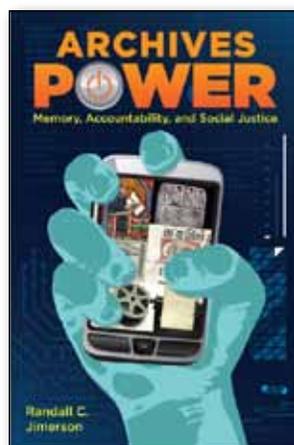


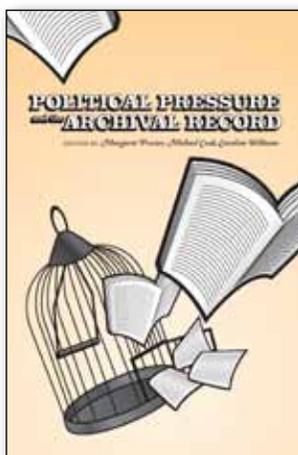
## SOCIAL JUSTICE



*Archives Power: Memory, Accountability, and Social Justice*

“Resisting Political Power”

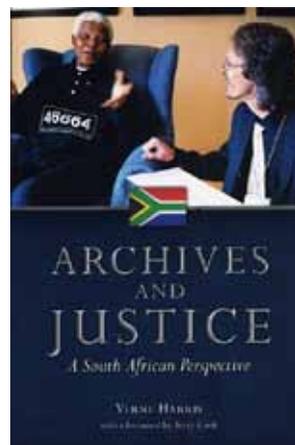
By Randall C. Jimerson



*Political Pressure and the Archival Record*

“The Role of the Archives in Protecting the Record from Political Pressure”

By Chris Hurley



*Archives and Justice: A South African Perspective*

“Contesting Remembering and Forgetting: The Archive of South Africa’s Truth and Reconciliation Commission”

By Verne Harris

Compiled with an Introduction  
by Kathryn Michaelis and Nicole Milano

# SAA SAMPLER

## *About the SAA Sampler Series*

*The SAA Sampler Series features collections of select chapters from authoritative books on archives published by the Society of American Archivists. Produced exclusively electronically, the samplers are designed to give readers an overview of a pertinent topic as well as a taste of the full publications, which are available at [www.archivists.org/bookstore](http://www.archivists.org/bookstore). The content has been reproduced as it appeared in layout in the original books. Blue footer has been added to reflect page numbering for this compilation.*

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# Introduction to the Social Justice Sampler

Kathryn Michaelis and Nicole Milano

This sampler introduces key literature concerning the relationship between archives and social justice, an important and timely topic. Presented here are three essays or chapters from three books published by the Society of American Archivists. These chapters touch on significant challenges archivists face when grappling with issues of social justice: the role of archives as repositories of the “historical record” in shaping collective memory and understanding of the past, collection and disposal policies concerning controversial records, and diversity in the archival record. Many archivists strive to represent what they believe to be a balanced view of the historical record. Yet, archives are not passive repositories of documents—they are curated collections of records based on choices of inclusion that necessitate the exclusion of other records. They are assembled (or influenced by) individuals with their own agendas and biases, even if these are not always apparent. Archivists have the power to influence the construction or censoring of the historical record, and can be subjected to strong political pressure.

The authors of these essays acknowledge the complex political, social, professional, and ethical environments within which many archivists work. They touch on the power of the archivist in actively documenting the world around them and shaping collective memory as well as in making difficult decisions in the face of strong external pressure. The authors also articulate a need for archivists to recognize their role in creating an environment that allows for a balanced approach to record collecting and representation.

Randall C. Jimerson’s introduction to his book *Archives Power: Memory, Accountability, and Social Justice* (SAA, 2009) illustrates essential aspects of the power of archives using a series of metaphors, which Jimerson uses to illustrate the archivist’s role in shaping collective memory, preserving and securing records, and mediating the use of records. He builds on and also breaks down these metaphors, noting that the keeping of records cannot be completely neutral or comprehensive. While archivists were previously supposed to have been “impartial, neutral, objective custodians” of historical

records, a postmodern acknowledges that “archivists cannot avoid leaving their own imprint on these powerful sources of knowledge and identity.” Jimerson encourages archivists to acknowledge and embrace the power that comes with this role, addressing (for example) the problem of what is elsewhere referred to as “archival silence”—the lack of records documenting the experiences of certain social groups, such as those of lower economic status or political authority.

Jimerson recognizes the power of the archivist in shaping the past, but also notes that archives can (and perhaps should) be used for more than just memory. Institutional accountability, diversity, and social justice are some of the potential benefits of preserving the historical record, though he cautions that these issues raise important questions regarding archival ethics and professional responsibility. Jimerson’s introduction presents a solid overview into the perceived and potential role of archivists, including those grappling with complex social justice issues, and encourages the reader to also consider the “why” in addition to the “how” of doing their work.

The issue of professional responsibility is echoed in Chris Hurley’s “The Role of the Archives in Protecting the Record from Political Pressure.” *Political Pressure and the Archival Record* (SAA, 2005), the volume in which Hurley’s piece originally appeared, is a collection of papers given at an international conference of the same name in July 2003. The papers explore the influence of political pressure on archival and recordkeeping activities in diverse geographic settings, social conditions, and historical moments ranging from the colonized West Indies to West Germany during the Cold War to the United States under the Patriot Act.

