To Everything There Is a Season

Frank J. Boles

ABSTRACT

Three ideas, not always juxtaposed to one another in the literature, have had a profound impact on what archivists preserve. The ideas that archivists should create a universal record of human activity, that social justice should inform archival selection decisions, and that archivists hold a unique form of power that can be exercised through appraisal have led some to posit a professional obligation not only to work toward a more equitable future but also toward a moral one. This article argues that these ideas are generally not helpful to archivists. Local autonomy and unique archival missions better define how archivists can best perform their core functions, rather than ideas based on assumptions of universal documentation or social justice, each rooted in a notion of archival power.

KEY WORDS

Appraisal, Social justice, Archival power, Institutional collecting policy

To everything there is a season, and a time to every purpose under the heavens.
—*Ecclesiastes 3:1*

Over many seasons, archivists have struggled with a problem at the core of the profession's purpose: what to keep and what not to keep. Three ideas, not always juxtaposed to one another in the literature, have had a profound impact on what archivists preserve. The ideas that archivists should create a universal record of human activity, that social justice should inform archival selection decisions, and that archivists hold a unique form of power that can be exercised through appraisal have led some to posit "a professional obligation not only to work toward a more equitable future but also toward a moral one."[1]

Universal documentation, social justice, and archival power are ideas that ennoble both archivists and their profession. But a close examination of these ideas leads to the conclusion that these notions have less substance than their proponents suggest. Some should be understood as aspirational rather than actionable. Others need to be understood in a nuanced context. None are silver bullets that archivists should load and fire at any and every opportunity.

An alternative path to these ideas is found in the institutional mission of each archival agency and the specific documentary responsibility defined by that mission. The goal of this article is to argue for the legitimacy of a counterintuitive idea: that local autonomy and unique archival missions define the purpose of the profession better than assumptions of universal documentation or social justice rooted in a notion of archival power. Archival diversity is the most feasible way to demonstrate power, serve justice, and document society as completely as possible.

As is often the case, it is best to begin at the beginning to explain how some members of the archival community have accepted the ideas that the mission of the archival profession is universal documentation, that social justice plays a key role in appraisal, and that archival power makes this all possible. The call for documentary comprehensiveness is the legacy of F. Gerald Ham, who called for "a representative record of human experience in our time." He asked for nothing less than "a mirror for mankind" within archives.[2] Ham is responsible for placing archivists on the path of comprehensiveness.[3]

Ham's call was fueled, in part, by the radical critique of archival documentary objectives made a few years earlier by Howard Zinn. Zinn called upon archivists to be agents of change who work toward cultural inclusivity and the documentation of marginalized communities. His 1970 presentation to the Society of American Archivists is frequently cited as the starting point for a now substantial archival literature on this subject.[4] Zinn's charge can also be read as the beginnings of a call to include social justice within archives, although he did not articulate it as others have since.

The idea of comprehensive social documentation, while obviously appealing, should have been challenged quickly on practical grounds. Those who proposed comprehensiveness never addressed the troublesome systemic obstacles found along such a path. These systemic problems were well known at the time. In a clarion call issued in 1983, David Gracy II spoke of

> The misconception by our publics and by those with the power to allocate resources to our repositories strikes at the heart of our existence and ability to function. With diminished resources, every activity of archives suffers. We lack people to arrange and describe holdings; we lack space to receive and maintain holdings; we lack resources for preservation work. Every one of us feels the effects.[5]

Indeed, archivists borrowed a term for this situation: claiming to live in "a culture of poverty."[6]

Archivists advocating a complete record of society never addressed how to move from a self-perceived culture of poverty to one where sufficient funding for universal documentation would be available. When this topic came up after the conclusion of a session at the Society's annual meeting (or in the bar), the answer heard was most often similar to one shared by a personal acquaintance who once worked in the National Archives, "My job is to find the records that should be saved—their job is to find the money to save the records."[7] The "their" in question were administrators like David Gracy and, for that matter, F. Gerald Ham. While David Gracy and his many administrative colleagues and successors did sometimes find more money, they never found enough. It was and is a fundamental flaw in the idea of a comprehensive record of humanity that any archival administrator should clearly have seen then and can clearly see now.

Some archivists may respond that their job is to save what matters, and the administrative problems are not their concern. Although the statement can be viewed as bravely defiant of fiscal reality, no one should be allowed to simply ignore the historical fact that archives, in the opinion of the archival community, have been and remain underfunded. Indeed, it would be wise if, when archivists think about the funding issues associated with a complete documentary record of society, they remember one of the archival community's favorite phrases, "The past is prologue," and be guided accordingly.

However, to rest an argument against a visionary goal such as universal documentation on a practical problem feels somehow wrong. It replaces idealism with a grim reality that stifles both vision and initiative. The problem with the path to completeness is not simply practical. More troubling than the issue of money is archivists' inability to define what they would do if given all the resources they might want. For all the expansive talk of a representative record of human experience, archivists have failed to answer fundamental questions that would define this record.

Three key issues must be addressed to create a mirror of humanity:

1. A definition of the human experience: archivists need to understand what must be documented. Who and what are archivists seeking to document?
2. An understanding of the records universe: having determined who and what they seek to document, archivists must understand what records exist to form the basis of this documentation or, in a more ambitious archival agenda, what records they should seek to have created.[8] A mirror of humanity requires a comprehensive accounting of the records of humanity.
3. A definition of what a representative record is: assuming archivists can define not only the human experience but also the records universe documenting that experience, archivists will also need to agree upon what a representative record is.

The inconvenient truth is that archivists cannot answer these questions and thus cannot create Ham's societal mirror. Years of attending sessions at SAA's annual meeting and reading the literature have led me to conclude that the best answer the community can offer is, as compared to its perception of existing archival materials, some combination of "more" and "different."[9]

The archival community should concede that the hope to holistically document society be abandoned because of the continued failure of the community to articulate how to fund and to define this goal. It is time to lay aside the siren's call for a documentary mirror and declare it what it is: a statement of unabashed and unachievable archival ambition, untethered to any intellectual framework or explainable financial means. Wishing for a mirror of society within archives is akin to the good wishes exchanged by friends and neighbors at year's end. Like optimistically calling for a "happy new year," it is to be hoped for but beyond control.

