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Deserving of Trust:  
Ethics in the American Archival Profession

By  
Rachel Elizabeth Thompson

Accepted in Partial Completion  
Of the Requirements for the Degree  
Master of Arts

Moheb A. Ghali, Dean of the Graduate School

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## **MASTER'S THESIS**

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Rachel Thompson

July 20, 2011

Deserving of Trust:  
Ethics in the American Archival Profession

A Thesis  
Presented to  
The Faculty of  
Western Washington University

In Partial Fulfillment  
Of the Requirements for the Degree  
Master of Arts

by  
Rachel Elizabeth Thompson

June 2011

## Abstract

This thesis explores ways in which the American archival profession, through the Society of American Archivists (SAA), can promote the trustworthiness of archives and archivists. The further professionalization, which involves the creation of a cohesive organization, standards, and a code of ethics, of the archival field is one proposed starting point. Currently, SAA is already on the path of professionalization. For some occupations, professionalization also includes the enforcement of standards and ethics, as well as the certification of members. I argue that for the American archival profession, however, these are not the paths to take. Enforcement and certification require infrastructure and social power that SAA simply does not possess. Enforcement is also problematic, as situations are never black and white, and decisions can never be guaranteed to be impartial and unbiased. This thesis also argues that SAA should create an online ethics resource and support center to assist members faced with quandaries about ethics, as part of a continuing process of reflection and debate about ethics within the profession. This reflection and debate will encourage **“ethical being” and thinking in members. It is this “ethical being” that will make archivists and, by extension, archives deserving of trust.**

### Acknowledgements

I am indebted to all of my fine colleagues in the History and the Archives and Records Management programs at Western Washington University, but especially Andrea Chaddock, Rachel Hillier, Cara Bertram, Samantha Cross, and Rachel Lilley for all of their invaluable insights and challenges.

I must also acknowledge the generous contributions from those archivists and other professionals who took the time from their undoubtedly busy schedules to respond to my survey. It is this spirit of generosity that will keep the archival profession alive. Much thanks to you.

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## Introduction

### *The Need for Trust in Archives and Archivists*

Trust is an integral part of our lives as humans. We trust implicitly that the bridge by which we cross the river everyday was built correctly and will not collapse as we drive across. We trust (for the most part) that our fellow drivers will obey the laws of the road and that the traffic lights are set correctly and will not cause a collision. We trust, implicitly, that our fellow shoppers will obey the unwritten rule of the check-out line: first come, first served. We go on, maintaining these trusts that are necessary to our interactions with our fellow human beings and which allow our day to go by relatively smoothly. It is not until these rules are broken that we begin to question the processes behind them. For example, trust is misplaced, rules are broken, and a bridge collapses. Immediately, people, whether they use the bridge or not, begin to question why the process usually used to make sure that a bridge is built properly failed.

While incidents like a bridge collapse provide an opportunity to reevaluate and restructure the rules that allow for trust, a bridge collapse is not something that should occur. In other words, the processes of oversight and control should be trustworthy. The public should never have to question these processes, not because they are hidden or secret, but because they are trustworthy and effective. The whole point of the bridge is to serve the public. When shortcuts are taken to save money (that is, for the builder who will profit from the cheaper, though weaker shortcut), it is more likely that the bridge will collapse.

Archives are no different. Archives are a site of tremendous power, whether it is the ancient Sumerian archives, where records of the taxes and the numbers of sheep and goats owned by individuals were kept as a method of support for the current power structure, or the German Stasi

archives, where records once used to control and monitor the population are now used to free it from fear and allow it to heal.<sup>1</sup> In a democracy, government is (theoretically) for and by the people. Therefore, government and, by extension, public archives are for the people, not for the politicians in power. The records of a democratic government, as part of the mechanism of government, belong to the people and allow people to understand and oversee their elected officials. Even private archives, whether open to researchers from the outside or not, are still responsible to a certain kind of limited public (their own public). Whether or not society is aware of it, its archives are just as vital as the bridge people use every day. The public needs to be able to place the same unconscious and deserved trust in the archives as they do in the bridge.

**Within the last few years, some archival theorists have begun to think about the “why” of** archives, as well as the incredible power that archives can have in society. In part this was due to the growing influence of postmodernism from history and other areas of study, as well as incidences like that faced by Verne Harris in South Africa, where the apartheid government recognized the power their records had to prove injustices done by the regime and attempted to destroy the records before leaving power.<sup>2</sup> This is just one example. Archives have become more and more visible as places where people can find proof of wrongs done to them in order to get justice, sometimes the only place. An entire session at the 2010 Society of American Archivists (SAA) Conference was devoted to case studies of instances in which archives played a role in providing justice. Postmodernism, as well, has proven that words, information, and knowledge are all forms of power and hierarchy, making archives a site of extreme power. In addition, archives have become a site of scrutiny for historians and other scholars, examining the ways in which records and archives reinforce and create power structures and hierarchies for governments and ruling elites.

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<sup>1</sup> Elena Danielson, *The Ethical Archivist* (Chicago: The Society of American Archivists, 2010), 214-216.

<sup>2</sup> Verne Harris, *Archives and Justice: A South African Perspective* (Chicago: Society of American Archivists, 2006), 209-210.

For example, *Archive Stories* is a collection of essays by historians and other scholars dealing with archives and the power that resides within them. Part II “States of the Art: ‘Official’ Archives and Counter-Histories” contains a series of essays dealing with official archives and their role in creating and maintaining political power and official narratives. Other essays in this collection deal with the power of the archive to shape the historical narrative. The authors in this collection attempted to break down this archival power structure through analysis, trying to find the voices of the oppressed within the records of their oppressors. Antoinette Burton, in her introduction to *Archive Stories* wrote,

Taken as a whole, *Archive Stories* contends that the claims to objectivity associated with the traditional archive pose a challenge which must be met in part by telling stories about its provenance, its histories, its effects on its users, and above all, its **power to shape all the narratives which are to be “found” there.**<sup>3</sup>

This depiction of the archives as no longer a neutral space, but a powerful, narrative-shaping force is important for my purposes. *Archive Stories* deals mainly with what these discoveries mean for historians and other scholars. What it does not deal with is what this means for archivists and their publics—the publics other than historians and scholars. The question remains: if archives are sites of subjectivity and of power, what does this tell us about the archivists in charge of shaping and maintaining these sites?

English archivist Sir Hilary Jenkinson, one of the early thinkers (post-World War I, pre-World War II) of the archival profession, maintained that archives are passive depositories for the creators of records. Archivists’ duties were limited to physically preserving records and overseeing access to them. As he said,

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<sup>3</sup> Antoinette Burton, “Introduction: Archive Fever, *Archive Stories*,” *Archive Stories: Facts, Fictions, and the Writing of History*, ed. Antoinette Burton (Durham: Duke University Press, 2005), 6.

Here, then, is the supreme and most difficult task of the Archivist—to hand on the documents as nearly as possible in the state in which he received them, without adding or taking away, physically or morally, anything: to preserve unviolated, without the possibility of a suspicion of violation, every element in them, every quality they possessed when they came to him, while at the same time permitting and facilitating handling and use.<sup>4</sup>

Jenkinson's efforts were all to protect the "Truth" (an absolute, observable constant) and truths in an age he saw as permeated with lies. The only way he saw to do this was to preserve archives as untouched as possible, letting the records speak for themselves as evidence of the "Truth."<sup>5</sup> However, this attitude eventually lost favor in America, and elsewhere, with the increase of records created during and after World War II. It was no longer possible to keep everything.

T.R. Schellenberg, the author of several important texts in American archival theory, faced with the overwhelming mass of post-World War II records, advocated the idea of appraisal based on the primary and secondary values of records, as well as their evidentiary and informational values for researchers and other users.<sup>6</sup> In Schellenberg's theory, the archivist became an active participant in selecting the archival record, instead of being a passive recipient of records. Schellenberg worked from a practical viewpoint: it is impossible and impractical to keep every record created. He therefore attempted to create a set of analytical tools to help the archivist determine what was important to keep.<sup>7</sup> Schellenberg was not as interested in the "Truth" as Jenkinson. He assumed that the truth is accessible and evident in the records that remain, but only if records are thoughtfully selected by archivists.

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<sup>4</sup> Sir Hilary Jenkinson, "Reflections of an Archivist," in *A Modern Archives Reader: Basic Readings on Archival Theory and Practice*, ed. Maygene F. Daniels and Timothy Walch (Washington, DC: National Archives and Records Administration, 1984), 20.

<sup>5</sup> Jenkinson, 21.

<sup>6</sup> T.R. Schellenberg, "The Appraisal of Modern Public Records," in *A Modern Archives Reader: Basic Readings on Archival Theory and Practice*, ed. Maygene F. Daniels and Timothy Walch (Washington, DC: National Archives and Records Administration, 1984), 58-59.

<sup>7</sup> Schellenberg, 57.

In the years after Schellenberg, the archivist's role became (for some) even more active. F. Gerald Ham, working from a 1970s perspective of social history and the New Left, saw archivists **taking on an even more active role, creating records to fill in the gaps of the "official" archives.**<sup>8</sup> This article, and similar ones, led to the development of the documentation strategy, macroappraisal, and other appraisal and collecting methodologies. These methods were focused on looking beyond provenance and to making sure all aspects of society are documented, regardless of their active participation in official record creation.

By moving from a custodial model (Jenkinson) to an active creator and selector, the archivist introduces an evident possibility of bias and subjectivity to the archives through the actions of the archivist. However, as *Archive Stories*, and the collection of essays from the archival Sawyer Seminar *Archives, Documentation and Institutions of Social Memory*, and other studies have shown, archives have always been a place of bias and subjectivity. Archivists and scholars are just now beginning to explore this topic for themselves.

For example, **Randall Jimerson accepted archives' and archivists' power and subjectivity, but** believed that archivists need to work both with and against this power. Archivists should be aware that archives become places where stories are created and told and be careful that it is not just the **"official" stories that are being told.**<sup>9</sup> Verne Harris, drawing on Jacques Derrida, called this **"hospitality," a welcoming and inclusion of other stories and viewpoints.**<sup>10</sup> Both Jimerson and Harris saw this incorporation as a step towards using archives as a tool of social justice.

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<sup>8</sup> F. Gerald Ham, "The Archival Edge," in *A Modern Archives Reader*, ed. Maygene F. Daniels and Timothy Walsh (Washington, D.C.: National Archives and Records Administration, 1984, 2004), 326-335.

<sup>9</sup> This is evident in places like page 353 of his *Archives Power* (Chicago: The Society of American Archivists, 2009), where Jimerson writes, "Engagement in public policy issues does not liberate the archivists to assert her (or his) personal preferences, but to ensure that as many people as possible find a home—a voice—in the archival records."

<sup>10</sup> Harris, *Archives and Justice*, 76-77.

Whether or not an archivist accepts Jimerson and Harris's (as well as a host of other archival authors') ideas, the trend in archival practice is such that an archivist cannot ignore his or her role in the creation of the historical record. Beyond the necessary appraisal of records to create manageable collections, electronic records have proven that archivists need to involve themselves not just in the creation of records or collections of records, but in the very systems that create and maintain records, as seen in research projects like the University of British Columbia's InterPares, which is an attempt to create a formula for the optimal electronic record creation and keeping system from an archival standpoint. Unless one rejects the idea that human beings are inherently biased, there is no denying that archivists and records creators will influence and privilege certain stories and "truths" to be included in the records, whether consciously or not. It becomes a matter of being aware of these biases and taking measures to balance and document them.

**Trust is crucial to existing in society where "truth" is a fragile and complicated issue.**

Without trust, human beings cannot function as a group, but if one accepts the arguments from Jimerson and others, not only are archivists powerful, they are also not trustworthy, as they are human beings with their own agendas and biases. In order for there to be trust, this power has to be moderated, presumably through some kind of standardization, code of behavior, or behavior oversight. Archives will still be places of power and potential oppression, but with mechanisms in place to make archivists trustworthy this is less likely to happen (much as a bridge collapse is when regulations are in place).

Trust works on two levels: there is the trust that is placed and there is trust that is deserved. The trust in the bridge is placed every time someone drives across it, but that does not mean that the trust is deserved. Even if a bridge made without following regulations never fails, the trust placed in it by its users is undeserved. Both aspects of trust are necessary for a society to work well.

One way archivists can promote their trustworthiness to wield the power of the archive and to be objective (recognizing their biases and working with and around them, rather than being completely neutral<sup>11</sup>) is through professionalization.

In my first chapter, I discuss how archivists can project the necessary image of trustworthiness and gain tools to be trustworthy through professionalization. Professionalization, as described by Richard Cox, involves the creation of a professional body of specialized knowledge and theory, a professional organization, and standards of practice and behavior, including codes of ethics.<sup>12</sup> **Cox's model provides a starting point for my arguments about how the American archival profession (through the Society of American Archivists) can promote trustworthiness of archivists (and by extension, archives). I delve further into how standards can be used to promote trustworthy behavior, and I conclude with a brief history of ethics codes in SAA and the American profession, and the changing views of ethics and ethics codes and the impact of these changes on SAA's role in professional ethics. I conclude that for archivists to be truly deserving of trust, ethics must become personalized and internalized, and that archivists have to become "ethical beings."**

Throughout this thesis, I focus my attention on the American archival profession, and especially the primary professional organization in the United States, the Society of American Archivists (SAA). SAA was established in 1936 as the first independent archival association in the US. As of 2011, SAA boasts approximately five thousand five hundred members and a budget of two million dollars.<sup>13</sup> In America, the Society of American Archivists has been at the center of the professionalization of the archival field. SAA, as the major professional organization for archivists in

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<sup>11</sup> Randall Jimerson, "Archives for All: Professional Responsibility and Social Justice," *The American Archivist* 70, no. 2 (Fall/Winter 2007):270-271.

<sup>12</sup> Richard Cox, "Professionalism and Archivists in the United States," *The American Archivist* 49 (Summer 1986): 229-247.

<sup>13</sup> Society of American Archivists, "About SAA," accessed July 13, 2011, <http://www2.archivists.org/about>. "Introduction to SAA," accessed July 13, 2011, <http://www2.archivists.org/about/introduction-to-saa>.

the US, has encouraged the growth of the profession's knowledge and theory with its journal, the *American Archivist* and its continuing education courses and annual conferences. SAA has also created standards and guidelines for the profession, all of which are posted on its publicly available website.<sup>14</sup> As the largest, non-regional, non-specialized organization for archival professionals, SAA should take on the steps I recommend, and lead the American archival profession in its relationships **with the public and promoting archivists' trustworthiness.**

My second chapter continues the first chapter's discussion of traditional methods professions take to build trust, namely through the enforcement of ethical behavior. While enforcing ethics, along with the certification of archivists, may seem the ideal way to ensure ethical behavior, I examine the problems that SAA would have to overcome if the Society decided to take on the enforcement of ethics.

In Chapter Three, I return to the idea of personalized ethics and ethical being, and the role that the professional organization can still play within this new model of ethics. I suggest a variety of aspects, such as archival education, that SAA can improve in, as well as a few new things that SAA **can begin to do and promote to help create "ethical beings."**

During my preliminary research for this thesis, I realized my suggestions and views might be lacking in relevance. I am a student; my background is in theory. I wanted to be able to include the perspective of working archivists about the topics I am discussing to make my suggestions more relevant, so I created an online survey, the link to which I sent out on the A&A List (the Archives and Archivist email discussion forum through SAA). Using the online survey generator, SurveyMonkey.com, I wrote a series of questions designed to try to capture the opinions and

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<sup>14</sup> The Society of American Archivists' website can be found at: <http://www2.archivists.org>.

perceptions of archivists regarding SAA, its Code of Ethics, and draft Statement of Core Values.<sup>15</sup> I have included the questions in the Appendix.

The questions are organized into six sections. The first section is a series of demographic questions, asking for information regarding the respondents' education, professional position, and type of employing institution. The second set of questions pertains to the respondents' opinion regarding the necessity of the draft revised Code of Ethics posted on SAA's website, as well as if they had additional items they would have liked to see in the new Code, what those might be, and if they had submitted comments to SAA regarding those items. The next set of questions deals with the enforcement of the Code of Ethics by SAA, whether the respondents felt SAA should be enforcing ethics, and why they felt that way. In the fourth section, I asked about ethics in their educational experience: if ethics had been a topic in their programs' curricula, how much time had been spent discussing or learning about archival ethics, and if they had found this time useful or not. Fifthly, I asked if the respondents would be interested in an online forum through SAA devoted to ethics and concerns about ethics and if so, what they envisioned from this. Finally, I addressed the recent "Core Values of Archivists" statement then up for member review on the SAA website.<sup>16</sup> I asked if they were aware of this statement and if so, what their understanding of the document was, and, lastly, I asked if they felt it was necessary along with a separate code of ethics (as the Statement now stands).