Hurley’s chapter details his experience as a government archivist in two cases where records of embarrassing or illegal dealings were censored by the administrators in power. Hurley faced direct pressure from superiors to violate his professional obligations and was punished for failing to comply. He analyzes the broader implications of his situation, addressing the questions archivists encounter in the face of strong political or external pressure: Do archivists submit to their pressure (and in many cases, keep their jobs), or do they have a larger obligation to the public that transcends their immediate livelihood?

As a result of his experiences, Hurley challenges the archival profession to make greater efforts in protecting the archival record from political pressure. He presents the paradox that if archives are to truly be tools of accountability, archivists must set benchmarks that will help prevent individual autonomy in the disposal of important records. Hurley acknowledges the impositions

presented with external regulation, but strongly argues for their long-term benefits. Without external points of reference, the archivist's role as a "protector" of the historic or public record remains a hollow promise. Benchmarks will not eliminate disagreement or bias, but will help enact measures to temper external influence and hold individuals accountable.

The final essay in this compilation, Verne Harris's "Contesting Remembering and Forgetting: The Archive of South Africa's Truth and Reconciliation Commission," also touches on issues of accountability and shaping of the historical record, albeit in a very specific context. The essay comes from Harris's book *Archives and Justice: A South African Perspective* (SAA, 2007), which explores the relationship between archives, politics, and social justice, positioning the archive as a source of collective memory. Harris often writes specifically about South Africa, but the concepts he explores are applicable to a wide range of contexts.

In this essay, former South African government archivist Harris explores the challenges present in the creation and administration of the archive of South Africa's Truth and Reconciliation Commission (TRC). The purpose of the TRC was to document, as thoroughly and accurately as possible, the causes, nature, and extent of human rights violations in South Africa between 1960 and 1994 during apartheid, which included investigating government records that may have been destroyed when attempting to conceal violations. Harris served as a liaison between the National Archives and the TRC, and was actively involved in the investigations. Transparency and public participation were integral to the TRC's mission—more than 22,000 victims of human rights violations gave statements to the TRC, and individuals' stories were told in public forums. Despite its goals of transparency, the TRC faced a number of criticisms.

Harris argues that debates concerning the role of the TRC are critical to the healing process of a struggling populace, and that the archive of the TRC can (and should) create a space for these debates. The success of the reconciliation process depends on access to the "documentary residue left by the TRC as an institution." Many of the impediments to the integrity of the TRC's own archive are far from unique—problems such as the inadequate management of electronic records, the inconsistent documentation of records transfers, and removal of what staff considered "personal" records all created gaps in the TRC's own record. Harris discusses some of the most significant barriers and recommends strategies for solving the problems of preservation

and access of these records, and uses the example of the TRC to remind us that the past will always lie in our future

The writings in this sampler show that, far from being passive receptacles of documentary evidence, archives can serve as dynamic sites of political and social power. The authors acknowledge the challenges archivists face in fulfilling many roles (within their institution, their profession, and to the broader society), and express the desire for archivists to also embrace their potential role in the call for social justice in the historical record. It is important to note that some of the social justice themes and arguments have been challenged by other archivists, and that the topic remains one of active debate.<sup>1</sup> The three essays in this sampler present important entry points in the conversation about archivists in society, and should encourage the student and reader to further explore the complexities and challenges of the topic.

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## Note

<sup>1</sup> An alternative perspective to some of the themes presented in this compilation can be found in Mark A. Greene's "A Critique of Social Justice as an Archival Imperative: What Is It We're Doing That's All That Important?" *The American Archivist*. Vol. 76, No. 2 (Fall/Winter 2013), 302–334; and in a response article by Mario H. Ramirez, "Being Assumed Not to Be: A Critique of Whiteness as an Archival Imperative" *The American Archivist*. Vol 78, No. 2 (Fall/Winter 2015), 339–356.

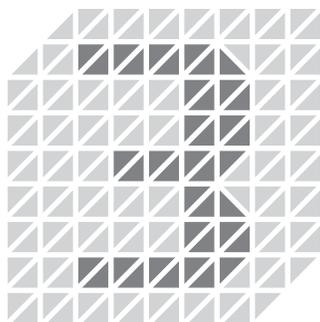
# ARCHIVES POWER

Memory, Accountability, and Social Justice



Randall C.  
Jimerson

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## Resisting Political Power

*In Uruguay now, in Chile,  
it is official,  
there is no memory,  
you are not allowed to remember  
the bad times, they are over,  
and the rememberers  
have been ordered  
by the Commission of Oblivion  
to forget. . . .*

*In my own country  
amnesia is the norm,  
the schools teach us  
to unremember from birth,  
the slave taking, the risings up,  
the songs of resistance,  
the first May first,  
our martyrs from Haymarket  
to Attica to the redwoods of California  
ripped whole from our hearts,  
erased from official memory,  
when we die  
there will be no trace.*

*Here too in these green hills  
 in the free territories of Ovantic and Polho,  
 they will try and make us forget  
 the mass graves,  
 the babies ripped from the wombs,  
 the wounded families and towns,  
 the languages they speak,  
 they will shrug and say it never happened,  
 it is written nowhere,  
 no pasa nada aqui, señor, . . .  
 but . . .  
 the Indians will never let go,  
 never abandon the memory of their dead,  
 never leave the past behind  
 because the past will never go away,  
 it is like a boomerang,  
 it will always return,  
 it is always present,  
 it is always future,  
 it is the most fundamental human right,  
 memory,  
 what belongs to us.*

- John Ross, "Against Amnesia" <sup>1</sup>

**I**n some societies people who present historical interpretations that contradict the ruling power's orthodoxy can be jailed, or even made to "disappear." Remembering unpleasant truths is illegal. Thus, memory becomes a political act, charged with social meaning. Historians and archivists work in a public arena, which is unavoidably political. Every choice we make—about what documents and evidence to save, what to include in our research, and how to frame the questions for our interpretations of the past—reflects our own personal and collective perspectives on the world. This is as true of the historical past as it is of the political present. As John Ross warns in "Against Amnesia," those who dispute the past "will shrug and say it never happened, it is written nowhere."