For some archivists, implementing social justice within the archival enterprise is, on the surface, even more appealing than creating a societal mirror. A profession dedicated to promoting social justice has enormous appeal. As noble as this sounds, within archival work, the idea is unsustainable as a universal, professional obligation. As Mark Greene elegantly notes, archivists who promote social justice as a necessary component of archives rely on certain assumptions.[10] The first, in the words of Verne Harris, is that ". . . all power, ultimately, is archontic. If the work of archives is to harness power for good, if it is to be a work of using power for good, then it must be a work of justice." Or, put another way, "the archivist is a memory activist either for or against the oppression system."[11]

As Greene notes, both Harris and Rand Jimerson realize that calling for archivists to work "for good," which means, I presume, "against the oppression

system," creates serious potential problems. Harris writes, "I would readily concede that the [social justice] argument . . . is a dangerous one. Give up the notion of the archivist as impartial custodian, an honest broker, and one opens the door to activist archivists pursuing any and every political agenda."[12] Jimerson also realizes the danger here, but he dismisses archivists who do not take action because of it. Jimerson writes that archivists who suggest as the antidote, in Jimerson's words, "neutrality and passivity," are failing in their professional duty: "Do we really want to be obsequious Uriah Heeps, handmaidens to history? We should have more self-respect than that."[13] In the end, the call for justice that Harris and Jimerson find within the archival mission leads them to set aside possible problems and to require archivists to take on a professional obligation to promote social justice.

Archivists should reject this requirement for two reasons. Christopher Hurley, who Greene quotes in his article, has written, "It is clearly possible to define good recordkeeping in purely technocratic terms. In the real world, however, we cannot simply detach ourselves in this way from the moral dimension."[14] But the link between record keeping and morality is extremely complex. To make this point, Greene juxtaposes Hurley's reference to records of the Holocaust with Michelle Caswell's example: "Records created by the Khmer Rouge to more efficiently manage the business of torture and murder, [which] when preserved, have an incomparable ability to hold former officials accountable."[1]

As Greene concludes, "It is not possible for archivists, on the one hand, to be morally bankrupt if they are actively involved in creating and maintaining recordkeeping systems and records for mass murderers and, on the other hand, to be morally righteous when they ensure that those same records are extant for use in convicting those murderers." Many social justice proponents posit a world, in Greene's words, that is too "black-and-white, cut-and-dried," a world incapable of accounting for the many, very different uses to which the same set of records can be put.[15] Hurley himself makes an interesting point regarding the complexity of good archival programs when he writes, "from a selfish perspective, a respectable argument could be mounted that archivists had more to gain from employment by dictators and oppressors than by their democratic counterparts. Historically tyrants have more regard for good recordkeeping than democrats. Totalitarians are notoriously good recordkeepers."[16]

Expressed somewhat differently, the approach to appraisal Hurley tongue-in-cheek suggests is overly oriented toward bureaucracy and records management. In taking a narrow records management approach toward institutional records, Hurley, like Greene, rejects a singular, institutional mindset regarding records creation, ongoing use, and placement in an archives that sees all dimensions of this process as part of a single, institutional continuum.

Caswell takes this thought a step further, forcing us to realize that any archival framework for thinking about and using records does not apply to all records users. As long as an archives is open to any user, the moral underpinnings that caused the creation and retention of a particular group of records do not create a permanent framework that bars the records' different moral uses. The Khmer Rouge, like many other totalitarian states, needed efficient recordkeeping practices to torture and kill their opponents. Those same recordkeeping practices create evidence to try Khmer Rouge leaders for genocide.[17] Record use is neither black nor white, but gray. Records are not intrinsically and immutably moral or immoral. Users, more than records systems or for that matter archivists, assign moral purpose to records.

A second reason for rejecting social justice as a core component of the archival profession is that the concept as employed by archivists advocating on its behalf is linked to an equally unsustainable, cut-and-dried view about morality itself, as well as the ability of archivists, collectively or individually, to determine what constitutes morally based justice.

An examination of two historical examples and one contemporary example of struggles for social justice suggests that the way morality informs public consensus is complex, dynamic, and malleable, rather than black-and-white or cut-and-dried. The historical debates about slavery and Prohibition, as well as the contemporary debate over abortion, reveal how gray the idea of social justice can be and that it does not well serve the purpose of appraisal.

Today, we generally accept that slavery, in any form and of any individual or group, is morally reprehensible. Many historical quotations are frequently used to make this point, but two from Abraham Lincoln are indicative of the genre: "Whenever I hear any one arguing for slavery I feel a strong impulse to see it tried on him personally."[18] Or perhaps, "Those who deny freedom to others, deserve it not for themselves; and, under a just God, cannot long retain it."[19]

Today, Lincoln's words, as the words of the many Americans who supported the abolition of slavery, draw approving nods. But a universal acceptance that slavery is immoral did not exist before the Civil War, when the advocates of slavery argued that the institution is not simply pragmatically necessary, but moral.

David W. Blight, speaking about pre–Civil War America at an open course he gave at Yale University, put it this way:

> Deep in the pro-slavery argument is a biblical argument. Almost all pro-slavery writers at one point or another will dip into the Old Testament, . . . to show how slavery is an ancient and venerable institution. . . . All those biblical societies had it. You can read Jeremiah and Isaiah and some of the great Old Testament prophets in some ways as defenders of slavery. You can therefore

> assume it was divinely sanctioned. You can also look in the New Testament for examples of it, justifications of it. "Slaves, be honorable, be dutiful"—be obedient is usually the word in the King James—"Slaves, be obedient to your masters." Slavery is all over the Bible, in one way or another. The Bible, of course, can breathe anti-slavery into a situation and it can breathe pro-slavery into a situation.[20]

If Christians and others today are repulsed by that idea of a biblical basis for slavery, they may solve the dilemma by concluding that this simply proves a racist can read a racist interpretation into anything. That is a convenient, modern solution to the problem of understanding a once burning moral debate. However, to understand the lasting, impact that slavery has upon contemporary society, it is essential for us to learn from historical sources "the kinds of arguments and language used by its defenders."[21]

Archival sources can also help us to understand Prohibition, an example of a morality widely embraced in the past, yet one generally rejected today.