I sent the link to the survey out to the A&A List on Monday, February 28, 2011 under the subject line "Survey on Ethics." Over the next nine days, eighty-nine people started the survey, with seventy-four (83%) completing it. Because I only sent the survey out to the A&A List, and did not seek to solicit responses from a demographically representative sample, the responses I received

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<sup>15</sup> SurveyMonkey can be found at: <http://www.surveymonkey.com>.

<sup>16</sup> The adopted version of the Core Values Statement is posted at: <http://www2.archivists.org/statements/core-values-of-archivists>, as of July 13, 2011.

are not a statistically reliable representation of the American archival profession. Those who responded are presumably those interested in the topic, or those looking to help a graduate student, and those who felt strongly enough about the subject to complete the survey and answer questions regarding it. However, I believe the results can still be relevant for my purposes.

**SAA and the American archival profession's road to trustworthiness begins with** professionalization, but should not end there. The profession has work to do.

## Chapter One

### *Professionalization, Standardization, and Codification*

One way for the Society of American Archivists to gain trust is through the further professionalization of the field. Professionalization can be defined in a way that makes it closely related to trust, as can be seen in Thomas May's thesis for the University of British Columbia Archival Studies program. He defined "professionalism" as "the measure of a practitioner's commitment to his or her work, its values, principles, techniques and *service to society as a whole* [emphasis mine]. Professionalization is the process by which occupations endeavour to become **recognized and accepted as professions," that is, trusted.**<sup>1</sup> Professionalization of an occupation involves gaining public awareness of the occupation, its formal organization, and its shared occupational standards. However, a focus in the archival field has been on the creation of ethics codes, both as a method of professionalization and as a method of promoting archivists' trustworthiness to the public.

A growing trend in archival thought, however, suggests that ethics codes are not enough. Ethics and archival values, some authors argue, need to be internalized to truly be effective and useful. I argue that this personalization of ethics and values makes the archivist more deserving of trust as well. While this idea of personalization and internalization seems to negate any role a professional organization may have in ethics, I suggest that SAA should continue to develop its **standards and organizational cohesion to promote its, and the archivists' it represents,** commitment to the public, which I discuss further in Chapter Three.

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<sup>1</sup>Trevor Ian May, "Archival Professionalism and Ethics: An Assessment of Archival Codes in North America" (master's thesis, University of British Columbia, 1995), 7, <https://circle.ubc.ca/handle/2429/3646>.

## Professionalization

Mark A. Greene, in his 2009 Presidential Address to SAA (reprinted in the *American Archivist*), argued that for archivists to achieve true power and visibility as a profession, they need to establish and articulate the values they hold and the value that they have for society. By being able to articulate these values, archivists set themselves apart and create a recognizable identity for themselves, which gives them power and allows them to fulfill their responsibilities.<sup>2</sup> While Greene is not necessarily arguing for “professionalization” per se, since he sees archives as already an established profession, the first value he lists is “professionalism.” This value incorporates “internalizing a common set of values, defining our importance, and claiming power,” as well as creating a formal set of specialized knowledge.<sup>3</sup> This is not a new idea. In 1986, as SAA was approaching its 50<sup>th</sup> anniversary (just as SAA is currently approaching its 75<sup>th</sup>, suggesting that now is a fitting time to return to these ideas), Richard Cox wrote an article addressing “Professionalism and Archivists in the United States.” As part of his argument, Cox reviewed several sociological models of professionalism to determine areas in which the American profession could improve. The continuing concern over professionalization and strengthening archivists’ position in society shows that professionalism is a process, not an endpoint, and that SAA needs to continue to reevaluate and improve itself as America’s primary archival professional organization. Richard Cox’s analysis and breakdown of the aspects of professionalization can still be useful to the profession in the twenty-first century to find areas in which it can strengthen itself.

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<sup>2</sup> Mark A. Greene, “The Power of Archives: Archivists’ Values and Value in the Postmodern Age,” *The American Archivist* 72, no. 1 (Spring/Summer 2009): 19-20.

<sup>3</sup> Greene, 22.

The first model Cox reviewed is a traditional, taxonomic model, developed first by Abraham Flexner in the field of sociology.<sup>4</sup> **A profession, according to this model, has a “specialized body of knowledge or systematic theory,” “professional cohesion or organization,” “professional culture,” and “institutional altruism.”**<sup>5</sup> **What underlies all of these requirements is the creation of an “image.”** **As Cox stated, “professionalism” is hard to define; it is, in the end, subjective.** A profession is a profession because society recognizes it as such. It is an image that society has of an occupation and what it expects from it, rather than necessarily recognizable levels of achievement.<sup>6</sup> The aspects listed above, however, can help promote this image. More importantly, I argue, they can promote trust in the profession.

More recent models of professionalism (as of 1986), Cox said, suggest that professionalism should be measured by the amount of power that the profession wields. One way that this can be measured is by **“having members who exhibit high levels of autonomy [in his or her area of competency] from clients and autonomy from employing organizations.”**<sup>7</sup> In other words, a member of a strong profession is able to stand as an independent professional with something to offer employers and power to act independently of his or her employers.

Cox examined the American Medical Association (AMA) and the American Bar Association (ABA) to exemplify how power through professionalization comes about. These organizations, he said, were able to gain the trust (and power) they now have because they took the steps necessary to strengthen their relative professions. Cox went on to argue that the American archival profession (SAA, namely) needs to work on the attributes listed above (from Flexner) in order to become a full-fledged profession. Cox went through each attribute and analyzed the status of the American

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<sup>4</sup> Richard Cox, “Professionalism and Archivists in the United States,” *The American Archivist* 49 (Summer 1986): 232.

<sup>5</sup> *Ibid.*, 232-233.

<sup>6</sup> *Ibid.*, 232.

<sup>7</sup> *Ibid.*, 233.

archival profession in each.<sup>8</sup> My purpose here is to prove that these same steps can improve the trustworthiness of archivists, as well as promote professionalization.

*Specialized knowledge or systematic theory.* According to Flexner and Cox's model, a strong profession is made up of individuals with education and training that others do not possess. The strong profession has a body of knowledge and literature from which to draw, as well as a continuing theoretical tradition. Cox saw problems in the American archival profession in this aspect, due to the lack of educational standards and research into archival theories.<sup>9</sup> In the years since 1986, archives still remain a largely practical field. However, currently, there is growing interest in spending more time researching archival theories in order to understand how to deal with electronic records and other archival issues. Luciana Duranti and the Archival Studies Department at the University of British Columbia are working on the electronic records problem with their InterPares project. Other authors and archival thinkers, like Scott Cline and Jim O'Toole, facing the questions of postmodernism and social justice, are also encouraging further thought into the deeper meanings of archives and the theoretical underpinnings of archival practices in order to better understand and develop the field.<sup>10</sup>

Beyond simply furthering professionalization as Cox intended, developing this aspect of the profession encourages the public to trust it. A group that can claim no specialized reason for existence or superior knowledge for doing its work may be viewed as suspicious and underhanded. Why should a person be paid more, or given special titles and privileges, if anyone could do the job?

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<sup>8</sup> Ibid, 235.

<sup>9</sup> Ibid, 235.

<sup>10</sup> Scott Cline, "'To the Limit of Our Integrity': Reflections on Archival Being," *The American Archivist* 72 (Fall/Winter 2009): 331-343, is an excellent example of this. Cline believes that in order to be authentic, **archivists must reflect on the reasons of their work.** James O'Toole's article on "Archives and Historical Accountability: Toward a Moral Theology of Archives," *Archivaria* 58 (Fall 2004): 3-19, also calls for the **exploration of archival "moral theology," that branch of archival theory that deals with the moral and ethical behavior of archivists.**

And if anyone can do the job, how is that trustworthy? As well, a profession that neglects the questioning and development of theories and further knowledge that can assist it in its work, do not **have the public's best interest in mind. The profession's neglect indicates that it is not interested in** improving its service to the public. By strengthening these aspects, the archival profession can strengthen its identity and position in society, as well as lay the foundations for trust.

*Community sanction.* Community sanction refers to the ability of the profession to sanction members accused of wrongdoing. The problem Cox identified with this aspect of development within the American archival profession was the lack of regulation of educational programs and **members' actions. There was, and is, no control over who can call themselves an "archivist."** There was, and to a degree still is, no certification or licensing capabilities within the American profession or accreditation of educational programs. While the Academy of Certified Archivists (ACA) does examine and certify archivists, so far the Academy has had only limited impact.<sup>11</sup> This is partly due to the laxness of archival educational standards and lack of recognition by employers (who may not know that the Certified Archivist status exists), which makes it difficult to regulate who enters the profession. This laxness and deregulation means that there is no way to sanction members who misbehave.<sup>12</sup> The regulation and sanctioning of members of an occupation restrict who may call themselves a profession; this exclusivity further promotes the image of the profession as one of knowledgeable, respectable individuals.

This aspect of professionalism is the most problematic for the American archival profession, as I will argue later. For now, let me just say that Cox was correct: a method of sanctioning individuals or institutions is an ideal way to encourage public trust. A member of the public, knowing that an archivist could be publicly censured or punished for unprofessional or unethical behavior, is

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<sup>11</sup> The ACA will be discussed in more detail in Chapter Two.

<sup>12</sup> Cox, "Professionalism and Archivists," 236.

going to be more inclined to trust that the archivist is going to behave professionally and ethically. That same archivist, knowing the same thing, is going to be more likely to fulfill those expectations, for fear of punishment. The threat of enforcement also indicates to the archivist the importance of the standards and ethics that the professional organization establishes.

*Professional cohesion and organization.* When members of a profession band together into an official organization, the profession is strengthened; it has a single voice and beginnings of an identity. Cox believed this to be the most developed of the aspects of professionalism in the American archives in 1986. SAA then, as now, was the main professional organization for United States archivists and had been for fifty (now seventy-five) years. Cox did see the proliferation of regional societies and more specialized groups (like NAGARA, the National Association of Government Archives and Records Administrators) as weakening the cohesion of the profession, as well as the fact that only a portion of American archivists are members of a professional organization.<sup>13</sup> However, cohesion of SAA as the primary organization in America is assisted by the publication of the *American Archivist* journal. This journal is the primary source for archival literature within the American profession, which makes SAA the leader in archival theory, research, news, and practice. SAA also hosts many nationwide continuing education courses, as well as an annual conference, making it a primary source for archivists and others looking to learn about archival principles.

A strong professional organization and all of its trappings are necessary to the idea of promoting trust and trustworthiness in archivists and archives. For example, as Cox argued, having an organized profession, the profession gains a voice as a whole. This voice has the potential for advocacy for the good of the public. A cohesive organization can also give archivists a sense of

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<sup>13</sup> Ibid, 237.

support, which can be especially important for those archivists working alone in an institution. This feeling of support can help the archivist, when faced with a difficult decision, to uphold archival values.<sup>14</sup> A professional organization also can provide educational resources and classes to help professional members improve themselves. A strong professional organization provides resources for the public as well. Especially in the days of the internet, a centralized, well-established organization can provide information easily accessed and distributed about the values, goals, practices, and history of the profession. By understanding these things, the public can value and trust what archivists do and understand that it is important and for their benefit.

*Professional culture.* A professional culture is more than a professional organization; it includes the relationships between members of the profession, a shared sense of identity and purpose. Cox also saw this as one of the strongest aspects of the American archival profession, as it was related to the strong formal organization of the profession. This aspect is also most related to the individual identity of archivists. A strong professional culture allows archivists to define who they are and the relevance of their work to themselves and others.<sup>15</sup> This identity is especially important for archivists as they are often confused with librarians and historians, and for many years *were* librarians or historians. By having a recognizable, separate identity, archivists can explain the important differences between archivists, librarians, and historians. This allows archivists to explain the importance of hiring someone trained in archives. In the resource allocation battles, having someone outside of the profession know what an archivist is, makes it easier (one hopes) for them to understand why the archival program or individual is important to fund. By having a strong identity, not just within a group, but to those outside as well, what an archivist does will be more likely understood by the public. Mystery and ignorance are counterproductive to trust.

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<sup>14</sup> Ibid, 237.

<sup>15</sup> Ibid, 237-238.

A strong professional culture not only encourages overall professionalization, as Cox argues, it also helps the profession become more deserving of the trust placed in it by the public. Someone with a strong identity (identity presumes having a certain set of values related to that identity) is less likely to be swayed from these values. As well, a strong identity as an archivist is crucial for the internalization and personalization of ethics, which I discuss later in this chapter. For now, suffice it to say that a strong identity as an archivist presumes an acceptance and internalization of the **profession's values, which is crucial to trustworthiness.**

*Institutionalized altruism.* **"Institutionalized altruism" is a focus on service to the public within the profession as a whole. The American archival profession's primary focus on the** preservation and access of historical records fulfills this aspect, Cox argued. However, he continued, without enforcement of standards regulating the behavior of institutions and individuals, this altruism is weak, as it does not adequately prevent unethical behavior. He suggested the accreditation of institutions as a possible solution, as well as the development of enforceable standards (both will be discussed later).<sup>16</sup>

This last aspect of professionalization is the most important in gaining and deserving the trust of the archival public. A recognized dedication to serving the public lets people know that (supposedly) archivists have their best interest at heart. However, Cox was correct that without enforceable standards, altruism and commitment are weaker than they could be.

SAA should continue to improve these aspects of professionalism as set out by Cox, bolstering the image of a strong archival profession, as well as its trustworthiness.

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<sup>16</sup> Ibid, 238.

## Standardization

Part of professionalization is the creation of professional standards, related to Flexner and Cox's "specialized knowledge." Standards provide outlines and measurement for common activities of the profession: standardizing and codifying the practices, theories, and knowledge of the profession. A standard for a bridge might include the proper strengths of iron and steel to use, the requisite number of supports, and the necessary angles and measurements to ensure that the bridge remains standing. Archival standards cannot be so precise. However, an archival standard could, for example, outline the optimal features of a specific type of archives, such as the size of a reading room and optimal levels of lighting.

As of April 2011, SAA has adopted only thirteen standards. Most of these thirteen are a variety of guidelines and statements of best practices (which SAA considers to be a form of standard).<sup>17</sup> "Best practices," as defined by the Standards Committee,

are procedures and guidelines based on experience and research that demonstrate that they are optimal and efficient means to produce a desired result. Although best practices will not be considered to be official SAA standards, they represent consensus within the Society.<sup>18</sup>

For SAA, "guidelines provide models of preferred practices and/or serve as criteria against which to measure products or programs."<sup>19</sup> None of these are enforceable, however.<sup>20</sup>

What is lacking in this language is the force behind the word "standard." Even though SAA has no method of enforcement, by using the word "standard," the guidelines become more than just helpful suggestions for the archivists or institution to something that someone can look to

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<sup>17</sup> Standards Committee, Society of American Archivists, "Standards Development and Review," accessed April 1, 2011, [http://www.archivists.org/governance/handbook/standards\\_com2.asp](http://www.archivists.org/governance/handbook/standards_com2.asp).

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> Standards Committee, Society of American Archivists, "Standards & Best Practices," access April 1, 2011, <http://www2.archivists.org/standards>.

evaluate an institution or action. With the *Guidelines for a Graduate Program in Archival Studies* (GPAS), SAA invites programs in its *Directory of Archival Education* to “**indicate how their courses correlate**” with the GPAS.<sup>21</sup> However, it is not a requirement for programs to follow or to correlate with the Guidelines. The programs listed are asked to self-evaluate, if they wish, how they do follow the Guidelines. To make its “Guidelines” more effective, SAA would need to strengthen the language used in them and to describe them, as well as increase the evaluation of compliance. This would make them more like standards, rather than suggestive guidelines.

However, there are multiple problems with creating and maintaining standards in the American archival profession that present obstacles to doing just that. One of the major issues is that of the diversity of the profession. Despite the shared knowledge and our attempts at shared values, there remains an amount of disagreement about the “whys” and even “hows” of archives and archival practice. In addition, the variety of different archives and their various missions, constituencies, and originators, each of which may require different values than other archives, complicates the matter when trying to come to an agreement. Archivists themselves have different ideas about the primary focus of archives. For example, Luciana Duranti, a leading archival theorist, believes the focus of archival activity should center on the record. For Mark Greene, the focus is centered on access by users to the record, as can be seen in his and Dennis Meissner’s “**More Product, Less Process**” methodology of processing.<sup>22</sup> While Duranti would probably not object to a standard that encouraged equitable access to records, there would undoubtedly be conflict between the two over the wording of a document meant to be a standard for the entire profession on providing access to records. Obviously, before standards for the entire profession can be created,

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<sup>21</sup> Society of American Archivists, “Directory of Archival Education,” accessed April 1, 2011, <http://www2.archivists.org/dae>.