This is why it is essential for societies to preserve documentation of the past—to prevent collective amnesia, to ensure an accurate record of events that will serve as a corrective to false memories or oblivion. This is why archives are so important—not only to historians, but to all citizens concerned about truth, accountability, and social justice. By maintaining accurate records of the past, archives establish their

significance for society. This endows archives—and the archivists who manage them—with a measure of political power.

### ARCHIVES AND POLITICAL POWER

In the densely packed introductory note to *Archive Fever*, Jacques Derrida discusses three images inherent in the concept of archives. Tracing the origin of the word “archive” to its Greek roots, he finds in it “the *physical, historical, or ontological* sense” of “the originary, the first, the principal, the primitive, in short to the commencement.” The Greek *arkheion* was “initially a house, a domicile, an address, the residence of the superior magistrates, the *archons*, those who commanded.” Derrida introduces the prison/protection/control image. “The archons are first of all the documents’ guardians,” he states. “Entrusted to such archons, these documents in effect speak the law: they recall the law and call on or impose the law. . . . It is thus, in this *domiciliation*, in this house arrest, that archives take place.” Derrida acknowledges the reverence/authority/privilege of the archival temple. Documents are “kept and classified under the title of archive by virtue of a privileged *topology*” and they inhabit “this place of election where law and singularity intersect in *privilege*” and “authority.” He also recognizes the archive’s power of classification/interpretation/mediation, which we have associated with the role of the waitress providing a menu of choices. “The archontic power, which also gathers the functions of unification, of identification, of classification, must be paired with what we will call the power of consignation,” which includes both “the act of assigning residence or of entrusting so as to put into reserve (to consign, to deposit)” and the “act of consigning through *gathering together signs*.”<sup>2</sup>

From this consideration of the essential meanings of archives, Derrida examines the “politics of the archive,” its unavoidable influence on society. “There is no political power without control of the archive, if not of memory. Effective democratization can always be measured by this essential criterion: the participation in and the access to the archive, its constitution, and its interpretation.”<sup>3</sup> Derrida thereby unites the prevalent images of archives with the political power they convey and embody. Archives are truly sites of power. Their very essence, purpose, and structure produce important consequences for society.

Archives are significant for the same reasons that documents themselves are important for both individuals and collective social groups. As information scientist David Levy explains, social

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institutions—including law and government, commerce and administration, science, religion, education and the arts—rely on “the stabilizing power of documents” to achieve their objectives. Human culture depends on the ability to establish information resources that are durable, unchanging, and repeatable. Documents extend the human consciousness. They are “bits of the material world—clay, stone, animal skin, plant fiber, sand—that we’ve imbued with the ability to speak.”<sup>4</sup> Part of our attachment to documents is their stability, which provides “meaning, direction, and reassurance in the face of life’s uncertainties.” Documents thus address “the great existential questions of human life.” What makes them special is that we create them in our own image, so that through documents we leave behind something of ourselves and thereby achieve some possibility of immortality. Writers seek to preserve their own words and ideas in a (somewhat) permanent medium so that future readers can remember them. This is also an important motivation for those who keep personal journals or save old love letters. “But I would go one step further and suggest that all our documents have a sacred quality about them, that all of them are religious in nature,” Levy adds. “They are concrete manifestations of our longing to be more powerful, more connected, more in-the-know. And in this sense they are religious . . . because they arise from the same deep, existential source as do our religious traditions.”<sup>5</sup>

These impulses can be seen not only in personal letters and diaries, but also in public records and bureaucratic documents. “We may not be able to predict the future, but in looking at documents we can perhaps see something at least as important: ourselves,” Levy concludes. “For to look at our written forms is to see something of our striving for meaning and order, as well as the mechanism by which we continually create meaning and order.”<sup>6</sup> When gathered together as records of lasting importance, the documents preserved in archives thus convey essential meanings about people’s lives, hopes, and aspirations, as well as the complex networks of agreements and connections that link humanity together in societal systems. This gives archives, and those who select and manage them, primal powers in society.

### THE ILLUSION OF NEUTRALITY

**H**owever much they protest their impartiality and neutrality, archivists cannot avoid leaving their own imprint on these powerful sources of knowledge and identity. Since the emergence of “scientific history” in the nineteenth century, historians have relied on archives and other primary sources to

create and buttress their interpretations of the past. The seminar, introduced in the 1830s by German history professor Leopold von Ranke, taught the techniques of reading and dissecting historical documents. Students exploited newly opened state and church archives as places where truth might be found through rigorous comparison of document after document.<sup>7</sup> These archives would provide a scientific laboratory for historical investigation. “The records themselves were viewed as value-free vessels reflecting the acts and facts that caused them to be created,” Terry Cook explains. “Archivists kept the records, in the words of one early theorist, ‘without prejudice or afterthought’ and were thus viewed—indeed, extolled—as impartial, neutral, objective custodians.”<sup>8</sup> English archivist Hilary Jenkinson stated the archivist’s ideal of impartiality, neutrality, and passivity in 1922:

The Archivist’s career is one of service. He exists in order to make other people’s work possible. . . . His Creed, the Sanctity of Evidence; his Task, the Conservation of every scrap of Evidence attaching to the Documents committed to his charge; his aim to provide, without prejudice or after-thought, for all who wish to know the Means of Knowledge. . . . The good Archivist is perhaps the most selfless devotee of Truth the modern world produces.<sup>9</sup>

As Elisabeth Kaplan points out, Jenkinson’s appeal to nineteenth-century canons of positivism—even after exposure to the twentieth-century thinking of Einstein and Freud—seems in retrospect “a stunningly reactionary statement.”<sup>10</sup> Yet nearly a century later this is still the ideal held up to archivists by many of their colleagues. Even in recent years archivists often described themselves, proudly, as “the handmaidens of historians,” Terry Cook observes. “In retrospect, that phrase is astonishing for its servility and its gender connotations.”<sup>11</sup> In China, archivist Du Mei observes, “Since archival work has long been regarded as secret, political, and rote, archivists used to be characterized by traits such as ‘modest and unassuming’ and ‘sedate and obeying.’”<sup>12</sup> Even if archivists were to accept the possibility of such neutrality and passivity, do they really want to be obsequious Uriah Heeps, handmaidens to history? They certainly should have more self-respect than this. If they pride themselves in their humility they may end up like the man given a small medal for being the most humble person in town. He had it taken away when he was seen wearing the medal in public.

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The postmodernist perspective only recently seeped into the American archival discourse, but it has already influenced archivists' perspectives on the traditional core values of archives. As one scholar explains, "Postmodernism calls into question Enlightenment values such as rationality, truth, and progress, arguing that these merely serve to secure the monolithic structure of modern . . . society by concealing or excluding any forces that might challenge its cultural dominance."<sup>13</sup> Amid the postmodernist debate over meaning and influence, South African archivist Verne Harris argues, "the notion of public archivists as impartial custodians has been swept off the stage by the view of archivists as active shapers of social memory and documents of society."<sup>14</sup> Although archivists may "naively imagine that we can stand outside the exercise of power," Harris states, as recordmakers they are "from the beginning and always, political players" and "active participants in the dynamics of power relations."<sup>15</sup> Archivists "cannot be merely custodians and brokers," Harris argues, since "any attempt to be impartial, to stand above the power-plays, constitutes a choice, whether conscious or not, to replicate if not to reinforce prevailing relations of power."<sup>16</sup> The archivist's role unavoidably engages in politics. According to Terry Cook, postmodern archivists have challenged five central principles of the traditional archival profession:

1. Archivists are neutral, impartial custodians of 'Truth,' managing records according to universal, value-free theories.
2. Archives as documents and as institutions are disinterested by-products of actions and administrations.
3. The origin or provenance of records must be found in or assigned to a single office rather than situated in the complex processes and multiple discourses of creation.
4. The order and language imposed on records through archival arrangement and description are value-free re-creations of some prior reality.
5. Archives are (or should be) the passively inherited, natural or organic metanarrative of the state.<sup>17</sup>

From the postmodern perspective, archives establish and reinforce power relationships in society. "Creating archives produces power. So too does using archives," insists Steven Lubar, historian of technology at the Smithsonian Institution. "We must think of archives as active, not passive, as sites of power, not as recorders of power. Archives don't simply *record* the work of culture; they *do* the work of culture."<sup>18</sup> Archives play an important role in shaping society and influencing political, economic, and cultural institutions and processes.

As Harris, Cook, and others argue, archives cannot remain neutral or passive. This realization occurred before the postmodernists arrived, but they have reinforced awareness of the problem. In 1970 Howard Zinn, the radical historian, told an audience of archivists that the archivist's "supposed neutrality" was "a fake." "The archivist, even more than the historian and the political scientist, tends to be scrupulous about his neutrality, and to see his job as a technical job, free from the nasty world of political interest: a job of collecting, sorting, preserving, making available, the records of the society," Zinn declared. However, he continued, "the existence, preservation, and availability of archives, documents, records in our society are very much determined by the distribution of wealth and power." Zinn added that archival collections were "biased towards the important and powerful people of the society, tending to ignore the impotent and obscure."<sup>19</sup> Such bias derives from the basic assumptions of archival practice. It is not conscious or deliberate. It is endemic.

The anthropologist Claude Lévi-Strauss clearly linked written documents to economic and political power. "The only phenomena [sic] which, always and in all parts of the world, seems to be linked with the appearance of writing . . . is the establishment of hierarchical societies, consisting of masters and slaves, and where one part of the population is made to work for the other part," he stated in 1961. In early societies writing "was connected first and foremost with power: it was used for inventories, catalogues, censuses, laws and instructions . . . to keep check on material possessions or on human beings."<sup>20</sup> Since the era of ancient Sumeria, archives have consolidated economic and political power. "There is no need to return to the Greek city state, nor to the *archon* and his house cluttered up with municipal documents, in order to know that the modern European public archive came into being in order to solidify and memorialise first monarchical, and then state power," Carolyn Steedman points out.<sup>21</sup> According to Jennifer Milligan, "the Archives nationales is a central institution for the production of histories of France, but it is above all an institution with a history . . . that is deeply implicated in the politics of the nation-state as well as the production of scholarship and the promotion of national memory and identity."<sup>22</sup> In fact, Milligan concludes, the Archives "stands at the nexus of state and citizen, public interest and private rights, and . . . between history and administration and politics and scholarship." By the 1860s French leaders "came to understand the power of the Archives as the arbiter of historical truth."<sup>23</sup> Archives, libraries, and museums

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have never been neutral. Throughout western history they have served the interests of the state and its elites. As library historian Matthew Battles declares, libraries have always been “a battleground for contesting ideologies.” Ruling classes have used them to support their own power, and “regardless of the library’s alleged political neutrality, its transparency, its seeming lack of roots, it contains the buried and often contradictory impulses of the princes, philanthropists, and academicians who are its authors.”<sup>24</sup> The same is true for museums and archives, indeed for any institutions responsible for the cultural heritage of societies.