The abuse of alcohol is a historic and contemporary problem in the United States.[22] For much of the nineteenth and early twentieth centuries, the campaign to outlaw demon rum included calls to morality and justice. In the 1840s, many Protestant denominations, most notably the Methodists, undertook a moral crusade to legally abolish drink. One of the movement's many songs sums up well the connection between Christian morals and temperance:

> 1. Now the temp'rance army's marching,
> With the Christian's armor on;
> Love our motto, Christian Captain,
> Prohibition is our song!
> Chorus:
> Yes, the temp'rance army's marching,
> And will march forevermore,
> And our triumph shall be sounded,
> Round the world from shore to shore,
> Marching on, Marching on forevermore,
> And our triumph shall be sounded,
> Round the world from shore to shore.
>
> 2. Now the temp'rance army's marching,
> Firm and steady in our tread;
> See! The mothers they are leading,
> Marching boldly at the head.
> Chorus

3. Now the temp'rance army's marching,
Wives and Sisters in the throng;
Shouting, "Total Prohibition,"
As we bravely march along.
Chorus[23]

Many Christians celebrated on January 16, 1920, the night the Eighteenth Amendment took effect authorizing the abolition of alcohol production and sale in the United Sates. Nationally known evangelist Billy Sunday declared a moral crusade won: "The reign of tears is over. The slums will soon be a memory. We will turn our prisons into factories and our jails into storehouses and corncribs. Men will walk upright now, women will smile, and the children will laugh. Hell will be forever for rent."[24]

The possibility that Prohibition might be repealed, that the moral understanding that had led to the legal abolition of the sale of alcohol could change, was dismissed. United States senator Morris Sheppard, the sponsor of the amendment, confidently asserted that "There is as much chance of repealing the Eighteenth Amendment as there is for a hummingbird to fly to the planet Mars with the Washington Monument tied to its tail."[25] The public had reached a moral decision. Demon drink was gone.

But, on December 5, 1933, a hummingbird reached Mars (as the Washington Monument remained visible in the nation's capital, it was apparently not tied to the bird's tail), and the devil took down the for-rent sign Billy Sunday had posted at the gates of hell. On that day, the Eighteenth Amendment was repealed. The overwhelming moral consensus that endorsed Prohibition as necessary had collapsed. A social justice cause established through three-quarters of a century of advocacy that had mustered the political will to amend the United States Constitution was reversed in thirteen years. In an amazing piece of historical revisionism, Prohibition was changed from an army in Christian armor advancing to create a more just and moral society to a national cautionary tale about unintended consequences and government overreach.

If the abolition of slavery represents a long-standing consensus regarding an institution's immorality and Prohibition demonstrates how a social justice movement can both gain and lose support, abortion allows us to see how challenging understanding social justice can be in a contemporary situation.

Abortion is one of the most fiercely contested issues in contemporary American politics. It raises profound moral issues regarding individual rights and what constitutes human life. It is a question about which otherwise seemingly reasonable people take violently opposed, morally based positions. Anyone who might think otherwise should read the words of Adam Gopnik, who refers to abortion as "One of the greatest moral achievements of human history—the

full emancipation of women" and contrast them with those of Frank Pavone, who finds in the Bible repeated proofs that the identity of a person remains the same, whether in the womb or after birth, and thus concludes abortion is immoral.[26]

My purpose in raising the subject of abortion is not to litigate the question but to illuminate the problem of deciding what is just in a time of profound public disagreement. Some individuals will nod in solemn agreement with Gopnik and seek to educate those like Pavone whose opinion they see as rooted in ancient misconceptions. Other individuals will agree with Pavone and pray that individuals such as Gopnik will come to understand abortion as a sin. Although those deeply committed to one side or the other will likely disagree, an impartial observer must conclude that the eventual resolution of the issue, what will come to be understood as constituting justice, is today uncertain.

The discussion of slavery shows archivists the benefit of time, which allows society to grapple with moral issues that intersect with justice. The discussion of Prohibition shows us the possibility that not only can consensus about social justice change, but it can change rapidly. A settled point of justice today may be reversed later. The contemporary abortion debate demonstrates the fog of conflicting views that obscures morally driven decisions made in real time. All these examples serve to make a broader point, that the way morality informs public consensus about justice is complex, dynamic, and malleable. Neither morality nor social justice is black-and-white or cut-and-dried.[27]

Thus one must ask, how will archivists operating in real time decide what constitutes social justice? Verne Harris's acknowledgment that this could be problematic has already been cited. Although Harris chooses not to address the concern in a meaningful way and Jimerson dismisses asking such a question as unworthy of an archivist, the fact remains that if archivists promote social justice as a core professional value, they need to explain how it will work in practice. What happens when there is no public consensus, as in the case of abortion, or when the consensus suddenly changes, as in the case of Prohibition?

All appraisal must be based on assumptions, be they moral, scientific, or even aesthetic, and, whether consciously or unconsciously, all archivists will employ assumptions when appraising. Most problematic in the arguments made for social justice is not that opinions about morality can change or that individual archivists will think they know the answers—an assumption that also needs examination—but that members of the profession will attempt to reach a consensus about what constitutes social justice and that the archival community will become an advocate for one set of moral beliefs over another.

Other archivists have tried that idea. As any archivist in the German Democratic Republic (East Germany) would have learned from Gerhard Enders's socialist inspired *Principles for Determining Values*:

> Dialectical and historical materialism is the scientific foundation for formulating and applying unified principles for determining value. Because it has provided a method by which to identify the inherent laws determining societal development, it also offers scientific standards for judging the value of records produced within the provenance of the state, the economy, and society.[28]

An East German archivist need only read a copy of Marx to understand the morality within the world and be "for or against the oppression system." Lacking such an overarching political dogma in the United States, one can imagine, in an effort to define a particular matter as one of social justice, attending a business meeting at the annual meeting of SAA, where those fighting the "oppression system" present a resolution defining oppression and demand archivists oppose it. This is clearly a most problematic possibility.