<sup>22</sup> Mark A. Greene and Dennis Meissner, “More Product, Less Process,” *The American Archivist* 68 (Fall/Winter 2005):208-263.

there must be a tremendous amount of discussion, alteration, and compromise. However, SAA currently has a series of manuals, called Archival Fundamentals Series II, that manage “to provide the basic foundation for modern archival practice and theory,” without seeming to offend too greatly.<sup>23</sup> This may be an indication that the profession is on its way to a consensus, at least on some topics. SAA should continue to make efforts to explore the creation of standards.

The biggest problem with standards in the American profession is the problem of enforcement. Cox argued that, without some kind of enforcement, standards are merely, as he **complained, “persuasion.”**<sup>24</sup> However, as of 2011, SAA does not have the infrastructure, money, or power to enforce standards. At best, the standards created now (as reflected in their names) are guidelines or best practices. This problem will be discussed in more detail in my next chapter on ethics and enforcement, but some of the aspects most relevant to standards are discussed below.

SAA does not have the visibility that organizations like the American Medical Association (which Cox referenced) have, and those hiring archivists may not be aware of SAA’s existence (or, if it had the power to, enforcement). This means that any action SAA may take against or about **someone will not be as visible as one the AMA or the ABA’s might take. Even if hiring employers were aware of SAA, SAA does not currently have a method of certification or a way of indicating individuals qualified to be archivists (though the Society did assist in the creation of the Academy of Certified Archivists, which does certify archivists).** Without certification, there is no way to really punish or take away anything from censured archivists. In order for enforcement and certification to occur, some kind of bureaucratic infrastructure would have to be put into place. To implement this structure would be a large burden on the organization in terms of manpower and funds. At this

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<sup>23</sup> Richard Cox, “Preface to the Archival Fundamentals Series II,” in Pugh, *Providing Reference Services for Archives and Manuscripts*, xi. For a review of the series from Terry Eastwood, see “Fundamentally Speaking: the Third Version, a Review of the Archival Fundamentals Series II,” *The American Archivist* 71 (Spring/Summer 2008): 228-245.

<sup>24</sup> Cox, “Professionalism and Archivists,” 238.

point in time, SAA is struggling to handle its regular duties with the dues it currently collects. Adding the kind of infrastructure necessary to handle claims of unethical behavior would not be practical, even at the regional level (where most of the investigations occur in AMA and ABA, which will be discussed later), as these regional associations have even less power than SAA, and even more limited resources.

Standards show the public what professionals should be doing. Enforcement may assist in the development of trust in the public, but simply having (promoted) standards gives an air of openness and transparency which are aids to trust. For the archivist, well-considered and thought out standards can also help provide better service, which assists in the deserving of trust, as the authors and developers of a standard, drawing from experience and research, can address difficulties and situations that may not be immediately obvious. As part of its service to the public and to the profession, SAA should continue to create, revise, and promote standards and guidelines for archival functions. Not only will this boost trustworthiness, but its status as a professional organization as well.

## Ethics and Codes of Ethics

While standards are a useful and important part of promoting and deserving trust, codes of ethics are the traditional avenue that archivists have explored as a method of professionalism and trust, as can be seen in Glenn Dingwall's 2004 article on "Trusting Archivists."<sup>25</sup> Over the years, however, the values and ethics in these codes have changed, based on the profession's understanding of itself.

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<sup>25</sup> Glenn Dingwall, "Trusting Archivists: The Role of Archival Ethics Codes in Establishing Public Faith." *The American Archivist* 67 (Spring/Summer 2004): 11-30.

The Society of American Archivists was founded in 1936. At the time, there was no ethics code established. However, in 1955, during the decade that the SAA website argues the society **“became an advocate and focal point for the development of professional standards,”** Wayne C. Grover, the Archivist of the United States at the time, wrote the **“Archivist’s Code.”**<sup>26</sup> This Code was meant to be a code of ethics for the employees of the National Archives. While this document was originally aimed at archivists working for the National Archives, the Code became generally accepted as applicable to anyone in the profession, and was printed in the October 1955 issue of the *American Archivist*. It was never formally adopted by SAA, however.

This code is filled with the kind of language that clearly marks it as a set of rules and **regulations for the archivist to follow. The first line begins: “The archivist has a moral obligation to society to preserve evidence on how things actually happened.”**<sup>27</sup> The code continues to lay out the kinds of behaviors that the archivist should follow, such as protecting the records under his care, promoting access through the creation and publication of finding aids, and not profiting from the exploitation of the records in the archives.<sup>28</sup> This code arises from the idea that archival decisions and actions can be addressed in a list of seven points. As long as archivists follow these rules, the trust in archivists and archives is deserved, and archivists will be ethical.

This 1955 Code focuses also on the record, rather than on the user of the archives. While **the archivist is admonished to be the “agent of the future in determining its heritage from the past,”** he is not admonished to be the agent of the present. Being the agent of the future, the past, and of the records means that the archivist is not primarily answering to the public (the now), and may not be acting in its best interest. There is also a problem with attempting to guess what will be

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<sup>26</sup> Elena Danielson, *The Ethical Archivist* (Chicago: Society of American Archivists, 2010), 28.

<sup>27</sup> **“The Archivist’s Code,”** *The American Archivist* 18, no.4 (October 1995): 307-308. Unattributed to Grover in the journal.

<sup>28</sup> *Ibid.*

important or wanted in the future. No one knows what the future will hold. While archives should **not be submitted to every whim of the present researchers' needs or fads, by placing emphasis on the future, the archivist loses sight of the present, the true beneficiary of archives (indeed, what is actually the future of the past).**

From 1938 to 1970, very little was written in the *American Archivist* on ethics. Places in which ethics were mentioned, however, are telling. Most focus on the records, preserving the past, and ethics as part of professionalization. In 1939, Robert C. Binkley made the argument that for the **archival profession to succeed, it needed “not only a high level of technical competence and a high standard of service, but a clear-cut ethic which can deal suitably with problems that arise in the protection of the privacy or secrecy of what ought to be private and secret, and the servicing of information that ought to be publicly available.”**<sup>29</sup> This article shows an early argument for a professional code of ethics as a route to making the profession more legitimate (professionalized), **that is, proving to the public that their trust was deserved, that the “bridge” could be safely crossed.** Everett O. Allredge, however, in his 1965 Presidential Address to SAA, argued that the Society should adopt the National Archives 1955 Code as its own, until the time the profession (via the Society) was strong enough and old enough to have the mechanism to develop its own code. Allredge made the connection between professionalization and a code of ethics, but felt that SAA was not advanced enough to take this step.<sup>30</sup>

The delay between the start of SAA and the first real Code of Ethics created by SAA in 1980 may be more of an indication of the times, rather than of the state of the profession. Ethics were seen as important, even before 1980; while the Code of Ethics gave the outline of responsibilities,

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<sup>29</sup> Robert C. Binkley, “Strategic Objectives in Archival Policy.” *The American Archivist* 2, no. 3 (July 1939), 164.

<sup>30</sup> Everett O. Allredge, “Still to Be Done,” *The American Archivist* 28, no.1 (January 1965):11-12.

ethics were still seen as the property and responsibility of the individual. The trust that the archives' public should have in archives and archivist was based in the attitude that "archivist knows best."

SAA's president for 1965-1966, Dolores Renze, commented on ethics, emphasizing this personal nature: "I come now to the more individual responsibilities and relationships of administrative ethics and personal values to which the archivist, as a leader, should give serious thought and consideration." Later, she wrote, "It is my personal observation that the most important quality of a top archivist, today, is that of personal integrity."<sup>31</sup> While Dolores Renze promoted this idea of personal integrity, she concluded with a list of "further obligations" and standards that all archivists should attempt to live up to. This latter part of the article foreshadows the growing interest in codified professional ethics codes in the 1970s in the American archival community.

For the 1970s, SAA lists thirty-nine articles in the *American Archivist* containing some variation of the word "ethic." This is a large jump from the previous decades, in which a total of twenty-one articles containing some variation of the word "ethic" were published. So what happened in the 1970s to change things?

During the 1970s and 1980s, the profession became more and more aware of the tremendous responsibility they had to the public, not just to document the traditional elites, but also to document those who previously had little to no voice in the archives. Howard Zinn, the American historian, gave a speech in 1970 that both typified and encouraged these new directions in the archival profession. Zinn, speaking at the thirty-fourth SAA conference on the subject of "The Archivist and the New Left," urged archivists to step outside of the rigidly defined, socially constructed profession of "archivist" and its implied neutrality to become "activist archivists." The

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<sup>31</sup> Dolores C. Renze, "President's Page," *The American Archivist* 29, no. 4 (October 1966): 527

**“activist archivist” embraced his or her political and social beliefs and incorporated them into his or her work in the archives. The most important part of this becomes rejecting (or at least balancing) the traditional focus on society’s elites and incorporating the materials and stories of the lower classes and minorities. By doing so, the archivist begins to weaken the exclusive social order.<sup>32</sup> Zinn brought the “New Left” that had become more and more powerful in the historical community to the archives.**

Another key article of this period came from F. Gerald Ham, who answered Zinn’s call **“to compile a whole new world of documentary material about the lives, desires and needs of ordinary people.”<sup>33</sup>** Ham, writing in 1975, called for archivists to take a more active role in creating **documentation of society’s minorities and less powerful, to become, as he quoted from Sam Bass Warner, “a historical reporter for his own time,”** by collecting and recording oral histories, photographs, and survey data.<sup>34</sup> **Ham called for archivists to live “on the edge”:** exposed, but looking at the bigger picture, and ready to try new things, opening up to new possibilities and constituencies.<sup>35</sup> **Ham’s article and Zinn’s speech were often pointed to as the inspiration for the later theories like documentation strategy and macroappraisal, in which archivists attempted to create collecting strategies that included as full a spectrum of society as possible.<sup>36</sup>** While Ham and Zinn are not necessarily using the language of trust, they are both working from the idea that the **archival profession has a responsibility to support the public’s best interest.** This responsibility requires that archivists be trustworthy, as I argued in my Introduction.

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<sup>32</sup> **“The 34<sup>th</sup> Annual Meeting of the Society of American Archivists,”** *The American Archivist* 34, no. 1 (January 1971): 45.

<sup>33</sup> **F. Gerald Ham, “The Archival Edge,”** in *A Modern Archives Reader*, ed. Maygene F. Daniels and Timothy Walsh (Washington, D.C.: National Archives and Records Administration, 1984, 2004), 326.

<sup>34</sup> **Ham, 330, quoting from Sam Bass Warner, “The Shame of the Cities: Public Records of the Metropolis,”** unpublished manuscript, 1971.

<sup>35</sup> Ham, 335.

<sup>36</sup> **E.S. Johnson, “Our Archives, Our Selves: Documentation Strategies and the Re-Appraisal of Professional Identity,”** *The American Archivist* 71 no. 1 (Spring/Summer 2008), 191-194.

It was not until January 1980 that the Society of American Archivists adopted an ethics code for the organization.<sup>37</sup> **It may not be possible to draw a direct line from Ham's and Zinn's works to the final adoption of a code of ethics by the SAA, but their writings both inspired and typified the attitude and atmosphere of the profession at this juncture. The 1980 Code of Ethics claimed as one of its purposes "the resolution of problems arising from conflicts of interest, and the guarantee that the special expertise of the members of a profession will be used in the public interest."**<sup>38</sup> The 1955 **"Archivist's Code,"** in contrast begins with the **"moral obligation to society to preserve evidence on how things actually happened and to take every measure for the physical preservation of valuable records."**<sup>39</sup> Between these two statements is a subtle shift in focus from the preservation of records for the use of **"evidence"** to that of the **"public interest."** This shift shows a new focus on archives' constituencies, rather than on the records. With this shift, trust in archives and archivists was no longer based on the **"archivist knows best"** premise, but on a premise that archivists have a responsibility to their publics.

The 1980 Code of Ethics also contained a large amount of commentary, intended to explain how to use and interpret the code. The code was meant to address areas in which **"there are special professional concerns,"** such as the accessioning of materials, and then provide explanations and examples of how to apply the principles.<sup>40</sup> This code and commentary was an important step in professionalization: the profession acknowledges and creates a set of values specific to the profession's work. It was also a significant step in promoting the trustworthiness of the profession, as it **turns its focus to the public's interest.**

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<sup>37</sup> "Minutes: Council Meeting, 28 January 1980," *The American Archivist* 43, no. 3 (Summer 1980): 414-418.

<sup>38</sup> "Code of Ethics, Commentary on Code of Ethics," *The American Archivist* 43, no.3 (Summer 1980):415.

<sup>39</sup> "The Archivist's Code," 307.

<sup>40</sup> "Code of Ethics, Commentary on Code of Ethics," 415.

The 1980s also saw more articles directly addressing archival ethics, not just in the *American Archivist*, but in other journals and publications as well. Many of these articles address the need for ethics codes to establish professionalism (as a form of trust). David Horn, who was the chair of the SAA Ethics Committee which developed the 1980 Code, wrote in one such article, “every profession has, as one of the hallmarks of a profession, standards of conduct in relationships or transactions that are peculiar to that profession.”<sup>41</sup> In other words, a sign of being a true profession is having a code of ethics. Mary Ann G. Cutter, a philosopher writing a paper for the Society of Colorado Archivists, addressed “the common grounds that bind archivists as professionals,” as an important part of the ethics code and as promoting the profession.<sup>42</sup> By the 1980s, SAA and American archivists were thinking of their responsibility to the public, beyond professionalization, and it shows in the writings on ethics produced during this time.

In 1992, SAA’s Code was revised. Not much was altered from the 1980 code, except that the commentary was included in the actual code. In 1993, *Provenance*, the journal of the Society of Georgia Archivists, devoted an issue to ethics in various areas of archival practice. These articles, by Ronald Becker, Virginia Cain, Thomas Wilsted, and Elena Danielson, reflect the form of the 1980 and 1992 Code of Ethics, as they discuss how to apply ethics, much like the Commentary already attached to the Code of Ethics.

For example, “The Ethics of Providing Access,” by Ronald Becker, outlines some of the conflicts archivists may face in providing access. He encourages the use of the new code to find a way to balance the potentially conflicting demands of the public, the archivist’s employer, and even

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<sup>41</sup> David Horn, “The Development of Ethics in Archival Practice,” *The American Archivist* 52, no. 1 (Winter 1989): 65.

<sup>42</sup> Mary Ann G. Cutter, “Ethics and the Archival Profession,” *Society of Colorado Archivists Occasional Papers*, (August 1990): 3.

the records themselves.<sup>43</sup> This concern for finding balance between competing interests is a common one, here and elsewhere.<sup>44</sup> **The code of ethics provides “a starting point to help solve inherent conflicts.”**<sup>45</sup>

While attempting to assist archivists with decisions, these same articles also show a slow development in the realization that archivists are less trustworthy than Jenkinson (and others) would liked to have believed. **This is not to say that archivists are “sneaky,” but that they are human beings** who may or may not make the correct choice and need guidance. They have unconscious biases which influence how they balance the competing interests in archives. By the late 1990s and the first decade of the 2000s, this bias was beginning to be emphasized by postmodern and postmodern-influenced archival authors (a trend discussed in my Introduction, and seen in works like the collection of essays *Archives, Documentation, and Institutions of Social Memory: Essays from the Sawyer Seminar*).

With the new millennium, and the crossover of deconstructionism and postmodernism from the fields of history and literature to archives, discussions about ethics became more theoretical and more interested in the why and how of archival ethics, rather than on the code. This is not to say that arguments about professionalization and balance are no longer discussed. However, a new turn has emerged. Authors like Verne Harris, David Wallace, Richard Cox, Eric Ketelaar, Terry Cook, Brien Brothman, Tom Nesmith, and Randall Jimerson have begun to question the traditional concepts of ethics and to point out the non-neutrality of archives. Postmodernists, and those influenced by them, are deeply concerned with the structures of power (among other things) in society that form and restrict our abilities and actions. This power is not only present in the traditional government

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<sup>43</sup> Ronald L. Becker, “The Ethics of Providing Access,” *Provenance* 11, nos. 1 and 2 (1993): 57-77.

<sup>44</sup> Becker, 76; Danielson, “Ethics and Reference Services,” *Ibid*, 122 are two of the most prominent supporters of this argument.

<sup>45</sup> Becker, 76.

power structures, but also in the very form of words and ideas, as philosophers like Derrida and Foucault argue. This means that traditional ethics need to be questioned, and new ethics need to be flexible and allow for unorthodox situations and answers.