Archival partisanship exists in both monarchical and democratic societies. Even the founding of the United States National Archives in 1934 legitimized democratic institutions and ideas of popular power. These power relationships in archives affect private as well as public repositories. As Patrick Quinn wrote more than thirty years ago, “Many traditional notions of what types of primary source materials should be collected and from what sectors of the population source materials should be solicited encouraged an elitist approach to writing history, an approach that in effect ignored the history of blacks and other minorities, women, working people and the poor.”<sup>25</sup> Since the authority and legitimizing influence of archives typically serve those in power, Quinn appealed for active engagement to balance state power by giving voice to the common people.

In its most useful application to archival theory, postmodernism extends our understanding of the power relationships that exist in archives. As Terry Cook and Joan Schwartz have pointed out, “the records emerging from the creation process are anything but natural, organic, innocent residues of disinterested administrative transactions. Rather they are value-laden instruments of power.”<sup>26</sup> Elisabeth Kaplan found that although both anthropologists and archivists claim to be “disinterested selectors,” both serve as “intermediaries between a subject and its later interpreters, a function/role that is one of interpretation itself.” Kaplan concluded that, “This power over the evidence of representation, and the power over access to it, endows us with some measure of power over history, memory, and the past.”<sup>27</sup> The power of archives carries with it a significant measure of responsibility. If the adage that power corrupts is true, archivists must be on their guard.

Recognizing this power that archivists wield in the universe of knowledge, some have been tempted to seek pseudo-scientific methods of distancing themselves from their decisions. They want

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to believe in their neutrality. When exposed with their hands on the controls, they may wish to echo the Wizard of Oz, who told Dorothy and her friends, "Pay no attention to the man behind the curtain!"

Derrida places authority at the center of the power of archives. The archive "is not only the place for stocking and for conserving an archival content *of the past* which would exist in any case," he declares, but "the technical structure of the *archiving* archive also determines the structure of the *archivable* content even in its very coming into existence and in its relationship to the future. The archivization produces as much as it records the event."<sup>28</sup> This power of creation—this effect of causation—reflects a force associated with temples and worship. Derrida locates this force within his central concept of "archive fever" (*mal d'archive*), which embodies both origins and a nearly religious passion. "The *trouble d'archive* stems from a *mal d'archive*. We are *en mal d'archive*: in need of archives," he insists. "It is to burn with a passion. It is never to rest, interminably, from searching for the archive right where it slips away. . . . It is to have a compulsive, repetitive, and nostalgic desire for the archive, an irrepressible desire to return to the origin, a homesickness, a nostalgia for the return to the most archaic place of absolute commencement."<sup>29</sup> This concern for the past—this burning, feverish passion—produces the human desire for archives, for a recording that enables us to know our own origins. In its essence this resembles a religious quest for meaning, for the secrets of life. It also suggests a search for meaning beyond the grave. "The archive has neither status nor power without an architectural dimension," according to South African historian Achille Mbembe. Yet he sees in the physical spaces of archives an "austerity that gives the place something of the nature of a temple and a cemetery: a religious space because a set of rituals is constantly taking place there, . . . and a cemetery in the sense that fragments of lives and pieces of time are interred there, their shadows and footprints inscribed on paper and preserved like so many relics."<sup>30</sup> A cemetery is at once a site for remembrance but also a site of consignment and concealment. Archives thus represent both a compulsion to remember and a desire to forget, to preserve traces of some events and persons of the past and to exclude—to bury, to destroy—others.

This control by archivists reflects the power of the political state in controlling archival resources. Historian Jeff Sahadeo encountered the power of the Uzbekistan government to control access to the archives. "The archive constitutes a source of power in Uzbekistan. It is at the nexus of a number of different and overlapping

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clashes: between the West, Russia and the former Soviet Union, and the local; between state elites and society; between the Uzbek government and its neighbors; and, above all, between past, present, and future.”<sup>31</sup> Such control provides archives with political power. “The Uzbek regime’s use of archives to create national myths and legitimize existing power structures finds parallels across the globe, particularly . . . in states seeking to come to terms with the legacy of European imperialism,” Sahadeo concludes.<sup>32</sup> Peter Fritzsche connects this archival power to institutions of social control. He contends that “the archive is widely recognized as one of an array of disciplinary institutions such as hospitals, prisons, and asylums that manage the technologies of power that are indispensable to the maintenance of social collectives and the enforcement of social norms.”<sup>33</sup> Following the collapse of the Soviet Union in 1991, archivists in Russia gained much greater influence, as a new national identity had to be formed. Constructing the past became a serious political activity not merely an academic exercise. “In the 1990s, the politics surrounding the fate of the Soviet-era archives centered around the age-old question of who would control access to the past,” Abby Smith reports, echoing George Orwell’s dictum that whoever controls the past controls the future. “Archivists and archival administrators suddenly became more important and, in some sense, more powerful than historians.”<sup>34</sup>