One might, of course, avoid this awful situation by saying that archivists collectively do not need to come to a consensus about what is moral and constitutes social justice. The records housed in an archival institution could be determined by the archivist's personal moral understanding of what constitutes social justice. But to convert an archives into the moral preserve of the presiding archivist would violate existing norms of professionalism.[29] Self-serving agendas, however derived and underwritten by whatever intentions, are without professional legitimacy.

There is no methodology to determine with certainty that what an archivist believes to be true in his or her heart, is, in fact, moral or just. At least a few archivists will respond that they are "certain" that time will ratify their opinion and that they can make appropriate decisions about appraisal as a part of their social justice agenda. I respect these individuals' fierce courage, but I reject the professional applicability of what I can only understand as either belief or intuition. It is, in practice, not much different from the long-abandoned argument of nineteenth-century German archivists who asserted they could appraise records by *fingerspitzengefühl*, an intuitive sense that made it possible to know what to save.[30]

Relying on a twenty-first-century version of *fingerspitzengefühl* to resolve issues of morality and justice particularly worries me because of the growing and perhaps unprecedented insular nature of our national discourse and the associated tendency to attack and often demonize those with whom we disagree. Donald Trump's taunting and demonization of Democrats has become sadly common. During the 2018 midterm elections, Trump's speeches created a fearful universe filled with "rage-filled" Democrats who "have become too extreme. And they've become, frankly, too dangerous to govern. They've gone wacko"; and not just wacko, "They want to destroy everything." They are "the party of crime." If this characterization bears no particular resemblance to any rational, nuanced view of Democrats or people who vote for Democratic candidates, one needs to remember that Democrats also employ oversimplified,

apocalyptic rhetoric. Hilary Clinton famously indulged in it when she declared that Trump supporters fell into two baskets; the "deplorables," composed of bigots of various stripes, and those "desperate for change," who apparently lacked the insight to see through Trump's sophistry. Being "grossly generalistic" and declaring all the voters who choose your opponent as either deplorable or dumb is not much different from, using an equally broad and unfair brush, declaring all your opponents wacko or criminal.[31]

Sadly, the same approach toward those with whom one disagrees is found in the archival literature. One example, by Mario H. Ramirez, appeared in this publication, "Being Assumed Not to Be: A Critique of Whiteness as an Archival Imperative," in which Ramirez writes:

> This lack of engagement with issues of diversity, and specifically racial diversity, demonstrates an inability to envision what is problematic about 89 percent of archivists being white. If whiteness is normative, if its privileged beneficiaries are unaware of the ways in which they are complicit and in positions of great advantage (which more than likely increase their prospects in the profession), then how is it possible to contend honestly with the issue of increasing diversity and change the very system that suppresses it?[32]

"If its privileged [white] beneficiaries are unaware of the ways in which they are complicit" is a statement based in stereotyping. Without ever specifying how many of those white archivists are unaware of their privilege, if any at all, Ramirez suggests some, or maybe many, or perhaps most, of them are.

Ramirez goes on from questioning the motivations of white archivists to identify those whom he perceives as the principal villains within the profession. "Whiteness and masculinity . . . serve to maintain a small and heavily privileged group at the top of the archival heap. . . ."[33] To make this observation more forcefully, Ramirez singles out the writing of Mark Greene and concludes, "Greene's article ['A Critique of Social Justice as an Archival Imperative'] points toward a strain of resistance to self-reflexivity within the archives community, and, moreover, is emblematic of an inability to think critically about race, whiteness, and sociocultural positionality. . . ."[34] I find less disturbing the opinion Ramirez expresses about Greene, as it locates the supposed problem in the writing of a particular person and thus offers the opportunity to discuss the basis for Ramirez's opinion, than I am in the deployment of Greene as a strawman for a "small" group of white males "at the top of the archival heap." Again we read in Ramirez a phrasing that attacks a group based on demographic characteristics. How many white men are in this "small" group? Is it a dozen people, or two dozen, or maybe a hundred? Perhaps a small number of white men at the top of the archival heap are exceptions to this characterization? Or perhaps the "top of the archival heap" should be defined more broadly to mean most white males.

Undocumented assertions that make subtle, or unsubtle, allegations based on demographic characteristics defined by white maleness are intellectually unsustainable. As Ibram X. Kendi notes, "generalizing the behavior of racist White individuals to all White people is as perilous as generalizing the individual faults of people of color to entire races. . . . We often see and remember race and not the individual. This is racist categorizing, this stuffing of our experiences with individuals into color-marked racial closets." It would benefit our professional, and our national, discourse if all of us stopped talking in ways that conflate individual behavior with group characteristics.

Before concluding, it is important to pose one final question: how did archivists come to believe they have the power to both (or either) create a societal mirror and to give critical support to the cause of justice? This seems, on the face of it, quite the stretch for a profession that almost reflexively bemoans its lack of influence and resources. If archivists regularly declare themselves of noble purpose, they also usually add that they are most often broke and ignored.[35]

One major contributor to archivists assuming they can accomplish both these goals is an increasingly less nuanced embrace of archival power. Archives do hold power and manifest that power in ways both obvious and subtle. Pointing this out is important when carefully constructed archival power is a sensible explanation of the role of archives and archivists in society. The problem is that archivists, even when they are engaged in a careful explanation of the idea, often end up contextualizing archival power in aspirational terms that overstate the concept's agency.

Take, for example, Rand Jimerson's 2005 SAA presidential address, "Embracing the Power of Archives."[36] For a short primer on the idea, it would be hard to find a better document to read. But, like most SAA presidents (and a good number of archival authors), Jimerson went for the big finish—the generalizations that people will hopefully remember, when the carefully nuanced details of the presentation are forgotten.[37]

> As we consider the symbolism and the substance of archives and the archival mission, let us embrace the power of archives. Let us accept the solemn obligation to use the Force for good and not for evil. Let us ensure that archives protect the public interest rather than the privileges of the powerful elites in society.[38]

He concludes his address by saying, "This is what it means to be a profession. We must serve all sectors of society. Our goal should be to ensure archives of the people, by the people, and for the people. By embracing the power of archives we can fulfill our proper roles in society."[39]

This is heady stuff. It gives intellectual rationale and full support to archival ideas about social justice, an agenda to seek out and document the

undocumented and, implicitly, to create Ham's mirror of society. But it is also the kind of rhetoric, when recalled out of its original context and without reference to other, relevant pieces of information, that overstates archival power and the rights that accrue from it.