Also since the late 1990s, another driving factor in debate and reflection on ethics has been the rise in interest in ethics due to the growing complexities of the technological age, and its attendant growth in the amount of information available. As Elena Danielson, author of *The Ethical Archivist*, argued, “The postmodern archivist has a more complex challenge: preserving a sense of trust in the face of massive change.” Danielson uses the idea of “postmodern” here on two levels, both as a term for the technological state of development, as well as the postmodern doubt. Both of these types of postmodernism exacerbate such problems as reliability and authenticity. As well, rapid change in relationships between users, curators, creators, and systems, have caused information professions to reevaluate and re-imagine their values and responsibilities.<sup>46</sup> As Cox said,

When archivists and records managers first began to mull over the notion of the ethical aspects of their work, it was because of the perception that an ethics code was a hallmark of professional maturity. Today [2006], I believe, we are turning the corner to understand that ethical precepts are crucial to the everyday work of archivists and records managers.<sup>47</sup>

For Cox, this new way of ethics needs to be a way of thinking and acting, rather than a code that is glanced at or pulled out on the very big questions in archives or as a way of displaying our commitment to society. Ethics, while still part of professionalism, have grown to be more than professionalism.

Robert Hauptman, a leader in the information ethics world, also identified the importance of ethics in the current state of information overload in his book on *Ethics and Librarianship*. While

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<sup>46</sup> Danielson, *The Ethical Archivist*, 163; Richard W. Severson, *Principles of Information Management*, (New York: M.E. Sharpe, 1997), 4-5.

<sup>47</sup> Richard Cox, *Ethics, Accountability, and Recordkeeping in a Dangerous World* (London: Facet, 2006), xxi.

he argued that there is no need for new ethics, he did see the need to integrate traditional ethics into the new information technology world.<sup>48</sup> Hauptman believed that it is necessary to integrate **our ethics and values into our real lives and practices because “ethics matters because it allows us to function in a humane and socially equitable manner without the control of a casuistic or demagogic legal system.”**<sup>49</sup> Using this interpretation, he argued that ethics codes are a way of regulating behavior (i.e., ensuring trust) that are flexible and more easily changed than the traditional power structures in society, such as laws and standards. Hauptman hinted here at the idea of problems of power structures that postmodernists have brought up. He saw two major goods of ethical **behavior: individually we become “better human beings” and it fulfills our requirement to place the good of society over individual rights.**<sup>50</sup> Hauptman’s arguments emphasize the personal. It is no longer adequate to simply have a code of ethics or set of standards, or to be “professional.” The *individual* must adopt and believe in the values of the profession.

As I argued in my Introduction, trust is two-fold: trust that is held and trust that is deserved. By making ethics and values personal and internal, as Hauptman recommended, archivists become more deserving of the trust that society places in them as professionals. The internalization of ethics and archival values helps archivists deserve the trust that is placed in them by the rest of **society. Scott Cline articulated this need for internalization and the creation of “archival being” (an individual who reflections upon and internalizes archival values) as key to “authenticity.”**<sup>51</sup> Authenticity means that archivists engage with (rather than blindly submit to) the power they hold—in other words, stand up for archival values and ethical choices in the face of pressure, a key

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<sup>48</sup> Hauptman, *Ethics and Librarianship* (Jefferson, N.C.: McFarland, 2002), Chapter 11.

<sup>49</sup> Hauptman, 132.

<sup>50</sup> Ibid.

<sup>51</sup> Scott Cline, “‘To the Limit of Our Integrity’: Reflections on Archival Being,” *The American Archivist* 72, no. 2 (Fall/Winter 2009):332-333, 342.

to being trustworthy.<sup>52</sup> Authors David Wallace, Verne Harris, and James O'Toole, as well as Hauptman, show a trend towards a reorganization of the need to personalize and internalize archival values.

One of the most interesting and thought provoking articles that reflects a turn to the underlying theory and purpose of archives and the need for the personal, over the practical, aspects of ethics is James O'Toole's 2004 article, "Archives and Historical Accountability: Toward a Moral Theology of Archives."<sup>53</sup> Seeking a way to promote the use of archives as a method of holding contemporary actors accountable for their actions (which are recorded in the archives), O'Toole argued that archivists need to develop a broader "moral vision" in order to know how to collect and preserve records for future generations to correctly judge society's actions. However, current ethics can never completely cover the potential situations that may arise.<sup>54</sup> O'Toole urged archivists to turn to the study of the "moral theology" of archives in order to fix this. He defined this "moral theology" as "that branch of the discipline which concerns itself with the norms that govern (or should govern) human behavior."<sup>55</sup> Moral theology is the attempt to apply the philosophical underpinning of archival work to the everyday work of the archivist. By doing this, archivists are not limited by the set of regulations of an established code of ethics, though they should be guided by its values. While ethics are a specific aspect of moral theology, O'Toole saw moral theology as being "a broader approach to moral questions, one that highlights long-term as well as current values," which is more flexible than a specific code of ethics. Codes of ethics, he criticized, are too situational, too focused on the present.<sup>56</sup>

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<sup>52</sup> Cline, 342.

<sup>53</sup> James O'Toole, "Archives and Historical Accountability: Toward a Moral Theology of Archives," *Archivaria* 58 (2004): 3-19.

<sup>54</sup> *Ibid*, 9-10.

<sup>55</sup> *Ibid*, 8.

<sup>56</sup> *Ibid*, 15.

This attitude can also be seen in the works of David Wallace and Verne Harris, as well. Wallace, speaking at the University of Wisconsin-Milwaukee during the *Archives and Ethics: Reflections on Practice* conference, claimed **“What I teach is ethics. You can call it archives if you like.”**<sup>57</sup> Similarly, Verne Harris has said multiple times (in a variety of manners): **“in the hurly-burly of the archive at work, I have found them [ethics codes]—and I am choosing my words carefully—to be entirely useless.”**<sup>58</sup> While Wallace and Harris differed over the importance of professional codes (Wallace believed that a professional code is flawed, but that there is a place for it<sup>59</sup>), both of these quotations indicate that ethics are more than just a code developed by the professional organization. Harris provided his formula for working through ethics dilemmas:

Firstly, an illumination of the web of rights as it applies to the interested parties at **different levels. Secondly, an analysis aimed at weighing competing claims...Thirdly, a testing of one’s views and feelings with respected colleagues and friends. And finally, paying heed to one’s conscience. If we follow conscience without taking the first three steps, we abandon accountability and risk assuming godlike powers. If we ignore conscience and rely only on the exercise of reason, we deny our humanity and seek to avoid bearing the burden of choice. It is only when we embrace all four elements that we can feel confident about having fulfilled the responsibilities invested in us as professionals.**<sup>60</sup>

Harris outlined here a process of essentially internal meditation, and a system of dependence on the **archivist’s own ethics and conscience.**

Harris was not interested in the professional code of ethics, as he attempted to emphasize the personal nature of ethics in a way not done before, as well as finding professional codes of **ethics truly useless in his own experience. The problem with Harris’s rejection of a code of ethics is**

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<sup>57</sup> Quoted in: Will Dodds, “SAA Student Chapter Host Lunch Discussion,” *Archival Outlook* (January/February 2008): 15.

<sup>58</sup> Verne Harris, “Ethics and the Archive: ‘An Incessant Movement of Recontextualisation,’” (paper presented at University of Wisconsin-Milwaukee Conference on Archival Ethics, November 30, 2007), 2.

<sup>59</sup> David Wallace, “Locating Agency: Interdisciplinary Perspectives on Professional Ethics and Archival Morality,” *Journal of Information Ethics* 19, no.1 (Spring 2010): 187.

<sup>60</sup> Verne Harris, *Archives and Justice: A South African Perspective* (Chicago: Society of American Archivists, 2007), 211.

the fact that archivists are actually members of a profession. As such, society has certain expectations from archivists, such as the ability to trust members of the profession to have their best interests at heart, as well as needing a way to understand the values that a profession holds. Until every person can be trusted implicitly, rightfully, and always to make decisions that benefit the good of the whole, archivists' commitment needs to be articulated to the public. Many people, like Dingwall and Danielson, have made this argument for professionalization: that ethics and ethics codes are a way that professions can encourage the trust that professions and professionals need in order to gain prestige, power, and authority (all necessary to benefit society). Harris's frequent comments about not needing a code of ethics might be true on a personal level, but as a professional, living in a world that still values the idea of professions, they are actually useful. Ethics codes can also act as guides for those faced with dilemmas, as authors have argued, which can help promote ethical behavior.

In 2005, SAA revised its Code of Ethics. This Code was aspirational in nature and far less specific than the preceding two (1980 and 1992 Codes). For example, the 1980/1992 Code states, **"Archivists negotiating with transferring officials or owners of papers seek fair decisions based on full consideration of authority to transfer, donate, or sell; financial arrangements and benefits; copyright; plans for processing; and, conditions for access."**<sup>61</sup> According to the 2005 code, **"Archivists should exercise professional judgment in acquiring, appraising, and processing historical materials. They should not allow personal beliefs or perspectives to affect their decisions."**<sup>62</sup> Between the two, there is a marked difference in the specificity and the force of the statements regarding acquisition of materials. In fact, the 2005 quotation is actually from the section entitled,

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<sup>61</sup> "Code of Ethics, Commentary on Code of Ethics," 414 (1980 Code of Ethics). Karen Benedict, *Ethics and the Archival Profession* (Chicago: Society of American Archivists, 2005), 87 (1992 Code of Ethics).

<sup>62</sup> Society of American Archivists, "Code of Ethics for Archivists," accessed April 1, 2011, [http://www.archivists.org/governance/handbook/app\\_ethics.asp](http://www.archivists.org/governance/handbook/app_ethics.asp).

**“Judgment,”** which is a vague term referring more to the underlying concepts than actions. The reason given for this change in language and attitude was the legal liability that the commentary included in the 1980/1992 Code potentially carried, though there were never any incidents of this being an issue.

So it was not until the 2010/2011 revision of the Code of Ethics that postmodern concerns about power, accountability, and trust, were incorporated into professional values. As of April 2011, SAA has a draft Code of Ethics available for member comment on the SAA website. This code follows the aspirational format of the 2005 Code, while strengthening the language to a certain degree. In this draft, statements **begin with active verbs, rather than the suggestive “should.”** The **“Judgment”** section now reads,

Archivists exercise professional judgment in acquiring, appraising, and processing collections in order to ensure their preservation, authenticity, diversity, and enduring cultural and historical value. Archivists should carefully record their collections-related decisions and activities to make their role in the selection, retention, or creation of the historical record transparent to researchers. Archivists should consult with colleagues, relevant professionals, and communities of interest to ensure that multiple perspectives inform their actions and decisions.<sup>63</sup>

**While the second and third sentences do begin with an “Archivists should,”** the actions that **“archivists should”** take are those that support the first action. They also support, reflect, and promote postmodern concerns of power, questioning, and flexibility. Archivists are also asked to make their actions as transparent as possible, providing a measure of accountability. There is an obvious interest here in making archives and archival decisions trustworthy, as well as an emphasis on the personal decision-making process. SAA can further support the personal nature of ethical decisions by providing resources to aid in the decision-making process, as well as resources, which I

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<sup>63</sup> Society of American Archivists, “SAA Seeks Member Comment on Draft ‘Code of Ethics for Archivists,’” accessed April 1, 2011, <http://www2.archivists.org/news/2011/saa-seeks-member-comment-on-draft-code-of-ethics-for-archivists>.

discuss in Chapter Three, to encourage the internalization of values and ethics (the creation of **“ethical beings,”** similar to Scott Cline’s **“archival being”**).

A code also acts as a compact or contract with society that the profession holds their interests at heart, as well as serve as a guide for the professional when making decisions. As a pact with society, a code of ethics has to be written in such a way as to make **clear the profession’s** dedication to the greater good of society.

Ethics as a (very) general category can be divided into two kinds: deontological and teleological.<sup>64</sup> Deontological ethics deal with the rightness or wrongness of individual actions, such as: **“Archivists shall not kill.”** Teleological ethics deal with the desired consequences of actions, such as: **“Archivists are dedicated to the preservation of records for future and present use.”** Teleological ethics are concerned with the Aristotelian good of the profession, in other words, with the goal and purpose of the profession and its role in society. Andrew Abela advocated viewing ethics in this way, as a step to improving consensus about ethics within the profession, but this formulation of ethics can also be key to promoting relationships with the public.<sup>65</sup> Teleological ethics are those most **suited to the compact model of professional ethics, as they focus on the “good”** of the profession, which is, in turn, the good of the society as a whole. Teleological ethics have begun to become more favored in the archival field, as the quote on page thirty-five from the 2011 SAA Code of Ethics seems to indicate.

This is not to say that archival ethics becomes a free-for-all. The teleological model requires an articulation of the values of the archival profession—what they feel their goals are. By answering **that question, the archivist’s every action and decision becomes focused and oriented** around that

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<sup>64</sup> Benedict, *Ethics and the Archival Profession*, 1. Dingwall, 14-15.

<sup>65</sup> Abela, 203-209.

good. If everyone is working towards the same good, then archivists should all be working together on some level.

Another way of articulating these ideas (and one that I think will be key to the future of ethics in this atmosphere) is that of the “ethics of care.” Thomas J. Froehlich, writing about ethics in the informational and library sciences, borrowed this idea from Carol Gilligan, author of *A Different Voice*. Gilligan made the distinction between the ethics of right versus the ethics of care.<sup>66</sup> As information professionals, Froehlich believed information professionals need an ethic of care: one that looks to preserve relationships and thinks of the consequences of actions to determine right and wrong. This is in contrast to the ethics of right, which determines right and wrong actions through the rights of the parties involved. In the ethics of care, the archivist is no longer looking to an established (meaning endowed and endorsed by the power structures within society) set of rules and rights, but to the good of the individual or community. By doing this, archivists are not limited by potentially oppressive hierarchies of power in the actions they can take. It also makes the archivist flexible to meet new demands, as the archivist would not have to search the rulebook for how to handle a situation, but instead analyze the situation and determine how best to meet the needs of those involved and uphold the values of the profession.

**Harris’s problem of inadequate codes of ethics can potentially be resolved if one approaches ethics from this broader, more foundational viewpoint. If archival ethics are expressed as end “goods” or goals for the profession, archivists are not limited by a set list of “dos” and “don’ts,” which may be inadequate to their situations. This Aristotelian “good” is focused on the profession’s**

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<sup>66</sup> As quoted in: Thomas J. Froehlich, *Survey and Analysis of the Major Ethical and Legal Issues Facing Library and Information Services*. IFLA publications, 78. (Munich: Saur, 1997), 91-92.

relationship and contribution to society, freeing archivists in a way because it does not limit them to specific actions, but allows them to do what is truly best for their community.<sup>67</sup>

However, this “good” is far from a resolved issue. Are archivists here to protect the records in a Jenkinsonian manner, that is, with minimal interference on their part? Or are they here to promote accountability and transparency, as Cox and others argued? Is archivists’ duty to society or to their organization or to the records themselves? Most people who talk about the teleological rethinking of archival ethics are concerned with the archivist’s duty to society and the greater public good. They base their arguments on the idea that archives are all about power: the power of states and institutions over people, but also the potential power of the people over the state, and the power to resist and change this power. However, not everyone may share this deep concern with the good of society. Some may feel that their responsibility is to their employers or to the records in their care. This requires compromise and discussion within the profession to come to an agreement on what to include in the Code of Ethics. It also means that archivists cannot stop discussing what they value and revising their code of ethics. Currently, the draft Code of Ethics embraces this focus on the public’s best interest, as can be seen in section quoted on page thirty-five of this thesis. If members of SAA have objections to this format, it is important that they voice them and that the organization visit their concerns.

In August of 2010, Elena Danielson published *The Ethical Archivist*. This book presents a series of chapters dealing with ethics and specific aspects of archival work, such as “The Ethics of Acquisition,” alongside specific case studies of dilemmas about ethics. Danielson ended each chapter with a series of questions to help the reader evaluate decisions and policies and make ethical decisions. She concludes, “While essential, codes—which work well for other professions—

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<sup>67</sup> Abela, 206-208.

have limits in the archival world. The most useful aspect is the work that goes into formulating them and repeatedly revising them, often based on reactions to real cases.”<sup>68</sup> The future of ethics codes lies in re-visioning. Postmodern ethics can no longer be a ‘top-down’ situation. It also means that it must be open to change as the profession develops and changes itself.