The imprisoning power of archives captures and enforces the authority of those holding sway over society. Knowledge workers—such as curators, archivists, or librarians—gain authority as “the orthodox representatives of knowledge and memory” over those who lack such formal sanction. This boundary between institutional and freelance representatives shows the power that is structured in “the official knowledge discourse of the archive.”<sup>35</sup> Archival control also extends to the processes of arrangement and description. Derrida argues, “that there could be no archiving without titles (hence without names and without the archontic principle of legitimization, without laws, without criteria of classification and of hierarchization, without order and without order, in the double sense of the word).”<sup>36</sup> This control enforces archivists’ rules in structuring how researchers approach the records. “In naming, we bring order to chaos. We tame the wilderness, place everything in boxes, whether standard physical containers or standardized intellectual ones,” Wendy Duff and Verne Harris observe. “In the realm of descriptive standardization, using big boxes such as fonds or series, or small boxes such as dates of creation or acquisition, we bring order to wild realities.”<sup>37</sup>

The authority that archivists exercise within their domain partakes in political power, since access to information and knowledge conveys such power. Yet it is a power often unrecognized by most members of society, who do not see or understand the role archivists play in the contested realms of power distribution and control. Although public controversies, such as the fight for control of Richard Nixon's White House tape recordings, occasionally bring documentary sources to the forefront, archivists seldom share the spotlight. However, archival records often provide a means for holding public leaders accountable and for documenting significant societal events. Control over records documenting the past often provides power over current and future events. Records may define the intersection of history, memory, and political power. Without accurate records it is difficult to determine what actually occurred in the past.

To explore the implications of these concerns regarding recordkeeping and political power, we turn to two prominent twentieth-century novelists, George Orwell and Milan Kundera. Their writings blur the lines between political reporting and fiction, but both recognized the significant consequences of a world in which political power could be gained or consolidated through control of written records and personal memories.

### **ORWELL ON POLITICS AND HISTORY**

**T**he nightmare world for those concerned about history, memory, and recordkeeping is perhaps best represented in the writings of George Orwell. In his totalitarian dystopias and in his essays, Orwell warned against powerful rulers who controlled their subjects, in part, by hiding or distorting the truth through destruction or alteration of records. The only means for preserving accurate accounts of the past, Orwell argued, was through reliable records and human memory. Although he never directly addressed the nature of archives *per se*, his writings about the necessity for authentic written records clearly embed Orwell in the realm of archives. His perspective and his commitment coincide with subsequent efforts to demonstrate the centrality of archives to modern society and the dangers of a world without access to reliable information about the past and present.

George Orwell was the pen name of Eric Blair, born into what he called "the lower-upper-middle class"<sup>38</sup> in Bengal in 1903 and educated at Eton. In his youth, Orwell later recalled, "I knew that I had a facility with words and a power of facing unpleasant facts."<sup>39</sup> During his service with the Indian Imperial Police in Burma, Orwell

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developed distaste for imperialism and racism. “In order to hate imperialism you have got to be part of it,” he observed. In his police service he was “part of the actual machinery of despotism,” and “it is not possible to be part of such a system without recognizing it as an unjustifiable tyranny.”<sup>40</sup> In one of his early novels, *Burmese Days* (1934), the central character states that the Indian Empire is a despotism, benevolent perhaps, but “still a despotism with theft as its final object.”<sup>41</sup> White supremacy formed the core of British rule in Burma. When a native doctor is proposed for admittance to the Club, one character denounces the “little nigger-boy” as part of “a set of damn black swine who’ve been slaves since the beginning of history.”<sup>42</sup> Such denunciations of imperialism and racism lead Christopher Hitchens to call Orwell “one of the founders of the discipline of post-colonialism” and a literary forerunner of “the historic transition of Britain . . . to a multicultural and multi-ethnic” society.<sup>43</sup>

After returning to England, Orwell wrote a series of novels and social commentaries examining economic and political problems in Europe. In *Down and Out in Paris and London* (1933) Orwell tackled the problems of poverty and class divisions. To understand the situation of the poor he deliberately lived among them in the slums of Europe’s most cosmopolitan capitals. He observed, “It is this fear of a supposedly dangerous mob that makes nearly all intelligent people conservative in their opinions.” However, he concluded, “The mass of the rich and the poor are differentiated by their incomes and nothing else, and the average millionaire is only the average dishwasher dressed in a new suit. Change places, and handy dandy, which is the justice, which is the thief?”<sup>44</sup>