An example of where such overstatement can lead is found in an article published by Christine Anne George, who argues that "it is imperative that archivists advocate for an archival privilege."[40] As George explains, "privilege," in the legal sense of the word, "is an acknowledgement that certain social concerns are more important than the legal process." When privileged communication exists, a court cannot compel one party to share information learned from the other. Common examples of legal privilege recognized in American courts include conversations between attorneys and their clients, conversations between spouses, conversations between therapists or physicians and their patients, and conversations between priests and penitents.[41]

To this list of existing legal privileges, George argues for the addition of an archival privilege. Archival privilege would shield donated records found in an archives that have been closed under terms of the deed of gift from the inquiring eyes of the government and other parties. The idea is not new. In 1986, a federal court, considering such a claim in the case called *Wilkinson v. Federal Bureau of Investigation*, rejected the application of the idea in the particular instance under consideration.[42]

According to George, that the law does not currently support this position presents a duty to argue for a new privilege within the law. "As the keepers of the historical record, it is imperative that archivists advocate for archival privilege, which is going to be a recurring issue. Until the archival community understands the importance of archival privilege and works toward its adoption, collections will be at risk. With so much at stake, archivists have a duty to be proactive about archival privilege."[43]

George's position is a logical extension of a broad reading of the concept of archival power, colored by a reference to ethics that hints at social justice. It is archives "of the people, by the people, and for the people" that fulfills "our proper roles in society."[44] It is also an unwise overextension of the rights held by archivists derived from the donors who give materials to an archives.

To see why it is unwise, we should look more closely at the case George would shield from the inquiring eyes of government investigators. Under investigation was the death in Northern Ireland of Jean McConville. McConville was a widowed mother of ten who was "disappeared" in 1972 during the Troubles. She was widely suspected to have been murdered by members of the Irish Republican Army because they believed she was an informant for the British Army. Specifically at question was access to closed oral histories housed at Boston College in the United States that British authorities believed might

supply evidence regarding who murdered Jean McConville. The British authorities requested access to the materials and called upon the United States government to subpoena the records for use in Britain under a treaty signed between the United Kingdom and the United States.

As George herself concedes, "the Belfast Project may not be the ideal vehicle for arguing for archival privilege." The reason George gives for this is "Not only is there a charged political situation, there is also the complication of an international treaty."[45] Seemingly anything regarding "the Troubles" is charged politically. And the existence of an international treaty does complicate the legal situation. But what of the notion that "archival privilege" should be used by "ethical" archivists to withhold information from an investigation regarding the murder of a widowed mother of ten? As the judge wrote in the *Wilkinson* case in 1986,

> . . . the protection sought here amounts in the end to nothing more than the assertion that the mere act of placing documents in an "archive" should protect it from the judicial process, including discovery. Braden [the plaintiff] does not contend that the documents sought would be "privileged" if she had retained physical possession of them. The ruling here does no more than hold that the documents are as equally discoverable after they have been deposited in an archive as they would have been had they been retained by the donor.[46]

Contrary to the *Wilkinson* ruling, an assertion of archival privilege posits a world in which an archivist can suppress evidence for a murderer clever enough to donate incriminating documents to an archives and close the collection. This proposition should cause the archival community to reflect on both archival ethics and the concept of archival power. Is the archival mission so important that society should give to archivists the legal power to shield evidence about murders and other alleged criminal acts from society's immediate need for justice?

I understand that some archivists will emphatically say yes to this question and dismiss my concern by arguing that any legal principle can have unanticipated and occasionally undesirable outcomes. I hope the vast majority of the archival community will instead see this as a bridge too far, a claim both extraordinary and unjustifiable. Murderers and other criminals should not be able to hide evidence of their crimes with the advice of a smart lawyer and a complicit, or perhaps naive, archivist who signs the deed of gift. This is, to my mind, an extraordinary and inappropriate exaggeration of the power archivists hold and the reasons why archives exist.

When discussing archival power, archivists and the archival literature should embrace a much more restrained vision. Having discovered what a skeptic might label a niche market in which archival power exists, archivists should accept the limitations of that niche. As a practical matter, archives have

power in very narrowly defined situations. Our profession's power is largely cerebral, sometimes legal, and, on very rare occasions, worthy of a headline in the morning paper. A similar professional recognition of our limited scope and ability should infuse archivists' appraisal and documentary goals. Archivists cannot create a societal mirror, indeed they cannot even define what that mirror might look like. Archivists are not major players in the arena of social justice, even if archival records sometimes play an important role in social justice causes.

The best way to conceive of archival power is perhaps to build off Leonard Wibberley's wry observation that "Though the pen is mightier than the sword, the sword speaks louder and stronger at any given moment."[47] Similarly, while the power found in archives can cause societies to reconsider fundamental beliefs through the records archivists save and the way archivists make those records available for use, in most moments, archives represent an unwieldy and unlikely tool of justice.[48]

To return to the words of Christopher Hurley, I believe archivists working within their institutional mandates should and must document atrocities. I leave for others to determine if such archivists are thus complicit in the crime or actin the secret hope that one day someone would use those documents to bring the perpetrators to justice. But the reality of Germany during World War II or Cambodia between 1975 and 1979 demonstrates the limits of social justice and archival power, broadly construed.[49] Archivists who save records as part of their institutional work and guide the way to them may be belittled as nothing more than Uriah Heeps, perhaps even Uriah Heeps in the service of the devil, but, if so, archivists are Uriah Heeps who show a surprising lack of obsequiousness and a sly ability to see beyond the present and prepare the way for something certainly different and sometimes better.