While it is crucial to open up discussions about the values and ethics of the archival profession to the whole profession, in the end these values and ethics should be focused on the good and best interest of society. It is useless to talk about promoting trust in archives and archivists if their values are focused on anything other than the best interest of society. Society cannot function if members act selfishly. In October 2010, SAA presented a draft “Core Values of Archivists” statement to its membership for review and comments. The “Core Values of Archivists” statement was the product of Mark Greene’s presidential address, referenced earlier. This statement attempts to explain the values of archivists: in other words, the philosophical theology (O’Toole’s phrase for theology dealing with the “whys” of archives<sup>69</sup>) of archival work. This statement is meant to be viewed in connection with the Code of Ethics, as it provides the theoretical foundation values of the Code. The statement begins with a statement of “Purpose.” It assumes that archivists are “contributing to the public good” through their work, as well as “serve a broad range of people.” It continues by repeating the concerns brought up above regarding the power of archives:

Since ancient times, archives have afforded a fundamental power to those who control them. In a democratic society such power should benefit all members of the community. The values shared and espoused by archivists enable them to meet these obligations and to provide vital services on behalf of all groups and individuals in society.<sup>70</sup>

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<sup>68</sup> Danielson, *The Ethical Archivist*, 296.

<sup>69</sup> O’Toole, 8.

<sup>70</sup> “Council Seeks Member Comment on Draft ‘Core Values of Archivists.’”

The statement articulates what this value means to various archival activities, such as access and custody and finishes with a restatement of commitment to the “broader social responsibilities.” The “Core Values” should be viewed as an example of the kind of commitment I am talking about. It expresses the power of archives and archivists, as well as stating archivists’ responsibility to society. It follows Andrew Abela’s argument that professional ethics should be focused on what the profession can do for society and determines its good based on this. A good archivist, according to the statement, is not only good at selecting materials for the archives, but does so for ethical (good) reasons and in ethical (good) ways. As one of the respondents to my survey on ethics said, the “Core Values define who archivists are. The Code of Ethics outlines expected professional behavior” (Respondent #1330457309).

My arguments here are not intended to undermine Harris’s idea of the personal ethic. Professional codes are, in the end, truly “entirely useless” because the individual’s decisions are ultimately his or her own. However, without guidelines, without understanding our purpose in the community, it becomes more difficult to prioritize and outline one’s responsibilities and to make decisions. Ethics codes are also the point at which a compact with society is made. This is why codes are important. The values and behaviors a code sets out translate archival philosophy (or theology, as O’Toole calls it) to the real world. Professional organizations also have a role to play in the personalization and internalization of ethics as well, as discussed in Chapter Three.

As a method of professionalization, codes of ethics are important as society still works within a paradigm in which professions are valued and trusted. Measures such as professional organizations, standards, and certification are key to professionalism and trust. However, the ethics code acts as the linchpin, connecting the profession and the public with the profession’s underlying values and philosophies.

If ethics are the linchpin of the archival profession, it seems that their enforcement should **be a major activity of the professional organization. In some archivists' eyes** (like Richard Cox), ethics without enforcement are useless. Just because someone calls him or herself an archivist does not mean that he or she will follow the Code of Ethics. Archivists are still human beings who sometimes do not live up to ideal behavior. The enforcement of ethics, like the enforcement of standards discussed above, is problematic, however. My next chapter will focus on the problems with enforcement, some of which, I argue, are more than structural, and do not have a satisfactory resolution.

## Chapter Two

### *The Moral High Ground?: Problems with Enforcing Ethics*

If ethics are all about gaining trust, the one sure way to guarantee that that trust is deserved is through enforcing those ethics. By enforcing ethics, there is incentive for the professional to adhere to ethics codes, **as well as a system to monitor professionals' behavior**. In many professions, the main professional organization often has the ability to review and censure certified members accused of ethics violations. This review requires a board or committee before which cases could be presented and examined, as well as requiring a method of punishment for violators and the certification of members. While a method of enforcement would be the ideal way to ensure ethical behavior in the American archival field, the tools necessary for this kind of enterprise would be extremely costly and cumbersome to implement for SAA. Enforcement also demands judgment, which is problematic because situations are rarely black and white and decisions cannot be guaranteed to be unbiased and fair.

**One of the questions I asked in my survey for this thesis was “Do you think that SAA should involve itself in enforcing ethical behavior and the Code of Ethics?”** **Thirty**-two of sixty-nine respondents to this question answered yes (46.4%), thirty-seven answered no. While this survey was not scientific and should not be taken to accurately reflect the greater archival profession, the results are still useful, as they show that enforcement is something in which many archivists would **be interested**. **In fact, when asked “Why/why not?” (they did/did not support enforcement),** forty-six (out of fifty-seven) indicated it was because it was impractical or because SAA was not a regulatory association, but not because of insurmountable moral or philosophical issues. Enforcement was also the most cited revision respondents wished to see to the Draft Code of Ethics.

Extrapolating, enforcement is something that SAA clearly needs to take into consideration as a significant number of its constituents would seem to be interested in it. **As one respondent said, “Why have a code of ethics if you’re not going to do anything about folks who are unethical”** (Respondent #1330637966).

Some other professional organizations have ethics enforcement methods. The American Medical Association (AMA) has the power to investigate and to “acquit, admonish, censure, or place on probation” members accused of ethical violations.<sup>1</sup> However, complaints must be made to the state licensing board for them to affect the physician’s license to practice, and complaints reviewed by the AMA must originate in the state or specialty medical association before the AMA can review them.<sup>2</sup> The AMA only has authority over members, however, and only about 30% of physicians in America are members.<sup>3</sup> The AMA ability to enforce its ethics code, though limited, is arguably important, as the AMA is a well-known, national organization. A judgment from this society, while it may not prevent the physician from practicing (for example, if a physician is placed on probation), could potentially have a serious impact on his or her future in the profession.

The American Bar Association (ABA) has a similar method of review and investigation, though in this case, the Association maintains a “National Lawyer Regulatory Data Bank” to keep track of lawyers’ sanctions or censures. The ABA does not license or regulate licenses for lawyers, leaving this to the state bars, but again, the fact that the Association is a nation-wide, very well-

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<sup>1</sup> American Medical Association, “Frequently Asked Questions in Ethics,” accessed February 11, 2011, <http://www.ama-assn.org/ama/pub/physician-resources/medical-ethics/code-medical-ethics/frequently-asked-questions.shtml>.

<sup>2</sup> Ibid.

<sup>3</sup> American Medical Association, “EVP Report, November 10, 2007,” accessed May 30, 2011, <http://www.ama-assn.org/ama/pub/news/speeches/evp-report.page>.

known organization means that the power it does have to publicize actions taken against lawyers can be potentially very effective in creating detrimental situations for those who violate ethics.<sup>4</sup>

Enforcement allows these organizations to promote professionalism and ethical behavior in members, which strengthens the respect and confidence the public have in members. As a method of gaining power and improving professionalism as well as improving trust, SAA could use a system of enforcement. To begin with, SAA would have to require members to agree to the Code of Ethics when they join. While requiring agreement to the Code of Ethics would be an important step, it still would not mean that members are certified or licensed. This means that censorship or disbarment would not mean that the archivist could not work as an archivist. In order for enforcement to be truly effective, SAA needs to have a way to certify archivists.

Currently, the Academy of Certified Archivists (ACA) (which was developed out of the Society of American Archivists) is the only certifying body for archivists in the United States.<sup>5</sup> The Academy of Certified Archivists was created in 1989 from SAA's Interim Board for Certification, which was charged with the development of an archivist certification program in 1987.<sup>6</sup> William Maher, in his article "Contexts for Understanding Professional Certification," identified the interest in certification as the result of the failure of "other approaches to establishing control over archival credentials, education, and practice," as aspects of the drive to professionalization and standardization that were prevalent during the 1980s.<sup>7</sup> The Academy was formally established at the 1989 SAA Annual Conference and took on the examination, certification, and recertification of

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<sup>4</sup> American Bar Association, "Home Page," accessed February 11, 2011, <http://www.americanbar.org/aba.html>.

<sup>5</sup> Academy of Certified Archivists, "Handbook for Archival Certification," accessed April 1, 2011, <http://www.certifiedarchivists.org/images/forms/handbook.pdf>, 5.

<sup>6</sup> Jim Byers, "Certification in America: the ACA Example," accessed July 13, 2011, <http://www.certifiedarchivists.org/about-us/history/35.html>.

<sup>7</sup> William J. Maher, "Contexts for Understanding Professional Certification: Opening Pandora's Box?" *The American Archivist* 51 (Fall 1988): 424.

archivists interested in becoming certified.<sup>8</sup> As of 2009, the ACA had over one thousand members.<sup>9</sup> The ACA will certify archivists who take the qualifying exam and have one or more years of professional experience (as well as pay the exam fees, certification fees, and yearly dues).<sup>10</sup> However, the Academy does not have its own code of ethics or standards to enforce and does not require Certified Archivists **to ascribe to any other organization's code**; though it can expel members, there is no regulatory bureaucracy to monitor Certified Archivists either.<sup>11</sup>

If SAA decided to take on enforcement, it could **take over ACA's** of certification, or ACA could take on a regulatory function. In order for this to truly work, however, what it means to be a qualified archivist must be better defined and publicly known. Currently, being a Certified Archivist is a bonus—**something to add to the archivist's signature line and résumé, but not something that is required to work as an archivist.** Most job descriptions of open archivists positions do not list being a Certified Archivist as a requirement, and only occasionally as a **“preferred” or “desired”** qualification. Without recognition by those outside the profession, SAA (or ACA) could still begin to regulate Certified Archivists' **behavior.** **The idea** is that regulation enhances identity, power, and respect in society. However, in order to balance out the potential disadvantages of investigation for Certified Archivists, being a Certified Archivist would have to bring in more benefits—more respect and recognition from employers. In order for the certification and regulation to work, SAA or ACA would have to work hard to promote certification, as well as work with employers to make certification more beneficial to members.

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<sup>8</sup> Academy of Certified Archivists, “About the ACA/Contact US,” accessed July 13, 2011, <http://www.certifiedarchivists.org/about-us/about-the-aca.html>.

<sup>9</sup> Society of American Archivists, “Resolution Recognizing ACA's 20<sup>th</sup> Anniversary,” accessed July 13, 2011, <http://www2.archivists.org/statements/resolution-recognizing-acas-20th-anniversary>.

<sup>10</sup> Ibid, 12.

<sup>11</sup> Academy of Certified Archivists, “Bylaws,” accessed April 1, 2011, <http://www.certifiedarchivists.org/about-us/bylaws.html>.

Even after overcoming the problems of certification, there remain the problems recognized by many of my survey respondents: the lack of funds, infrastructure, and the sheer impracticability of enforcement for SAA at this point. SAA would need to create a review board, a system to accept complaints, and an investigative policy and procedure to handle complaints about members. At the present time, SAA is running on a budget that barely allows it to fulfill the few things it is currently committed to doing. Even if all enforcement positions were filled by volunteers, the cost of legal fees if SAA were sued over a case would be prohibitive, and, if legal counsel were retained in order to try to prevent being sued, the costs of that would be just as prohibitive. In order to fulfill enforcement costs, SAA would have to raise membership dues which would be hard to justify in a time when resources in our profession (both personal, as professionals, and as an organization) are limited. Investigation would also have a cost in human time. Most archivists are busy people; investigations take time, especially when they are thorough (which they should be).

Added to this basic infrastructure and fiscal problem would be the issue of determining guilt in a case submitted to SAA for review. While an investigation would attempt to uncover exactly what happened, there is no guarantee that an unbiased, complete understanding of the situation would be reached. Each side in the conflict would present its own versions of events, and it may not be possible to fully understand what truly happened. An investigative committee may search for and discover many of the facts of a situation, but the discovery could be difficult and not guaranteed to be complete. This lack of completion would place doubt on the ruling of an investigation, as well as open up more legal liabilities.

Related to this problem of determining guilt is another question: what if the violation **occurred not just because of one individual's actions but because of the policies or actions of an** archives or institution as a whole? The accreditation of institutions, along with individual

certification, would give SAA the power to investigate violations within organizations, as well as **sanction them.** In his article on “Professionalism and Archivists,” Richard Cox made the argument for accrediting institutions as a way to enforce and strengthen standards.<sup>12</sup> Theoretically, if SAA were to take on an investigative capacity, the violation could be investigated and the committee could determine whether to censure a particular individual or the institution as a whole, or complaints could be made regarding organizations, rather than specific individuals.

One example that SAA could look to would be the American Association of Museums, which currently has a process of institutional accreditation. Accredited museums must meet certain standards, such as standards on collection development, and are reevaluated for compliance every ten years.<sup>13</sup> If a museum is found to not meet the standards, it can be unaccredited. SAA could accredit archives, which would allow SAA to investigate claims against the entire organization, rather than individual archivists. This might be a more accurate picture of how decisions are made.

The problems with the accreditation of institutions mirror those with individual certification. Not every museum has to be accredited, and not every archives will want to be either. Again, there is the problem with the lack of power and visibility of SAA, which makes membership less important.

One problem with institutional accreditation more than that faced with individual certification, is that institutions could use arguments of self-interest and rights as a defense for their actions, as a way to avoid accreditation or subscribing to ethics codes. Institutions can vary widely in terms of values. A Native American tribal archives may have more access restrictions due to cultural values and norms than deemed acceptable in a public archives. A corporate archives may contain items which the company deems proprietary information that would be harmful to the

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<sup>12</sup> Richard Cox, “Professionalism and Archivists in the United States,” *The American Archivist* 49 (Summer 1986): 238.

<sup>13</sup> American Association of Museums, “Accreditation Process,” accessed May 30, 2011, <http://www.aam-us.org/museumresources/accred/AccredProcess.cfm>.

**company's profit (well-being)** if released to the public outside of the corporation itself. A religious archives may argue that its records contain information that only members of the church or congregation can access. This is problematic. What may be unethical for archives **under SAA's Code of Ethics**, such as unnecessary restrictions on access, could be defended as within the rights of the institution or in the best interests of its constituents. The employed archivist would then be forced to choose between following his or her employing institution or the professional Code of Ethics (Respondent #1331206338). Until everyone in the archival field, including institutions, agrees about why archives exist, this conflict of interest will continue to loom. As the arguments, such as those listed above, that archival institutions may put forward can be defended under the same arguments for serving the good of the public as open access, this conflict may never be resolved. This makes a system of uniform accreditation difficult, if not impossible. It also places doubt on the possibility of individual enforcement—how can an archivist be punished for following the values of the community he or she serves?

Frank Boles, writing while president of SAA and addressing the question of enforcing ethics, suggested that the problem of ethics in the workplace could be mitigated by following the American Library Association's example, encourages the adoption of the professional organization's ethics standards as part of the organization's workplace policies or codes of conduct.<sup>14</sup> By doing this, the culture of the organization can change and make it more ethics-friendly, and hopefully prevent conflict between the pulls of institution and the code of ethics. **Expanding Boles's suggestion**, an institution should develop its own ethics guidelines or codes. This allows the archivist and the archives to still be ethical and to still promote the public good—even if it is a slightly different public than one imagined from a traditional viewpoint.

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<sup>14</sup> Frank Boles, "Enforcing Ethics," accessed 17 September 2009, <http://www.archivists.org/news/ethics09.asp>.

Enforcement and investigation of ethical behavior is an admirable goal. However, even for AMA, the organization has to rely on state or specialty levels to monitor and respond to complaints in order to narrow down and deal with complaints against members. This requires a strong regional system with close ties to the national association. While many regional archival associations exist in America, their ties to the national organization are not necessarily very strong. If SAA were to take as a model the AMA system of regional or specialized associations, this would require that regional associations be more closely aligned with SAA, as well as have the resources to deal with complaints. A completely new infrastructure would be necessary. Peter Gottlieb, SAA president from 2009 to 2010, delivered his presidential address at the 2010 SAA Annual Conference on “Unifying the Archives Profession.” In this address, Gottlieb proposed that the archival profession in the United States should create a “federation” of existing archival associations. Gottlieb envisioned this federation as an umbrella organization to help further the goals of the profession, as well as to better serve its members.<sup>15</sup> **Gottlieb’s address may be a sign that this kind of integration is in the profession’s future.**

Underlying all of the issues with enforcement I have discussed, is the problem of power, or, rather, the lack thereof. SAA cannot force or pressure employers to hire only Certified Archivists, or require archival institutions to become accredited, as it has no leverage to do so. If SAA were to begin to offer accreditation or certification, it would (without an influx of funds from the accreditation process) still lack the infrastructure to thoroughly investigate and approve accreditation, much less investigate complaints. It is also unclear whether or not SAA has the national recognition to make accreditation or certification attractive to a broad enough number of

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<sup>15</sup> Peter Gottlieb, “Unifying the Archives Profession: A Proposal,” (plenary address, SAA 2010 Joint Annual Meeting, Washington, D.C., August 13, 2011).

archives and archivists. Without the prestige of a widely known professional organization, the power of accreditation and certification is lessened.