Orwell investigated working class life in *The Road to Wigan Pier* (1937), once again immersing himself among the lower classes to understand their lives and attitudes. To escape from imperialism and “every form of man’s dominion over man” he submerged himself “right down among the oppressed, to be one of them and on their side against their tyrants.”<sup>45</sup> He denounced the three modern evils of industrialism, nationalism, and imperialism as contributing to poverty and intolerance. In English mining towns he found offense in “not only the dirt, the smells and the vile food, but the feeling of stagnant meaningless decay” where people creep “like blackbeetles, in an endless muddle of slovened jobs and mean grievances.”<sup>46</sup> Industrialism created unhealthy ways of living. “A belching chimney or a stinking slum is repulsive chiefly because it implies warped lives and ailing children,” he charged.<sup>47</sup> In a theme he continued in later essays, Orwell denounced “all nationalistic distinctions—all claims to be better than somebody

else” because of appearance or dialect as “entirely spurious.”<sup>48</sup>

The answer to these problems, he argued, was socialism. “We have got to fight for justice and liberty, and Socialism does mean justice and liberty when the nonsense is stripped off it. It is only the essentials that are worth remembering,” he declared.<sup>49</sup> As Hitler, Mussolini, and Franco wielded control in Europe, taking the continent to the verge of war, Orwell warned “there is no certainty that Fascism will ever be overthrown” unless socialist doctrine is quickly diffused. “For Socialism is the only real enemy that Fascism has to face. The capitalist-imperialist governments, even though they are about to be plundered, will not fight with any conviction against Fascism as such.”<sup>50</sup> His concern for economic and social justice and his support for socialism as the antidote to fascism led Orwell to volunteer with the anti-Franco loyalist forces in Spain. This experience transformed him into a committed political writer. It also showed him the importance of reliable documents and records in establishing truth in a world turned mad.

Orwell developed a coherent argument about the importance of history, records, and memory in a series of essays and books written between 1938 and 1949, in the midst of the world’s greatest crises—totalitarian ideologies, global warfare, and atomic weapons. After joining the anti-fascist struggle during the Spanish Civil War, Orwell turned from writing novels to political journalism. He worked for two years in the British Broadcasting Corporation, which later served as the model for the “Ministry of Truth” in his novel *Nineteen Eighty-Four*. Orwell’s “everyday experience of propaganda” in the BBC also inspired the concept of doublethink and much of his description of Big Brother’s thought control.<sup>51</sup> During the Second World War he wrote numerous political essays and contributed regularly to the *Tribune*, which he described as “a sociopolitical weekly which represents, generally speaking, the left wing of the Labour Party.”<sup>52</sup> His ideas on historical truth coalesced around three critical challenges: the struggle between propaganda and truth; the need to verify facts through accurate records; and the necessity of personal memory as a bulwark against lies and state-imposed public amnesia. Even before writing his two most famous novels, Orwell explored the danger that totalitarian leaders would entrench their power by distorting historical knowledge through control of written records and human memory. (By “written records” we should now include all forms of recording, whether textual, visual, sound, or electronic.) Authentic records—the very stuff of archives—provide one of the strongest bulwarks against totalitarianism.

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Orwell's interest in history, records, and evidence grew out of his personal experiences as a volunteer fighting against Franco during the Spanish Civil War. In his 1938 memoir of the war, *Homage to Catalonia*, Orwell stated that, although his personal perspective was limited to a narrow eyewitness view, he saw and heard "quite enough to contradict many of the lies that have been circulated." From this he concluded that nine-tenths of what had been written about the fighting in Barcelona was untruthful: "Nearly all the newspaper accounts published at the time were manufactured by journalists at a distance, and were not only inaccurate in their facts but intentionally misleading."<sup>53</sup> Most of the reporting from Spain amounted to little more than propaganda for one side or the other. Orwell concluded, "It will never be possible to get a completely accurate and unbiased account of the Barcelona fighting, because the necessary records do not exist. Future historians will have nothing to go upon except a mass of accusations and party propaganda."<sup>54</sup> In Orwell's experience, personal memory could expose the falsity of collective memory and historical accounts of events that he had witnessed. However, without records (archival memory) the necessary corroboration could not exist. Orwell could not have anticipated that with the fall of the Soviet Union, forty years after his death, "newly available documents from the Soviet Military Archive in Moscow" would reveal the secret plotting behind the attempted communist coup in Barcelona in 1937.<sup>55</sup> Although it took decades for this information to surface, this does indicate the significance of archives in correcting falsehoods and disclosing the truth. As Christopher Hitchens observes, "Catalonia has freed itself from the fascism against which Orwell fought, and to which it never submitted. . . . Perhaps most important, however, it has rescued its history and its records from years of falsification and denial." In tribute to Orwell, in 1998 Barcelona's socialist mayor dedicated "a rather plebeian square" as "Placa George Orwell."<sup>56</sup> This tribute came too late for Orwell to appreciate. The fact that archival records ultimately disproved Orwell's pessimistic view that the truth about the Barcelona fighting would never be known shows the importance of creating and preserving archival documentation. Orwell clearly would have rejoiced over being proved wrong, even though it took decades for the truth to emerge.

In two essays about the Spanish Civil War, Orwell explained his commitment to historical truth, based on accurate records. "During the Spanish Civil War I found myself feeling very strongly that a true history of this war never would or could be written. Accurate figures, objective accounts of what was happening, simply did not

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exist,” Orwell wrote in 1944. “. . . And if Franco or anyone at all resembling him remains in power, the history of the war will consist quite largely of ‘facts’ which millions of people now living know to be lies.”<sup>57</sup> Even if he were overthrown, Orwell asked in 1943, “What kind of records will Franco have left behind him? Suppose even that the records kept on the Government side are recoverable—even so, how is a true history of the war to be written?” Almost any account was bound to be partisan and unreliable even regarding minor events. In Spain Orwell saw newspaper reports that contradicted known facts: “I saw, in fact, history being written not in terms of what happened but of what ought to have happened according to various ‘party lines.’” Some kind of history would be written, Orwell predicted, “and after those who actually remember the war are dead, it will be universally accepted. So for all practical purposes the lie will have become truth.”<sup>58</sup> This clearly presages an important theme that he developed further in his 1949 novel, *Nineteen Eighty-Four*.