A nuanced understanding of archival power, and a reasoned approach to what that power makes possible, lead to certain conclusions. Among them:

- The missions of most archival institutions will focus archivists upon institutional priorities. An archivist has not failed as a professional if he or she "merely" implements an institutional mission fully and well. He or she has, instead, helped diversify the archival records and protected the totality of societal documentation from falling into the trap of a single, overriding but possibly misguided direction. Diverse institutional missions[50] ensure different documentary paths.
- More specifically, an archivist is neither unprofessional nor unethical if the mission of the archival institution he or she implements does not lend itself to fill specific documentary gaps, record the lives of specific marginalized people, or answer a call to social justice. Archivists

act as stewards of institutional goals. Archivists are not independent documentary actors following their personal muse or morality.

- Most important, social justice is not a core archival value. Many organizations work for justice. People who see their mission as promoting justice should become deeply involved in an organization that answers their calling rather than trying to make the archives the agent of their personal passion.

The world is full of saints and sinners, whose sanctity or evilness is often defined differently in different places and at different times. The diversity of archival institutional missions is the best insurance that representations of both saints and sinners will find their places in an archives. It matters not who historians of the day or the moment's moral leaders determine to be saints or sinners. Nor does it matter who the archivist, gathering and preserving materials, believes to be saints or sinners. In the words of Ecclesiastes, "To everything there is a season, and a time to every purpose under the heavens." Documenting those seasons in the fullness of their differences, and to the best of our professional ability, while operating within institutional priorities, is the archivist's fullest accomplishment.

Notes

[1] Lae'l Hughes-Watkins, "Moving Toward a Reparative Archive: A Roadmap for a Holistic Approach to Disrupting Homogenous Histories in Academic Repositories and Creating Inclusive Space for Marginalized Voices, " *Journal of Contemporary Archival Studies* 5 (2018), article 6, https://elischolar.library.yale.edu/jcas/vol5/iss1/6.

[2] Quotations found in John A. Fleckner, "F. Gerald Ham: Jeremiah to the Profession," *American Archivist* 77, no. 2 (2014): 386, https://doi.org/10.17723/aarc.77.2.j61g277x4rt37388. Ham's call for a complete record of society captured the archival imagination and gained much traction within the profession. See, for example, how Richard J. Cox and Helen W. Samuels, two leading voices of the era, find the idea so accepted that it needs no real discussion. "The Archivists First Responsibility: A Research Agenda to Improve the Identification and Retention of Records of Enduring Value," *American Archivist* 51, nos. 1–2 (1988): 30, https://doi.org/10.17723/aarc.51.1-2.gkw67424l3344ug8.

[3] For a thoughtful consideration of Ham's influence, see Fleckner, "F. Gerald Ham: Jeremiah to the Profession," 377–93.

[4] For a thoughtful history of this literature, see Hughes-Watkins, "Moving Toward a Reparative Archive."

[5] David B. Gracy II, "Archives and Society: The First Archival Revolution," *American Archivist* 47, no. 1 (1984): 8, https://doi.org/10.17723/aarc.47.1.k1637u657v841227.

[6] Kate Theimer, "What Is the Meaning of Archives 2.0?," *American Archivist* 74, no. 1 (2011): 64, https://doi.org/10.17723/aarc.74.1.h7tn4m4027407666. That archivists believe archives are underfunded is an almost ancient theme. Andrea Hinding refers to "chronically underfunded programs" in "Of Archivists and Other Termites," *American Archivist* 56, no. 1 (1993): 55, https://doi.org/10.17723/aarc.56.1.a752462722210517, and identifies the first complaint about a lack of appreciation of archives, and thus by implication insufficient funds to run the enterprise, as occurring in 1848 in Britain. One would like to say funding for archives has improved since 1848, but adjusted for inflation, it probably has not.

[7] The late Leonard Rapport, not an archivist known to be fond of administrators or their concerns, shared this insight with me one evening, in a bar.

[8] The idea that archivists should be involved at the birth of records is a long-standing thread within the literature. A recent, and more radical (although perhaps somewhat rhetorical), example of this thread was penned in 2016 by Geof Huth, who writes, "I would rephrase this rule to argue that archivists must start their work, whenever possible, before the point of creation, at the point of conception." Geof Huth, "Module 14: Appraising Digital Records," in *Appraisal and Acquisition Strategies*, ed. Michael Shallcross and Christopher J. Prom (Chicago: Society of American Archivists, 2016), 14.

[9] To cite a few recent examples of this trend from the pages of this journal, see Jessica Wagner Webster, "'Filling the Gaps': Oral Histories and Underdocumented Populations in *The American Archivist*, 1938–2011," *American Archivist* 79, no. 2 (2016): 254, https://doi.org/10.17723/0360-9081-79.2.254, who writes in her abstract of using "stories from all parts of society, not just stories from white men of means" and specifically "to document people of color, women, the working class, and other consistently underdocumented populations." The archival community is thus called upon to document more than white men of means, by including people of color, women, the working class, and that unfortunate category called "other." Krista McCracken, "Community Archival Practice: Indigenous Grassroots Collaboration at the Shingwauk Residential Schools Centre," *American Archivist* 78, no. 1 (2015): 181, https://doi.org/10.17723/0360-9081.78.1.181, notes in her abstract that "Community-based archives can provide a voice for marginalized groups, add new viewpoints to the traditional historical record, and preserve heritage that has been left out of traditional archives and museums. Canada's colonial roots have greatly affected the relationship between archives, libraries, museums, and Aboriginal communities." She thus employs the idea of community-based archives and adds to Wagner Webster's list, "Aboriginal communities." Of course, there are many other ways to characterize underdocumented communities. In the same issue of *American Archivist* that published McCracken's article, Caroline Daniels, Heather Fox, Sarah-Jane Poindexter, and Elizabeth Reilly, "Saving All the Freaks on the Life Raft: Blending Documentation Strategy with Community Engagement to Build a Local Music Archives," *American Archivist* 78, no. 1 (2015): 238, https://doi.org/10.17723/0360-9081.78.1.238, write in their abstract, "The Louisville Underground Music Archive (LUMA) project successfully applies documentation strategy, paired with a strong community engagement component, to address the gap in the historical record related to this culture." These three contemporary articles each exemplify archivists' ongoing piecemeal approach to the human experience.