Some may argue that the solution to powerlessness is professionalization, which circles us back to Chapter One and Cox's article on professionalism. In order to begin to escape this catch-22, SAA would have to **change its structure. As one respondent to the Survey on Ethics said, "SAA is not a regulatory agency" (Respondent #1333195004). Currently, SAA acts** more as a community of people interested in archives, than an organization of professionals. This is evident in the open membership policy; anybody who wants to pay the fees to become a member can. As well, SAA, as discussed above, does not define what an archivist is.

In the future, with a lot of hard work and dedication, as well as more exclusivity, archivists may be able to promote their professional organization and identity enough to gain the power of **society's recognition.** Resources may come as well. Institutions may be persuaded to become accredited, and archivists may be certified in greater numbers. What remains, however, are several problems inherent in human nature, one of which I touched on above: the problem of definitions and perspective, and the problem of power.

The main organization in the history profession, the American Historical Association (AHA), had for fifteen years a committee to regulate ethical behaviors (its Professional Division). The AHA faced problems that can be relevant for the archival profession to examine. Historians Peter Hoffer and Jon Wiener explored a variety of instances of ethics violations in the historical world in their respective books, *Past Imperfect* and *Historians in Trouble*. Both found AHA lacking in its (non)attempts at enforcing and regulating **historians' behavior. In fact, the situations in Hoffer's** examples did not even reach the Professional Division's **consideration, and** Wiener recounts several

cases in which ethics violators, even after they were found out, were able not only to keep their position within the field but were promoted to high position within the national profession.<sup>16</sup>

To explain the incongruity between what AHA said and did, Hoffer first gave a brief account of the growth of the divide between popular and academic history. The second part of *Past Imperfect* deals with some of the scandals in academic and popular history of the last few decades of twentieth century. He identified one of the underlying causes of **AHA's** lapse of regulation as the problem of defining what actually counted as an ethics violation. What did it mean to plagiarize? How can sources be determined to be correctly **interpreted? How much "fudging"** of facts, in other **words, can be allowed, and what is considered to be "fudging"**? Can an author be blamed for overlooking a few citations? But how many mistakes add up to negligence? How can this be determined? Linked to this problem of definition was the divide between what was allowed in popular versus academic history. What could be legitimized in popular histories, like **Stephen Ambrose's, was inappropriate and unacceptable in academic historiography. For example, Ambrose** could get away with not clearly documenting his sources because he was writing for the popular press, which required that his prose be fluid and unburdened with notes. Readers were not terribly interested in his sources, but in the narrative he wove and whether it matched their own views of events. There was also an implicit trust that Ambrose was telling the truth, even after it was known he was occasionally plagiarizing his sources or not crediting them properly.<sup>17</sup>

Hoffer saw a partial solution to these gaping divides between academic and popular history in the monitoring and better incorporation of popular history into academic or formal history

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<sup>16</sup> Peter Charles Hoffer, *Past Imperfect: Facts, Fictions, Fraud—American History from Bancroft and Parkman to Ambrose, Bellesiles, Ellis, and Goodwin* (New York: Public Affairs, 2004), 137-138. Jon Wiener, *Historians in Trouble: Plagiarism, Fraud, and Politics in the Ivory Tower* (New York: New Press, 2005), "**Part Two: Targeted by the Right.**"

<sup>17</sup> Hoffer, 204-207.

associations, allowing the two branches of history to share values and definitions.<sup>18</sup> While the **archival world is not necessarily divided between “popular” and “academic” archives, there are** actually more divisions in the archival world than this. Archivists and archives are diverse. There are corporate archives, religious archives, tribal archives, museum archives, manuscript repositories and institutional archives. Archivists can be trained in library science, archives, history, public history, or many other fields. What might apply to a corporate archives may not apply to a religious archives. **An archivist trained in history and working for an institution’s archives may have a different value system than an archivist trained in library science working for a manuscript repository. What may be “reasonable” restriction for one archivist or archives may be seen by another to be unreasonable.**

However, SAA still needs to formulate the shared values of the archival profession, as it has **attempted in the “Core Values of Archivists” statement, in order to function as the link and surety of** good intentions between archivists and the public. Members of SAA may not necessarily agree to these values. However, of the thirty-eight who answered my survey question regarding their opinion **of the “Core Values” statement, none expressed disagreement with the values included. However,** when asked about their opinions of the Code of Ethics, some expressed their dissatisfaction with the ethics statements within the Code. **One answered, “The revision has more to do with social aspirations of the authors than the professional responsibilities that go with the care of historical records” (Respondent #1331115782). Others expressed dissatisfaction with** the revisions currently underway to the Code of Ethics. Members who disagree with articulated values of a profession have the responsibility to express their dissent and to advocate change. Members also choose to agree to the values of the professional organization by joining the organization. This dissent, if vocalized can help the profession articulate its values and ensure that they are truly reflective of the profession.

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<sup>18</sup> Ibid, 207.

Jon Wiener, author of *Historians in Trouble*, saw the problem of ethics enforcement in AHA and the broader profession as part of the power conflicts between right and left political wings. Wiener saw historians who supported the right wing causes go unpunished for their unethical behavior and occasionally given high-ranking positions within the government.<sup>19</sup> He made the argument that, conversely, historians dealing with controversial topics that did not support the right were the historians who faced the most publicity if their work was found to be plagiarized or fraudulent, whether or not the violation warranted the amount of attention it gets.<sup>20</sup>

Wiener may have exaggerated the influence of politics on the historical profession, or rather ignored underlying issues (such as those brought up by Hoffer); however, he makes an excellent point about the power that individuals and groups beliefs have on the outcomes of disagreements. **This is an inherent problem in enforcement. The intense political and partisan nature of Wiener's work (the most obvious indication of partisanship is the title of his second section, "Targeted by the Right," with no corresponding "Targeted by the Left" section) exemplifies the ever present nature of biases in human perception.** People are more likely, whether consciously or not, to agree with and favor arguments or individuals who resemble themselves or that favor their own point of view. This can be problematic when combined with power as their decisions can be biased, rather than just. As a solution, Wiener called for a stronger profession, able to stand up to and divorced from the political pressures that he sees as the major problem to ethical behaviors.<sup>21</sup> SAA, as already discussed, is not powerful. In order to overcome the problems Wiener discussed, SAA would need to strengthen itself, which leads again to the catch-22 situation discussed above (page 50).

An additional related problem that Wiener does not address as it does not necessarily apply to historians, but that archivists face, is that archivists' actions are not always just their call (as

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<sup>19</sup> Wiener, "Part One: Presidential Nominees."

<sup>20</sup> Wiener, "Part Two: Targeted by the Right."

<sup>21</sup> Ibid, 206.

discussed above). An investigative committee that focuses on individuals, while in some cases may be on track, in others would be trying to lay the blame for an organization's policies and culture on the shoulders of a scapegoat. This is not an ideal situation.

However, there was a reason that the AHA discontinued the enforcement of historians' behavior after fifteen years, and the stories that Hoffer and Wiener told are that reason. Hoffer and Wiener illustrated that the passing of judgment by the professional organization created dissension within the profession and was not effective at curtailing unethical behavior. Hoffer and Wiener's arguments for strengthening the profession are fine—I argue the same in my first chapter. However, strengthening the ability of the profession to monitor individuals' behaviors becomes a "slippery slope." While strengthening the profession may help ensure that unethical professionals are not allowed to get away with plagiarism and still be respected in the community, this kind of power is dangerous, as Wiener himself argued in his discussion of political biases. If abused, it potentially could lead to witch-hunts. Even if all measures were taken to attempt to ensure fair judgments, the judges would still be human—there would still be mistakes made. Also, having a formalized system of judgment codifies the rules by which judgment is passed, making it difficult to change them. A code of ethics, however, needs to be able to change with the continued understanding of archival values and the changing needs of its profession. As long as human beings remain human beings, the enforcement of ethics will be fraught with difficulties and dangers that make it impractical to implement.

On the other hand, should not the public have somewhere to turn when they encounter an unethical archivist or archives? A recent example shows this kind of need. In 2007, Anthony Clark, a presidential historian, was interested in locating materials related to NARA's involvement in the creation and development of presidential libraries. The records Clark was interested in were the

records generated by the National Archives during the planning stages of several of the presidential libraries. The materials should have been either destroyed or accessioned into the archival collection. However, as they were still counted among the operational records of NARA, Clark made a Freedom of Information Act (FOIA)<sup>22</sup> request to see them. After numerous requests, Clark was still unable to gain access to the records. He finally took his story to the History News Network, a **website devoted to talking about current events from a historical perspective, as well as “To expose politicians who misrepresent history. To point out bogus analogies. To deflate beguiling myths. To remind Americans of the irony of history. To put events in context. To remind us all of the complexity of history.”**<sup>23</sup> NARA officials responded with their version of events and explanations for the delay and there were attempts to work out a solution to give Clark access to the records he wanted. SAA leadership became involved in a mediator role, working with NARA officials and Clark to try to get the records released in a timely manner.<sup>24</sup> However, there was nowhere Clark could formally turn to outside of government channels. There was no means, beyond the court system (which can be expensive and time consuming), to hold NARA accountable, since SAA had no real authority over NARA or the individual archivists involved.

The idea that a researcher like Clark would be ignored by NARA is disconcerting. Clark and others like him should have a resource for situations in which archives or archivists act unethically. Right now, that is not SAA. The Society does not have the resources to deal with complaints. The press and the internet remain the best sites to get complaints heard. As of now, SAA can act as a mediator or advocate on an individual basis, or address topics of concern in general. SAA has done this before, **and not just in Clark’s case**; in March of 2011, SAA sent a letter to the Hungarian

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<sup>22</sup> FOIA requests allow members of the public to formally request to see records considered to still be in use by the agency.

<sup>23</sup> History News Network, “About Us,” accessed 17 March 2011, <http://hnn.us/articles/820.html>.

<sup>24</sup> Boles, “Enforcing Ethics.”

government addressing the proposed deaccessioning and return of communist era files to the files' subjects. The motive behind the deaccessioning was to assist in healing the wrongs done during the communist era. SAA's letter, while acknowledging the government's good intentions, attempted to point out the importance of those files to the historical record and to the country's ability to truly come to terms and discuss its past.<sup>25</sup> While SAA would not have authority over the Hungarian archives and archivists even if it did have enforcement powers, this letter provides a good example of this general advocating of causes that SAA can and should take on without too much difficulty. Not enforcing ethics does not mean that the Society has to totally ignore issues of ethics.

SAA has a decision to make. Either SAA remains a community of people interested in archives or it becomes an organization of professional archivists that monitors their behavior. As it currently stands, SAA has no power to enforce standards or ethics. It can support educational opportunities, promote conferences, and provide suggestions for situations that may arise. However, unless it decides to dramatically change its focus, SAA will not have the ability to implement enforcement mechanisms. If it does chose to take on the role of a full-fledged professional organization, SAA would have to become more exclusive and implement more rigorous **requirements for membership and to call one's self an archivist. At this point in time, SAA does not** seem ready for this bold of a step, and, even if SAA did decide to take this step, enforcement remains problematic and impractical. I do not believe that enforcement is the answer for the American archival profession. Enforcement is not practical and makes ethics too rigid, which divorces it from the adaptability of internalized ethics. My next chapter attempts to present suggestions that would work with the structure already in place in SAA, but would still enhance the trustworthiness of its members and that support the flexibility and personalization of ethics.

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<sup>25</sup> Helen R. Tibbo to Ambassador György Szapáry, March 8, 2011 at: [http://www2.archivists.org/sites/all/files/HungarianArchives3811\\_0.pdf](http://www2.archivists.org/sites/all/files/HungarianArchives3811_0.pdf).

## Chapter Three

### *The Most Important Thing Is to Never Stop Talking*

The idea of enforcing ethics is a traditional one. It derives from the idea that formalized rules and regulations can hold the answer to any situation. It also presumes that the way to ensure trustworthiness is through the threat of punishment. While this is a valid point, SAA is currently not in a position to follow the path of enforcement, and unless the organization decides to take that path, there must be a way for SAA to strengthen and support archival ethics in order to fulfill its duty to society. There is also a growing trend of thought that believes that true ethical behavior and **decisions come from personal reflection (from “ethical being”), rather than following a set of rules.** Enforcement does not help with the actual decision-making process, which is at the root of ethical behavior. Even if SAA decides to take on the onerous duties of enforcement, the Society should continue to invest in ethics support systems for members. This system should be made up of such things as continuing education classes, formally published literature on ethics, and most usefully, I suggest, some type of online, centralized hub where ethics can be discussed and information, ideas, and advice can be distributed by any interested member for any member.

**My idea of “ethical being” comes from Scott Cline’s “archival being.”** Scott Cline, addressing the concerns about power in the archives that I discussed in my Introduction, seeks a solution in **“authenticity” and “archival being.”**<sup>1</sup> Cline’s argument is summed up nicely in his abstract: **“To mediate the power of archives and use it for the greater public good, archivists must engage their work with a deep understanding of what it means to be archivists, subscribe to a set of values that**

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<sup>1</sup> Scott Cline, **“To the Limit of Our Integrity’: Reflections on Archival Being,”** *The American Archivist* 72, no. 2 (Fall/Winter 2009):332-333.

informs how they do their work, and embrace *archival being*.”<sup>2</sup> Archival being through authenticity is achieved via personal reflection (understanding oneself and one’s role in society)—though the profession as a whole should also engage in this same kind of self-reflection. As “archival beings,” archivists can engage with (rather than blindly submit to) the power they hold, and understand the values and beliefs that are the foundation for their actions.<sup>3</sup> **“This authenticity does not automatically ensure that we are good archivists, but it inevitably compels us to embrace being archivists as our unequivocal concern.”**<sup>4</sup> In other words, it is only through self-reflection and understanding that archivists can adequately mediate and negotiate with the power in their archives. I would argue that **“ethical being” is an aspect of archival being**—an internalization of archival ethics through reflection and thought as a way to better deserve the trust the public implicitly places in archivists.

For example, David Wallace, drawing on Maureen Kelley, an ethicist in the medical field, made the argument that a disconnect between personal and professional morals and ethics within **professionals, causes professionals to “morally disengage” from their decisions.**<sup>5</sup> This is dangerous, as it makes professionals vulnerable to decisions that they might otherwise condemn. It also makes ethics rigid, as it does not allow for the multivocality and differing perspectives that might come if individuals brought their personal ethics to bear on their professional decisions.<sup>6</sup> Flexibility is important in ensuring that archives do not become tools of oppression, and reflection on archival **ethics and values makes them become familiar and more personal. Wallace’s proposal to marry the personal and professional, creates “ethical beings” out of archivists.**

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<sup>2</sup> Cline, 331.

<sup>3</sup> Cline, 342.

<sup>4</sup> Cline, 333-334.

<sup>5</sup> David Wallace, “Professional Ethics: the Outside View,” (paper presented at University of Wisconsin-Milwaukee Conference on Archival Ethics, November 30, 2007), 9.

<sup>6</sup> Wallace, “Professional Ethics: the Outside View,” 6.

Verne Harris has repeatedly said, “in the hurly-burly of the archive at work, I have found them [ethics codes]—and I am choosing my words carefully—to be entirely useless.”<sup>7</sup> His model of ethical decision-making involves:

Firstly, an illumination of the web of rights as it applies to the interested parties at different levels. Secondly, an analysis aimed at weighing competing claims against one another in the specific circumstances confronting the archivists. Thirdly, a **testing of one’s views** and feelings with respected colleagues and friends. And finally, **paying heed to one’s conscience**.<sup>8</sup>

Harris was concerned with the “**how**” of ethical decision-making. For him, it was the process of the decision that determines its ethicality, not whether it follow an established code of ethics. This places extreme importance on the individual and his or her internal decision-making and reflection. Harris’s model of decision-making is one that requires and creates an ethical being.

Another method of ethical decision-making comes from Eric Ketelaar, in his article, “The Ethics of Preserving and Destroying Private Archives,” suggested using what he calls the “Kelman-test” to make ethical decisions. This test asks three questions of every situation:

(i) to what risk is human dignity violated by the decision? (ii) Is there a competing moral imperative requiring such violation? (iii) Is that moral imperative justified by **any tangible or compelling social benefit, primarily to the records’ subjects**, secondarily to third parties and thirdly to society as a whole?<sup>9</sup>

By answering these questions, the archivist can determine the ethical course of action. Ketelaar did not reject the idea of having a professional code of ethics, but, instead, was interested in the underlying process of decisions as the important part of being ethical, much like Verne Harris was.

