of one of the oddest documents ever to come to light, one that surely requires archivists to meditate on the multiplicity of forms that records can take. The U.S. psychological warfare unit, 7th PsyOps, gave the Thai Communist Suppression Operations Command (CSOC) bars of soap on which anticommunist and progovernment slogans were layered. As the bars were used, the surface slogan would erode and a new one would emerge to take its place. A total of 65,000 eight-layered bars were distributed to the rural population.⁶²

In his conclusion, Wakin contends that “all [counterinsurgency] programs were predicated on the need to defeat the insurgency first and to benefit the population second.”⁶³ Hence any assistance provided by social scientists in these efforts meant that their knowledge and expertise of the Thai population would be used for military means rather than for benefiting the rural population. Michael Moerman, whose pri-

vate files ignited the controversy, had arrived at the same conclusion twenty years earlier. In a 1971 letter to the *AAA Newsletter*, Moerman wrote that, having had firsthand experience with selling his services to the U.S. government, he had decided that he was no longer willing to do so. He felt that “every single American agency that spoke to us took counterinsurgency as its main policy rationale. They were therefore unconcerned with the harm their programs might be doing to the Thai people.”⁶⁴

CONCLUSION

As noted throughout these reviews, several streams meandering through the three works examined here merit the attention of archivists. The first, often buried in the text proper, is the role of records and recordkeeping systems. These discussions inform us of the often critical role that documents and recordkeeping systems play as carriers of information throughout history. The authors’ narratives and interpretations of events highlight such archival issues as control over access, records creation and destruction, parallel filing systems, ownership, privacy, distribution, authorship, accuracy, accountability, authenticity, and document form.

These works also tell archivists much about researcher access to, and use of, archives. Author discussions, usually embedded within prefaces and footnotes, address such access-and-use issues as the continued classification and declassification of government records and the benefits and pitfalls of the Freedom of Information Act. Such commentary goes a long way in documenting the experiences of the clientele who use archives, and it contributes to ear-

⁶¹*Anthropology Goes to War*, pp. 80–86.

⁶²*Anthropology Goes to War*, pp. 123–24.

⁶³*Anthropology Goes to War*, p. 125.

⁶⁴Quoted in *Anthropology Goes to War*, p. 53.

lier calls for the need to study the access and use of archives.⁶⁵

⁶⁵See Lawrence Dowler, "The Role of Use in Defining Archival Practice and Principles: A Research Agenda for the Availability and Use of Records," *American Archivist* 51 (Winter-Spring 1988): 74-86; and Paul Conway, "Facts and Frameworks: An Approach to Studying the Users of Archives," *American Archivist* 49 (Fall 1986): 393-407. For other articles addressing the issue of use, see Elsie T. Freeman, "In the Eye of the Beholder: Archives Administration from the User's Point of View," *American Archivist* 47 (Spring 1984): 111-23; Mary N. Speakman, "The User Talks Back," *American Archivist* 47 (Spring 1984): 164-71; Frederic Miller, "Use, Appraisal, and Research: A Case Study of Social History," *American Archivist* 49 (Fall 1986): 371-92; David Bearman, "User Presentation Language in Archives," *Archives and Museum Informatics* 3 (Winter 1989-90): 3-7; and Barbara C. Orbach, "The View From the Researcher's Desk: Historians' Perceptions of Research and Repositories," *American Archivist* 54 (Winter 1991): 28-43. For articles on access, see Athan G. Theoharis, "The FBI and the FOIA: Problems of Access and Destruction," *Midwestern Archivist* 5, no. 2 (1981): 61-74; Athan G. Theoharis, "FBI Files, The National Archives, and the Issue of Access," *Government Publications Review* 9 (1982): 29-35; James Gregory Bradsher, "Researchers, Archivists, and the Access Challenge of the FBI Records in the National Archives," *Midwestern Archivist* 11, no. 2 (1986): 95-110; Raymond H. Geselbracht, "The Origins of Restrictions on Access to Personal Papers at the Library of Congress and the National Archives," *American Archivist* 49 (Spring 1986): 142-62; Roland M. Baumann, "The Administration of Access to Confidential Records in State Archives: Common Practices and the Need for a Model Law," *American Archivist* 49 (Fall 1986): 349-69; Elena S. Danielson, "The Ethics of Access," *American Archivist* 52 (Winter 1989): 52-62; and Harold L. Miller, "Will Access Restrictions Hold Up in Court? The FBI's Attempt to Use the Braden Papers at the State

For at least the last fifteen years, the *American Archivist* has ignored works such as the three examined here, instead imparting importance to other works, particularly guides, catalogs, and indexes. However, given the increasing number of works that have relied on declassified government documents, and given President Clinton's intention of substantively re-vamping the classification and declassification process, the archival community can no longer ignore these types of works. For if Clinton is successful, the information needs and demands of the users of these documents will expand dramatically, as will the amount of information to be contended with.

An additional value of this genre of literature extends beyond what archivists learn about users and access. This essay has demonstrated how such works can contribute significantly to archival history and to an understanding of the social dimensions of records and recordkeeping systems. For archivists to gain a fuller understanding of the records under their charge, they must become acquainted with the lessons such works contain, even if these lessons are conveyed by authors who are unaware of the archival utility of their narratives.

Historical Society of Wisconsin," *American Archivist* 52 (Spring 1989): 180-90.