[10] It is worth noting that much of Greene's discussion, as well as that of Harris and others, takes time to refer to and discuss, sometimes at length, the ideas of historians and philosophers such as Jacques Derrida and Michel Foucault, and concepts such as deconstruction and postmodernism. I have read the extended archival discourse on these matters and find it an interesting but unfortunate diversion from what we should be discussing. It is not that these ideas are unimportant, but rather that they are unresolvable in any way that would have a definitive, or even helpful, archival application. Philosophers have been discussing the nature of the universe and all that is within it for a very long time and, insofar as I can tell, will continue to do so for a very long time to come. To latch onto one or another idea and declare how it enlightens the archival discourse ignores that whatever philosopher or school of thought one finds meaningful, there is or will be another philosopher and another school happy to point out the shortcomings of the first, with one argument leading to the next and continuing down a rabbit hole. Thoughtful archivists have chased after the many ideas of philosophers, historians, and others to enlighten themselves and supplement their professional discourse. But I fear many of those who have gone down this path have not considered how in the world to get out again from the hole they have entered. A person prone to simple solutions, I would suggest the answer to this problem is to not enter the rabbit hole

[11] Verne Harris, "Jacques Derrida Meets Nelson Mandela: Archival Ethics at the Endgame," *Archival Science* 1, nos. 1–2 (2011): 120, http://dx.doi.org/10.1007/s10502-010-9111-4, as quoted in Mark A. Greene, "A Critique of Social Justice as an Archival Imperative: What *Is* It We're Doing That's All That Important?," *American Archivist* 76, no. 2 (2013): 304, 306, https://doi.org/10.17723/aarc.76.2.14744l214663kw43. Much of Greene's writing discusses how ideas put forward in support of postmodernism play into this conversation. It should also be noted that this division of records into darkness and light, and the call to support the light, beg the question of what to do

with those dark records. A societal mirror, after all, would be composed of good people and bad people, good records and dark ones.

[12] Verne Harris, *Archives and Justice: A South African Perspective* (Chicago: Society of American Archivists, 2006), 247, as quoted in Greene, "A Critique of Social Justice," 307.

[13] Randall Jimerson, "Embracing the Power of Archives," *American Archivist* 69, no. 1 (2006), https://doi.org/10.17723/aarc.69.1.r0p75n2084055418, also quoted in Greene, 311.

[14] Chris Hurley, "The Evolving Role of Government Archives in Democratic Societies" (paper presented at the Association of Canadian Archivists Annual Conference, Winnipeg, Canada, June 9, 2001), 1, http://www.sims.monash.edu.au/research/rcrg/publications/ch-demo0603.pdf. Greene uses a a far more inflammatory quote which follows the one I have selected and also begins on page 1, "We cannot comfortably design a better system for documenting the number of heads being processed through the gas chambers as if good recordkeeping (in the technical sense) can be divorced from the uses to which it is put. "A Critique of Social Justice as an Archival Imperative," here quotes Chris Hurley, "The Evolving Role of Government Archives in Democratic Societies" (paper presented at the Association of Canadian Archivists Annual Conference, Winnipeg, Canada, June 9, 2001), via Harris, *Archives and Justice*, 243.

[15] Greene, "A Critique of Social Justice," 304–7.

[16] Hurley, The Evolving Role of Government Archives, 1–2.

[17] On November 16, 2018, those records helped to convict two senior Khmer Rouge leaders for genocide, "Khmer Rouge leaders found guilty of Cambodia genocide," BBC News, November 16, 2018, https://www.bbc.com/news/world-asia-46217896.

[18] Roy P. Basler, ed., *The Collected Works of Abraham Lincoln*, vol. 8, "Speech to One Hundred Fortieth Indiana Regiment" (March 17, 1865), 361.

[19] Basler, ed., *The Collected Works of Abraham Lincoln*, vol. 3, "Letter To Henry L. Pierce and Others" (April 6, 1858), 376.

[20] David W. Blight, History 119, Lecture 3, Open Yale Courses, https://oyc.yale.edu/history/hist-119/lecture-3.

[21] Blight, History 119, Lecture 3. My intention is not to agree with those defenders but instead to provide a historical example of a position held by many people in the past that we now find abhorrent.

[22] The Centers for Disease Control estimates that in 2010, alcohol abuse killed 88,000 individuals in the United States and cost the economy approximately $250 billion, https://www.cdc.gov/features/costsofdrinking/index.html. Even more compelling is an article published in *The Lancet* by Robert Burton and Nick Sharon on August 23, 2018, which states, quite simply, "There is strong support here for the guideline published by the Chief Medical Officer of the UK who found that there is 'no safe level of alcohol consumption,'" https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(18)31571-X/fulltext.

[23] Library of Congress, "Progressive Era to New Era, 1900–1929," http://www.loc.gov/teachers/classroommaterials/presentationsandactivities/presentations/timeline/progress/prohib/song.html.

[24] John Kobler, *Ardent Spirits: The Rise and Fall of Prohibition* (New York: G. P. Putnam, 1973), 12.

[25] Charles Merz, *The Dry Decade. Seattle* (Washington: University of Washington Press, 1969), ix.

[26] Adam Gopnik, "Arguing Abortion," *The New Yorker*, November 28, 2014, https://www.newyorker.com/news/daily-comment/arguing-abortion; and Frank Pavone, "The Bible's Teaching Against Abortion," April 8, 2009, http://www.priestsforlife.org/articles/4376-the-bibles-teaching-against-abortion.

[27] It is important to note, in discussing justice, that from a philosopher's point of view justice can be defined simply as generally agreed upon moral values. As the discussion of social justice draws heavily from philosophical considerations, this is a critical distinction for archivists who support social justice to discuss: "the right" is relative, not absolute. See HPP (Hennie) Lötter, *Injustice, Violence, and Peace: The Case of South Africa* (Amsterdam: Rodopi, 1997), 16.

[28] Gerhard Enders *Archivverwaltungslehre* [*Principles of Archives Administration*] as quoted and translated in Hans Booms, "Society and the Formation of a Documentary Heritage: Issues in the Appraisal of Archival Sources," *Archivaria* 24 (1987): 96.