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<sup>7</sup> Verne Harris, “Ethics and the Archive: ‘An Incessant Movement of Recontextualisation,’” (paper presented at University of Wisconsin-Milwaukee Conference on Archival Ethics, November 30, 2007), 2.

<sup>8</sup> Verne Harris, *Archives and Justice: A South African Perspective* (Chicago: Society of American Archivists, 2006), 211.

<sup>9</sup> Eric Ketelaar, “The Ethics of Preserving and Destroying Private Archives,” *Argiefnuus/Archives News* 43, no. 4 (June 2001): 70-77, doi: <http://cf.hum.uva.nl/bai/home/eketelaar/Ethicspreserving.doc>.

What both Harris and Ketelaar were arguing is that ethics need to be viewed as more than a **code sitting, waiting to be used, on an online server. Ethical behavior is based on individuals' decisions and the result of personal reflection and questioning.** For these authors, then, archivists should be concerned not with the Code of Ethics, but with the underlying values of the Code and **with the processes that go into archivists' decisions. By making ethical decisions this way, archivists become authentic, true to themselves (ethical beings), rather than the established structures of power, and are not limited by what an ethics code may or may not include.** Harris and Ketelaar's points are important. However, there still remains a space for professional codes of ethics, as Ketelaar argued.

First, internal reflection can help the archivist be more ethical and more deserving of trust, but it hardly makes archivists *seem* more trustworthy. Eric Ketelaar quotes the International Council on Archives ethics code about its purpose, **"to 'inspire public confidence in the profession.'"**<sup>10</sup> Beyond reassuring the public, published ethics codes also can be the starting point for individual reflection on balancing concerns and provide a useful guide for decisions. Authors such as Bernie Deasy and David Hildebrand argue that one of the most important reasons to have a code of ethics is to provide a basis for discussion and education by formulating and cementing values and ethics.<sup>11</sup> Without having a formalized set of values and ethics, it would be difficult, if not impossible, for archival students and the public to determine what archivists value and to begin questioning and **discussing applications. The proposed "Core Values" statement can play a role in all of these, along with the Code of Ethics. What SAA needs to do is promote both the "Core Values" and the Code of Ethics and make sure they are kept up-to-date with archivists' values.**

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<sup>10</sup> Eric Ketelaar, "Professional Ethics: the Moral Defence [sic] of the Archivist," October 1998, accessed October 25, 2010, <http://www.ucd.ie/archives/html/conferences/cyber4.htm>.

<sup>11</sup> Elena Danielson, "The Ethics of Access," *The American Archivist* 52 (Winter 1989), 62. Bernie Deasy, "From Principles to Practice: How do Codes of Ethics Translate?" *Archives and Archivist*, ed. Alisa C. Holland and Kate Manning (Dublin and Portland, OR: Four Courts Press, 2006): 88-99.

As my final set of questions in the Survey on Ethics, I asked if the respondent was familiar with the Draft “Core Values” statement, and what his or her understanding of the statement was. Finally, I asked whether or not he/she felt that the statement was necessary along with the Code of Ethics. Twenty-four respondents had heard of the statement of values before I provided a link to the Draft, while twenty-six followed the link I provided to read the statement. In the open-ended question, asking about the respondent’s understanding of the statement, many expressed the feeling that the statement was not terribly important, or merely an outreach tool to the public, resource allocators, and student archivists. For example, one responding archivist characterized it as, an “[e]xtremely general statement to explain to the public what archivists do” (Respondent #1330525977). While the idea that the statement can be used as an outreach tool is true, it is an optimal tool for the kind of discussion and assessment of archival ethics and values that I am advocating in this chapter. As another respondent said, “It communicates well the depth and breadth of archival responsibilities. These values supplement the Code of Ethics by giving general guiding values” (Respondent #1330463113). By articulating the profession’s values, SAA helps the public understand and trust archives and archivists.

However, SAA could improve the way in which it currently provides support and outreach regarding ethics and values. A surprising number of respondents (surprising because the respondents were obviously tuned into the profession to a certain degree via the A&A List) were unaware of the new draft of the Code of Ethics (twenty-nine out of seventy-five) and the draft “Core Values” statement (forty-nine out of seventy-three). The question is: how can the Society improve internal outreach? Currently, SAA has a website, a facebook page, an email newsletter (“In the Loop”), and a print and online newsletter, “Archival Outlook.” However, is the lack of awareness due to SAA’s lack of outreach to its members and interested individuals, or is it due to the lack of interest

in its members? As part of its continuing growth, SAA should evaluate how well it communicates with its audience.

Beyond articulating professional values, SAA can also promote the internalized, personalized ethics that Harris, Ketelaar, Wallace, and I advocate. Case studies, educational opportunities, literature, and forums can all help archivists understand the values of the profession, reflect on the choices they face in ethics dilemmas, and explore how to balance conflicting claims. These activities, while they may not promote public trust in the way that enforcement activities can, can promote the *deserving* of such trust, as well as provide valuable tools to archivists.

One way to promote the internalization of ethics can be through archival education programs. If student archivists are encouraged to discuss and think about ethics regularly, they will have a foundation from which to work, a tradition of reflection and discussion on ethics topics, which will aid them as they weigh options and competing claims. The SAA Guidelines for a Graduate Program in Archival Studies includes a section on “Ethics and Values” stating that:

The archival profession bases its system of ethics and values on the responsibilities of archivists in identifying, preserving, protecting, and making available the records, papers, and information resources for which they have responsibility. Students should be familiar with the SAA Code of Ethics, its underlying principles and perspectives, and its relationship to other archival and information profession codes. Students should understand how the ethics and values of the profession inform decisions and how to apply those ethics and values to their work.<sup>12</sup>

Archival graduate programs are not required to necessarily comply with these Guidelines as SAA does not accredit programs. However, in the Directory of Archival Education, schools are “invited to describe their programs and indicate how their courses correlate with SAA’s Guidelines for a

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<sup>12</sup> Guidelines for a Graduate Program in Archival Studies, “Ethics and Values,” Accessed April 27, 2011. <http://www2.archivists.org/gpas/curriculum/ethics-values>.

**Graduate Program in Archival Studies (GPAS).**<sup>13</sup> By making ethics part of the Guidelines, SAA encourages the inclusion of ethics in schools' curricula. However, I was curious to know how many archival education programs actually included **ethics in their courses**, so I included the question: **"In your archival education or training, did you spend time learning and/or discussing about archival ethics?" in my survey.** Sixty-five out of seventy-five individuals who answered the question responded positively. While no one who answered the following question, regarding the amount of time spent on ethics in their education, said that they spent more than a few class periods or sessions on the topic, it appears, by generalizing from this survey, that a majority of programs already incorporate ethics and ethics training into their curriculum.<sup>14</sup> This is encouraging.

Prospective archivists should not just attend school to learn how to process collections, to schedule records, to create finding aids, or to learn techniques for answering reference questions. These things are inadequate to create an archivist ready to deal with the realities of the world. **Without understanding archives and archivists' purposes, these skills have no real value.** For example, without understanding why the archival profession values access, an archivist may not see **the reason why breaking up a collection goes against archival ethics, besides "the Code of Ethics says this is wrong; thus it is wrong."** This deeper understanding can come from the discussion and analysis of the established ethics code and values of the profession. By incorporating discussion and debates on ethics and values in archival education, the archivist can appreciate and make better informed decisions in cases where there is no obvious right or wrong answer.

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<sup>13</sup> "Directory of Archival Education," accessed April 29, 2011, <http://www2.archivists.org/dae>.

<sup>14</sup> Unfortunately, I did not set up my survey in such a way as to gather how much and what type of archival training respondents had (I only gathered information on degrees). Anecdotally, from reading the responses to these two questions, most (with the exception of two) seem to have some kind formal archival training. It is unclear whether or not this training occurred in a formal graduate or certificate program, or through a continuing education program.

To help the student or the archivist looking for guidance, many authors recommend the use of case studies like those in Karen Benedict's book, *Ethics and the Archival Profession*, based on the SAA Code of Ethics. The use of case studies grounds discussions of ethics in the practical world, which makes them more relevant and useful, and therefore more engaging. As one respondent to the Survey on Ethics question "How useful did you find this time [spent on ethics in your education]?" wrote, "Particularly helpful was the use of specific examples that we were then asked: Is this ethical? Forced us to really think and discuss the ramifications of our choices as Archivists" (Respondent #1330468168).

For example, Archivist A has read SAA's Code of Ethics and knows that as a professional he should follow the Code of Ethics. When faced with an ethics dilemma, Archivist A must choose between the competing claims of the Code of Ethics and the will of a donor. Archivist A, not familiar with the underlying values of the Code of Ethics or with analyzing the various stakeholders in the ethical decision, is more likely to simply fall in with the will of the donor (which would be easier), rather than the Code of Ethics and its underlying emphasis on the public good. This is dangerous. Archives are powerful, and if archivists do not take into account all the various stakeholders in their decisions, this power could be easily abused.

On the other hand, Archivist B has read SAA's Code of Ethics, and attended an archival education program that emphasized discussion and analysis of archival ethics and values in various situations. She is faced with a similar situation as Archivist A's; however, understanding the need to examine the situation more closely, as well as being familiar with this process of analysis, she almost automatically starts to outline the various stakeholders in the decision and align them with the values of the profession. While Archivist B may end up choosing the same action as Archivist A, her decision is more trustworthy; she has the bigger picture and the needs of the public in mind.

Ethics education can also occur outside of archival education programs in graduate schools or certification programs. Michael Pemberton, writing in the records management field, suggested having ethics training days, either through a professional organization or through employing institutions. These training days would involve groups discussing and presenting resolutions for scenarios and case studies dealing with ethics, which would then be judged and discussed in the larger group. His article is complete with a set of example cases studies and points for discussion. Pemberton envisioned professional organizations gathering and using case studies, like the ones he provided, to discuss and engage with the ethics code. SAA and regional or specialized organizations could develop classes at meetings or develop independent classes or meetings which follow this kind of model.<sup>15</sup> SAA currently supports and puts on a variety of continuing education classes on topics ranging from arrangement and description to managing archives, including classes on ethics.<sup>16</sup>

**Currently, in the archival field, Karen Benedict's book, *Ethics and the Archival Profession*, remains the main source of ethics case studies. However, as the book was published in 2005 and is based on the 1992 Code of Ethics, the case studies and introduction are somewhat dated. However, the Committee on Ethics and Professional Conduct (CEPC) has suggested that after the 2010/2011 revision of the Code of Ethics is complete, the Committee "focus on developing resources, such as case studies and a bibliography, to support the Code and maintain these activities going forward.**

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<sup>15</sup> Michael Pemberton, "Bringing Ethics to Life: Case Study Method and ARMA International's Code of Professional Responsibility," *Records Management Quarterly* 29, no.1 (January 1995): 56-62. In addition, **Pemberton's suggestion to use ethical training days** within an institution for employees could help promote an institutional culture which encourages ethical decision-making. This would help with the problems discussed in the previous chapter, when ethical failure cannot be blamed on a single individual. **If an institution's culture promotes ethical behavior, individuals are more likely to act ethically.**

<sup>16</sup> A list of current class is available at: <http://saa.archivists.org/Scripts/4Disapi.dll/4DCGI/events/ConferenceList.html?Action=GetEvents>. Accessed April 25, 2011.

CEPC sees *Campus Case Studies* as a **potential model for the ethics case studies.**<sup>17</sup> The *Campus Case Studies* is an online resource, consisting of reports from university and college archivists on their efforts to deal with born-digital records created by their employing institutions.<sup>18</sup> The case studies give background information on the project and detail the processes that did or did not work for that institution. The idea is that the *Campus Case Studies* will assist others in similar situations to discover already tested ways to deal with born-digital records. Presumably, if this format was copied by the CEPC, archivists could share how they dealt with ethics dilemmas, providing background information and how they resolved the situation.

Another excellent resource is Elena Danielson's *The Ethical Archivist*, published in August of 2010. Danielson's book provides case studies, alongside chapters discussing ethics concerns facing archivists. Each chapter ends with a series of questions designed to help the reader work through ethics dilemmas and to evaluate situations to find the ethical solution. For Danielson, the most important part of ethics and ethics codes is the discussion that goes into them and arises from them, which is why she focuses so much on cases studies and questions.<sup>19</sup> Danielson's work should become part of this discussion, both within archival education programs and within working professionals' lives.

Danielson's book also exemplifies another method that SAA can use to encourage and promote discussions on and analysis of ethics. A robust professional literature not only assists the individual seeking guidance in making a decision, it also helps the profession as a whole come to a better understanding of its values and ethics, or as James O'Toole calls it, "moral theology." Interested in making archives more accountable and serviceable to the public (though he

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<sup>17</sup> "Committee on Ethics and Professional Conduct: Annual Report," accessed April 25, 2011. [http://www2.archivists.org/sites/all/files/0111-V-K-CEPC\\_0.pdf](http://www2.archivists.org/sites/all/files/0111-V-K-CEPC_0.pdf).

<sup>18</sup> The *Campus Case Studies* can be found at: <http://www2.archivists.org/publications/epubs/Campus-Case-Studies> (Accessed April 25, 2011).

<sup>19</sup> Elena Danielson, *The Ethical Archivist* (Chicago: Society of American Archivists, 2010), 296.

is focused more on the future public than I am), O'Toole argues that the archival profession needs to work on creating and expanding its "moral theology," "that branch of the discipline which concerns itself with the norms that govern (or should govern) human behavior."<sup>20</sup> By doing this, archivists can reevaluate and improve their ethics codes, basing them on an improved understanding of the values of the archival profession.<sup>21</sup> Cline also advocates the improved self-reflection of the profession as a whole.<sup>22</sup> This is the only way that the profession will truly understand what it values and what it owes to the public—in other words, how to improve its trustworthiness. Literature also provides assistance to those faced with serious, ethical decisions, and can play an important role in ethical decisions.

SAA is already doing many of the things I have suggested above. *The American Archivist* and SAA's press promote professional literature, and SAA holds continuing education courses and provides guidelines for archival education programs. In addition, however, SAA should create an online forum in which professionals could seek advice and suggestions for help with their ethical decisions and discussions in an immediate way. Elena Danielson, speaking at the Forum on Ethics at the 2010 Annual Conference, suggested the creation of just such an online forum.

While I agree with Danielson that an ethics forum through SAA would be a useful tool for professionals looking for help when faced with ethical dilemmas, a forum would have to have the support of working professionals in order to function effectively. I wanted to judge if there would be the support for something like this from professionals not necessarily already involved (like Danielson) in the revision process of the code of ethics. So for the sixteenth and seventeenth

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<sup>20</sup> James O'Toole, "Archives and Historical Accountability: Toward a Moral Theology of Archives," *Archivaria* 58 (2004):8.

<sup>21</sup> *Ibid*, 4-5.

<sup>22</sup> Cline, 337.

questions of my Survey on Ethics, I asked if the respondent was interested in an online forum and, if so, what he/she would be interested in seeing from it.

To the first question, I received seventy-three responses; forty-seven answered that they would like to have a forum through SAA, while only twenty-six answered in the negative. When I asked respondents about their visions for an online forum, only a handful had specific answers, such as the listserv model or the roundtables and sections format already in use by SAA, most agreed that they wanted a place to discuss real life or hypothetical cases.

**As one respondent warned, though, “[I am n]ot sure if SAA forums have a good enough reputation for acceptance and open exchange of ideas for this to be a viable option, however”** (Respondent #133046168). Another suggested that a moderated forum would be best (Respondent #1330808269). An example from the Archives and Archivist List seems to support a concern about the tensions and conflicts that arise in discussions about sensitive topics like ethics. On April 11, 2011, after a prolonged conversation regarding the ethics of researchers copying collections, Gregory Jackson wrote to Leon Miller, **“I think this discussion between you and I has ceased to be productive.”**<sup>23</sup> While there may be problems with forums, other fields have used discussion forums and other online resources in similar situations to good effect.

For example, Ian Harper and Alberto Jiménez, writing in response to conflicts about ethics within the anthropology profession, presented the example of the Association of Social Anthropologists (ASA, the UK equivalent of the American Anthropology Association). Harper and Jiménez first attempted to diagnose the problem that led to the original conflict with ASA. They argued that professional codes have become too legalistic and process-orientated. This focus on legality and process leads to several problems (recognized by Harris and others in archives as well),

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<sup>23</sup> Gregory Jackson to Leon Miller, April 12, 2011, “RE:10% rules?” *A&A List*, <http://forums.archivists.org/read/messages?id=60935#60935>.

such as the inability to cope with many real-life situations. By having a method of discussion, this **rigidity can be broken down. As a method of remedying the rigidity of the profession's ethics, Harper and Jiménez recommended (as the ASA did) the creation of an online discussion forum to allow for discussion and input from the profession and other interested parties in revisions to the code of ethics and on the situation.**<sup>24</sup> While this particular forum has been since shut down, the ASA continues to gather feedback from members through blog comments.<sup>25</sup> Obviously, the ASA found **that the benefits of members' input outweighed any potential disagreement that might occur in a discussion forum.**

If SAA were to establish a discussion forum or bulletin board on which members could post questions or advice, it is possible for administrators or moderators to monitor discussions and attempt to keep them from getting out of hand. While having an administrator(s) for the site would be somewhat burdensome, the fiscal and time cost would be much less than that of an investigative board.

The American Medical Association has several types of ethics resources for its physicians that might be helpful to examine as well. The Association provides continuing education classes on ethics and maintains an online journal, the *Virtual Mentor*, devoted to current ethics issues in the medical profession. This online journal publishes podcasts on topics and polls on the current featured topic, and focuses on medical students and residents.<sup>26</sup> While the journal does not provide an immediate forum for those faced with ethics dilemmas, the monthly updates and the up-to-date technology ensure that the materials are relevant and accessible to its public. Obviously, it is hard to determine how useful members of the profession actually find this site. However, the fact that the

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<sup>24</sup> Ian Harper and Alberto Corsín Jiménez, "Towards Interactive Professional Ethics," *Anthropology Today* 21, no. 6 (December 2005): 10-12.

<sup>25</sup> Association of Social Anthropology, "ASA Globalog," accessed May 31, 2011, <http://blog.theasa.org/>

<sup>26</sup> American Medical Association, "Virtual Mentor," accessed 11 February 2011, <http://virtualmentor.ama-assn.org>.

site is still operating after ten plus years indicates that there is continued use and relevance to the site.<sup>27</sup>

The AMA also has an “Ethics Forum” in its *American Medical News* publication, an online and print news journal. This “Forum” is a regular monthly column that “discusses questions on ethics and professionalism in medical practice” that are sent to the Ethics Group of AMA, which is in charge of the Association’s ethics policies, ethics resources, and ethics research.<sup>28</sup> The published responses to the submitted queries about ethics are from “physicians and guest authors who are experts in their fields.”<sup>29</sup> In the online version of the journal, readers can respond formally to the question and its answers by sending in private comments electronically, as well as examine related content, including articles and other “Ethics Forum” columns. The AMA also has a myriad of other resources relating to professional ethics, such as a pocket guide for ethics.<sup>30</sup>

The AMA’s deep concern with ethics is due in large part to very real life-or-death situations that medical doctors face. However, it seems that SAA could easily adopt some of the same resources. As mentioned earlier, SAA already has a case study system in place, with its *Campus Case Studies*, which might be easily adapted to post ethics case studies. SAA also currently has “Sections,” “Roundtables,” email discussions lists (listserves), as well as the general Archives and Archivists List. These sections and roundtables are devoted to special interests within SAA and support email

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<sup>27</sup> American Medical Association, “About *Virtual Mentor*,” accessed 11 February 2011, <http://virtualmentor.ama-assn.org/site/about.html>.

<sup>28</sup> Carson Strong and Jim Bailey, “Cherry-picking Patients Leaves Sour Taste,” *American Medical News*, April 18, 2011, <http://www.ama-assn.org/amednews/2011/04/18/prca0418.htm>. Also: “About the Ethics Group,” accessed April 25, 2011, <http://www.ama-assn.org/ama/pub/physician-resources/medical-ethics/about-ethics-group.page>.

<sup>29</sup> “Ethics Forum in *American Medical News*,” accessed April 25, 2011, <http://www.ama-assn.org/ama/pub/physician-resources/medical-ethics/about-ethics-group/ethics-resource-center/educational-resources/ethics-forum-amnews.page>.

<sup>30</sup> This can be seen at their “Ethics Resource Center,” accessed April 25, 2011, <http://www.ama-assn.org/ama/pub/physician-resources/medical-ethics/about-ethics-group/ethics-resource-center.page?>

discussion lists, as well as sessions at annual conferences. The simplest step might be creating an ethics roundtable or section.

In fact, discussions over ethics issues occur already in the email discussion lists, such as the Archives and Archivist List. For example, from April 11-15, 2011, there was a continuing discussion on the List regarding the ethics of allowing patrons to copy collections (most postings were under the **“10% Rules”** subject line). **These discussions are buried between other topics and do not usually** have clear subject headings, however. There is no separate list, section, or roundtable devoted to ethics issues. This limits the accessibility of these discussions to those SAA members already following the section, list, or roundtable. This limitation, as well as the fact that the discussion lists cover a variety of topics, makes comments on specific topics hard to find. A roundtable or section list might lessen the problem of narrowing topics to ethics, but the current setup of these groups requires membership in the roundtable or section before viewing the discussion lists. This restriction does not welcome those seeking advice on a one-time basis. To be truly useful, SAA would have to open these restrictions.

With most of the infrastructure already in place, SAA could fairly easily cobble together a **resource center similar to the AMA’s with posted** case studies and a discussion forum or email **discussion lists, as well as articles. Of course, if SAA were to institute something like AMA’s “Ethics Forum,” with dedicated responders, there would need to be dedicated members willing to present** solutions and discussions for the submitted quandaries as well as a dedicated space on the website. Despite the fact that in my Survey over sixty-four percent of respondents (forty-seven out of seventy-three) responded that they would be interested in an online forum through SAA dedicated to ethics issues, it is not clear from the responses I received whether or not there is broad enough support within the profession to warrant dedicating the kind of manpower necessary to answer

questions.. The CEPC should, as the next step to promote the revised Code of Ethics, begin looking into creating an online resource for the profession.

I suggested at the start of this chapter that education, literature, and discussion within the profession could be an alternative method to enforcement. Enforcement is only after the fact. What is more important is what happens before the decision is actually made. As Harris argued, this is what makes the final decision truly ethical. So even if SAA decides to take on the investigation and enforcement of ethics and standards, SAA should still implement an ethics support system for archivists. By promoting professionalism, codes of ethics, and enforcement, a profession can seem trustworthy to the public. However, professionalization, codes of ethics, and enforcement, do not necessarily mean that the profession deserves that trust. Actions may seem ethical, but may have their roots in self-interest. To be truly authentic and trustworthy, it is the underlying reasons for actions that matter and that make professionals truly trustworthy. SAA needs to get involved in promoting discussion and reflection within its membership, which in turn promotes truly ethical and well-considered decisions and actions.

Human beings cannot always be depended on to act ethically. The whole point of the worry over power that Harris and others expressed and grappled with is that humans do not always have the best interest of others at heart. The profession should attempt to alleviate the danger and untrustworthiness of archives via this new focus on “ethics of care” and archival reflection and by encouraging “ethical being” as a way to avoid the need for enforcement and to fulfill its Aristotelian good as a profession.

## Conclusion

### *Making Decisions*

There are many answers to David Hildebrand's question, "Why do we need a code of ethics?"<sup>1</sup> This has been my attempt at an answer.

Archivists have power, not in the way that lawyers and doctors have, from the recognition of society (as well as the crucial services they provide), but from the power that is contained within their archives. Records have been used for centuries as methods of maintaining and even creating hierarchies of power. In recent years, archives have also come to be used to resist or to right the wrongs those same hierarchies commit, as discussed in the Introduction. Even in archives where the power contained does not deal with life or death, records play an important role in the well-being and continuity of society; they provide a sense of history and connection to the past.

Society requires that human beings trust each other and the institutions they build for each other. As caretakers of a powerful part of society and its heritage, archivists have a responsibility to take the necessary measures to ensure that trust is deserved and to prove their trustworthiness to society.

One such measure is the traditional one of professionalization: the strengthening and further cohesion of the profession and the development of specialized knowledge and values. Through professionalization, organizations encourage the public to trust them, as well as provide structures, such as educational programs, to help professionals deserve such trust. Standards and codes of ethics are the two easiest methods followed by occupations seeking to promote

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<sup>1</sup> David Hildebrand, "Why Do We Need a Code of Ethics?" *The Canadian Appraiser* 47 (2003): 301.

professionalization as they only require professionals to come together and agree on certain values (rather than support an int. The exclusivity of knowledge and the regulation of practices encourage the respect and acknowledgement of the profession as such. Standards and codes of ethics also act as compacts with society, promising that the profession is, in fact, committed to behavior that is beneficial to society. SAA, as a professional organization, also plays a role in bolstering the public image and trust of the profession. Currently, SAA has both standards and a code of ethics and is developing a statement of the core values of professional archivists. These are all ways that the American archival profession has tried to reach out to the public and assure it that the profession has its best interests at heart.

However, while an occupation can be professionalized by standards and codes of ethics and **while codes act as pacts with the public to assure it of archivists' good intentions**, these things do not necessarily translate into a more trustworthy profession. Enforcement of ethics and standards is **often seen as the best mechanism to ensure professionals' good behavior. Other professional** organizations, such as the American Medical Association and the American Bar Association, have methods of regulation and control. SAA, however, does not have the power, infrastructure, or resources, such as strong certification and accreditation programs, to follow this same path at this time. Beyond the practical, there are also intrinsic problems with enforcement, such as inherent human biases and political pressures. These biases and pressures could warp the decisions made by the judicial board. Peter Hoffer and Jon Wiener illustrated this kind of problem with their descriptions of ethics scandals in the history profession.

On the other hand, SAA has a responsibility to listen to its constituents. Regardless of the problems with enforcement, there seems to be support within the profession for SAA to consider the option of enforcement, as can be seen in the numbers supporting enforcement from the Survey

on Ethics I conducted.<sup>2</sup> SAA needs to make a choice. Currently, SAA acts as a community of individuals interested in archives. Adding enforcement to its roles, SAA would have to commit to being a true professional organization: with stricter membership requirements and more **involvement in archival education and professionals' behavior. I do not believe that SAA has the capabilities necessary to enforce ethics, nor do I think they should.** However, with the revised Code of Ethics that SAA is considering, I think that SAA needs to (re)address why enforcement is not under consideration.

Meanwhile, SAA should not consider the problems of enforcement as an excuse to neglect ethics and values completely. As the main archival professional organization in the United States, the Society of American Archivists is the focal point for creating structures of trust. My first two chapters dealt with ways, such as professionalization and enforcement, that SAA could promote trustworthiness in the eyes of the public, as well as promote ethical behavior in archivists. Enforcement and professionalization promote the appearance of trustworthiness, as well as actual behaviors; however, they do not necessarily promote true ethical values. As Verne Harris and others **have argued, it is understanding the “how” of ethical decisions and the “why” of what archivists do** that is truly important and that can result in truly ethical behaviors.

While postmodernism encourages the personalization and internalization of ethics and values, the professional organization still has a role to play as a system of trust linking archivists and the public. The professional organization, by providing cohesion and a central voice for the **profession, as well as standards and articulated values, acts as archivists' mediator with the public.** The professional organization can also promote the internalization of values by providing

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<sup>2</sup> Thirty-two out of sixty-nine of respondents supported enforcement, with twenty-seven further only objecting due to the practical problems of lack of funding and infrastructure in SAA.

educational opportunities and discussion platforms where archivists can come to a better understanding (internalization) of archival values. In America, SAA should take on this role of bridge between archivists and public.

MOVED FROM INTRO: Education and discussion within the profession can assist the archivist in making decisions, reinforcing the structure in which the public (whether conscious of the need to or not) can trust without the problems of enforcement. Making archivists aware of the many issues and dilemmas about ethics they may face, as well as the various values that archivists as a community hold, helps ensure ethical decisions. As a professional organization, SAA needs to become actively involved in promoting educational opportunities, discussions within its membership, and providing its membership support in ethical decision-making processes. I suggest that SAA use the tools the internet provides to create a system of support and resources for members of the profession. As Elena Danielson, in her conclusion to *The Ethical Archivist*, writes, **“What is the sum of all these codes, cases, and questions? The goal is to establish a standard of integrity that inspires confidence in the documentary record.”**<sup>3</sup> SAA is approaching its 75<sup>th</sup> anniversary (2011)—now is the perfect time to reevaluate its responsibilities and activities.

As a synthesis of this support system, I propose an online, moderated forum, where resources, like previously published or user-developed case studies, can be posted by members. A site like this would also include discussion boards and formal articles on a variety of topics related to ethics. SAA could also post polls about current issues or request input on issues that arise within the field. A resource like this would provide archivists with help making ethical decisions, as well as allowing the profession as a whole to reflect on issues and ethics. This reflection would allow the

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<sup>3</sup> Elena Danielson, *The Ethical Archivist* (Chicago: Society of American Archivists, 2010), 296.

profession to grow and reevaluate its values, keeping it up-to-date with the needs of the profession and society.

SAA may not be able to enforce ethics or standards, but it can work harder to promote the values of the profession to itself and to the public. Yes, there may be disagreement regarding what those values are (as revealed in **replies to my Survey's question on what more respondents might want to see from the code of ethics**); however, by opening a method of dialogue, archivists can hope to come to an agreement. Archivists can also make professional ethics personal—and that much more invulnerable and trustworthy, as decisions are well and authentically thought out, rather than simply accepting the easiest route or decision.

Of course, this conclusion is based on the idea that archivists should value the good of society, rather than self-interest, the **records interest, or employers' interest**. But as human beings, I believe, we have responsibilities to those around us and to society as a whole—that is the only way that society can truly function. Archivists should use and protect the power that they do have for the protection, if not the betterment, of society. Ethical behavior, based on well-thought out and shared ethics codes and value statements, can help archivists make the world a better place.

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## Appendix

### *Survey on Ethics*

1. What is your position within your organization?

Only archivist on staff (lone arranger)

Head archivist

Supervisory archivist

Archivist

Professional staff

Volunteer

Intern and/or student in an archives or related degree

Records Manager

Other (please specify)

2. How long have you been in the archival profession?

Less than 2 years

2 to 5 years

5 to 10 years

10 to 20 years

20 to 30 years

More than 30 years

3. What type of institution do you work for?

Religious archives

Corporate/business archives

University archives

Manuscript repository

Historical society  
Museum archives  
Local government archives  
Federal archives  
State archives  
Special Collections  
Records Center  
Other (please specify)

4. Level of education:

PhD in Archives or Library Science  
PhD in History  
Master's degree in Library Science  
Master's degree in Archives  
Master's degree in Public History  
Master's Degree in History  
Bachelor's degree in Public History, Archives, or Library Science  
Bachelor's degree in another field  
Other (please specify)

5. Recently, SAA (the Society of American Archivists) submitted a draft of a Revised Code of Ethics for membership review and comments (<http://www2.archivists.org/news/2011/saa-seeks-member-comment-on-draft-code-ofethics-for-archivists>). Were you aware of this?

No, I was not aware of the revision of the Code of Ethics

No, I was not aware of the revision of the Code of Ethics until I followed the link provided

Yes, I was aware of the revision of the Code of Ethics

Yes, I was aware of the revision of the Code of Ethics, and I did review the draft on the SAA website

Yes, I was aware of the revision of the Code of Ethics, I did review the draft on the SAA website, and I submitted comments to the Council.

6. Do you think this revision is necessary?

Yes

No

7. Why/why not?

8. Was there anything you would have like to have seen in this revision that was not included?

Yes

No

9. If so, will you be submitting comments to SAA?

Yes

No

10. What more would you like to see in this revision?

11. Do you think that SAA should involve itself in enforcing ethical behavior and the Code of Ethics?

Yes

No

12. Why/why not?

13. In your archival education or training, did you spend time learning and/or discussing about archival ethics?

Yes

No

14. In your archival education or training, how much time was spent dealing with ethics?

15. How useful did you find this time?

16. Would you be interested in an online forum through SAA dedicated to discussions about ethics, ethical dilemmas, and support?

Yes

No

17. If you are interested in an ethical forum, what would you like to see from something like this?

18. Also in development is a "Core Values of Archivists" statement. Where you aware of this? If so, have you take the opportunity to read the draft on the SAA website?

(<http://www2.archivists.org/news/2010/comment-on-draft-values>)

No, I was not aware of the Statement of Values

No, I was not aware of the Statement of Values until I followed the link provided.

Yes, I was aware of the Statement of Values

Yes, I was aware of the Statement of Values, and I did review the draft on the SAA website.

Yes, I was aware of the Statement of Values, I did review the draft on the SAA website, and I submitted comments to the Council.

19. If you have read this "Core Values" statement, what is your understanding of this document?

20. Do you feel that this "Core Values" statement is necessary along with a Code of Ethics?

Yes

No