[29] The Society of American Archivists *Core Values Statement and Code of Ethics* is infused with the sense that archivists are not independent agents. This statement from the *Code of Ethics* is particularly

relevant: "Archivists should not take unfair advantage of their privileged access to and control of historical records and documentary materials. They execute their work knowing that they must ensure proper custody for the documents and records entrusted to them. Archivists should demonstrate professional integrity and avoid potential conflicts of interest. They strive to balance the sometimes-competing interests of all stakeholders." SAA *Core Value Statement and Code of Ethics*, https://www2.archivists.org/statements/saa-core-values-statement-and-code-of-ethics. It is important to note that an archival institution could, as its mission, determine that it will take a moral stand. An archives could be created to document either those in favor of or opposed to abortion.

[30] Booms, "Society and the Formation of a Documentary Heritage: Issues in the Appraisal of Archival Sources," 85.

[31] For a quick primer on President Trump's 2018 campaign rhetoric, see John Bennett, "Trump's Stump Speeches Describe Democrat-Run Hellscape," *Roll Call*, October 11, 2018, https://www.rollcall.com/news/politics/trumps-stump-speeches-describe-democrat-run-hellscape. Hillary Clinton's oft-quoted "deplorable" comments of September 9, 2016, can be seen at https://www.politifact.com.

[32] Mario H. Ramirez, "Being Assumed Not to Be: A Critique of Whiteness as an Archival Imperative," *American Archivist* 78, no. 2 (2015): 350, https://doi.org/10.17723/0360-9081.78.2.339.

[33] Ramirez, "Being Assumed Not to Be," 351.

[34] Ramirez, "Being Assumed Not to Be," 339. For the record, I think Ramirez's argument that Greene did not think critically about these issues is wrong and expressed in an extraordinarily mean-spirited manner. I encourage individuals to read Greene deeply and thoughtfully on these matters, and believe that, in the end, they will be persuaded I am correct in my analysis. But even if one agrees with Ramirez about Greene, my goal in this article is to point out the danger of basing arguments on broad demographic characteristics as well as to object to the use of language that can be read as code to criticize all of those who share similar demographic characteristics.

[35] Hinding, "Of Archivists and Other Termites"; Gracy, "Archives and Society."

[36] Jimerson, "Embracing the Power of Archives," 19–32.

[37] I plead guilty to the same offense, as I suspect most past SAA presidents, if they are honest with themselves, would also do.

[38] Jimerson, "Embracing the Power of Archives," 32.

[39] Jimerson, "Embracing the Power of Archives," 32.

[40] Christine Anne George, "Archives Beyond the Pale: Negotiating Legal and Ethical Entanglements after the Belfast Project," *American Archivist* 76, no. 1 (2013): 60.

[41] George, "Archives Beyond the Pale," 54.

[42] George, "Archives Beyond the Pale," 58–59. For a fuller discussion of the 1986 case, see Harold L. Miller, "Will Access Restrictions Hold Up in Court? The FBI's Attempt to Use the Braden Papers at the State Historical Society of Wisconsin," *American Archivist* 52, no. 2 (1989): 180–90.

[43] George, "Archives Beyond the Pale," 60–61.

[44] Jimerson, "Embracing the Power of Archives."

[45] George, "Archives Beyond the Pale," 61.

[46] Wilkinson v. Federal Bureau of Investigation, 111 F.R.D. 432 (1986), 443.

[47] Leonard Wibberley, *The Mouse that Roared* (Boston: Little, Brown and Company, 1954), 5. This quote could be attributed to a number of sources. Edward Bulwer-Lytton has Cardinal Richelieu say something close to it in a play written in 1839. Others suggest a phrase something like this can be assigned to an even earlier date. Those interested in the topic might consult Alison Gee, "Who First Said 'The pen is mightier than the sword'?," BBC News, January 9, 2015, https://www.bbc.com/news/magazine-30729480.

[48] To return to the example of the Khmer Rouge in Cambodia, the atrocities of the Pol Pot regime were committed between 1975 and 1979. Khmer Rouge leaders were first convicted of genocide in 2018. The evidence found in archives may have been helpful in holding these leaders accountable, but the cause of social justice was hardly sure, and certainly not swift. See "Khmer Rouge Leaders Found Guilty of Cambodia Genocide," BBC News, November 16, 2018, https://www.bbc.com/news/world-asia-46217896.

[49] One should be clear that archivists can become martyrs against injustices such as genocide, but martyrdom in the cause of morality is not a core professional obligation. Eric Ketelaar records how Dutch archivists during World War II, who did not publicly oppose the Holocaust, nevertheless used their skills in opposition to genocide. They forged marriage certificates that allowed Jews to "prove" to Nazi officials they were not legally subject to deportation and death. However, it is a stretch to call this an act of archival power. Heroic it was, but it exploited what every archivist concerned with security knows: the people you most have to worry about are the people who know how to manipulate the system. The Dutch archivists who forged marriage licenses used their knowledge to play their record system, and the Nazis, like a concertmaster with a fine violin. It was brilliant, but it was not archival. Eventually, they eliminated the forged documents. For all their skullduggery, they, being archivists, apparently managed to keep a record of their forgeries to make possible future correction. As discussed in Greene, "A Critique of Social Justice," 320.

[50] "Institution," as I am using the word, is the archival agency and its mission, which is not necessarily identical to the parent organization and that body's mission. Indeed, these missions can sometimes come into conflict. An institutional archives, with a mandate to document the parent institution, may find the parent institution is reluctant to allow certain things to be documented. In such circumstances I would err on carrying out the archival mission, and doing one's best, if challenged, to explain the need for full documentation. In the end, if the parent organization wants a public relations department, it can create one. If the parent organization continues to find an archives and the records within it inconvenient, the parent entity can abolish the archives. Not a pretty thought, but an honest one.

ABOUT THE AUTHOR

Frank Boles has written about appraisal for many years. Among other works on the subject, he authored *Selecting and Appraising Archives and Manuscripts*, published by the Society of American Archivists in 2005. He has served since 1991 as the director of the Clarke Historical Library at Central Michigan University. He has a doctorate in history from the University of Michigan.