The lies about past events of the Spanish Civil War led Orwell to warn against “a nightmare world in which the Leader, or some ruling clique, controls not only the future but the past.”<sup>59</sup> He recognized the deep-seated impulse to use history—or at least “lessons” learned from historical analogy—as a means of securing political power. As John Lewis Gaddis contends, “The search for a past with which to attempt to control the future is inseparable from human nature: it’s what we mean when we say we learn from experience.”<sup>60</sup> After seeing the assaults on “objective truth” by Franco and Hitler, Orwell concluded that the interpretation of “the present war” that “finally gets into the history books will be decided not by evidential methods but on the battlefield.” Perhaps no historical account could ever be entirely accurate or objective, but Orwell still believed that facts and truth should be sought and recorded. “In the last analysis our only claim to victory is that if we win the war we shall tell less lies about it than our adversaries. The really frightening thing about totalitarianism is not that it commits atrocities but that it attacks the concept of objective truth: it claims to control the past as well as the future.”<sup>61</sup> Joyce Appleby offers a more reassuring assessment of the power of documentary evidence to overcome the distortions that Orwell feared if Franco and Hitler emerged victorious. “Imagine a willful forgetting of the Holocaust had the Nazis won World War II,” Appleby declared in her 1997 American Historical Association presidential address. “Eventually someone would have picked up the trail of clues or stumbled over the contradictions in the documents created by the victors.”<sup>62</sup> Truth would emerge from the archives.

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In his essays Orwell clearly explained the importance of truth as a protection against tyranny and dictatorship. In a totalitarian state propaganda replaces honest reporting about current and past events. The starting point for such abuses of power, Orwell claimed, was nationalism, which he identified as “the habit of identifying oneself with a single nation or other unit, placing it beyond good and evil and recognising no other duty than that of advancing its interests.” Unlike patriotism, nationalism “is inseparable from the desire for power,” he argued. A committed nationalist believes that the past can be altered. “Much of the propagandist writing of our time amounts to plain forgery. Material facts are suppressed, dates altered, quotations removed from their context and doctored so as to change their meaning,” Orwell contended. “The primary aim of propaganda is, of course, to influence contemporary opinion, but those who rewrite history do probably believe with part of their minds that . . . their own version was what happened in the sight of God, and that one is justified in rearranging the records accordingly.” Distortions of the truth could create genuine doubt about enormously significant events. “Indifference to objective truth is encouraged by the sealing-off of one part of the world from another, which makes it harder and harder to discover what is actually happening.”<sup>63</sup> This would allow unscrupulous leaders to mislead and gain control over the populace.

The web of lies produced by such rulers obscures the truth and even challenges the very concept of objective truth. “Totalitarianism demands, in fact, the continuous alteration of the past, and in the long run probably demands a disbelief in the very existence of objective truth,” Orwell stated in a later essay. “The organized lying practiced by totalitarian states is not, as is sometimes claimed, a temporary expedient of the same nature as military deception. It is something integral to totalitarianism, something that would still continue even if concentration camps and secret police forces had ceased to be necessary.” Orwell recognized that human beings could not avoid errors in telling the truth, but “What is really at issue is the right to report contemporary events truthfully, or as truthfully as is consistent with the ignorance, bias and self-deception from which every observer necessarily suffers.”<sup>64</sup> The problem in the mid-twentieth century was the willful distortion of truth by unscrupulous leaders, both in totalitarian dictatorships and even within the English political system.

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**ORWELL ON MEMORY AND RECORDS**

Orwell repeatedly lamented the fragmentary record of the past and the resulting gaps in our knowledge of historical events. His experiences in the Spanish and world wars, however, caused him to recognize that, "History is written by the winners."<sup>65</sup> This affected his view of all historical accounts: "When I think of antiquity, the detail that frightens me is that those hundreds of millions of slaves on whose backs civilization rested generation after generation have left behind them no record whatever."<sup>66</sup> These silences of the archives, the absence of records, deeply troubled Orwell.

When faced with the difficult task of distinguishing truth from lies, Orwell concluded, the first recourse is through authentic records. Without reliable records, he warned, "One has no way of verifying the facts, one is not even fully certain that they have happened, and one is always presented with totally different interpretations from different sources." The problem was identifying which of the competing allegations were true and which false. "Probably the truth is discoverable, but the facts will be so dishonestly set forth in almost any newspaper that the ordinary reader can be forgiven either for swallowing lies or failing to form an opinion," Orwell stated. "The general uncertainty as to what is really happening makes it easier to cling to lunatic beliefs. Since nothing is ever quite proved or disproved, the most unmistakable fact can be impudently denied."<sup>67</sup> First-hand accounts, accurate newspaper reporting, official records, and personal papers could establish claims to veracity. Such records formed the best antidote to lies and propaganda, as Orwell had recognized from his Spanish Civil War experience. In writing about history and records Orwell expressed a positivist confidence in objective "Truth" and in human ability to separate truth from lies, based in part on written evidence. A generation later, most western intellectuals understand truth to be contingent rather than absolute. The truth of any version of the past is always contested. This does not mean that Orwell was wrong, or that each account of the past can be equally true, but it suggests that one must read Orwell as a product of his times.

The significance of written records—whether in textual, visual, sound, or electronic media—rests on cultural assumptions that give validation to particular kinds of evidence. "As traditional memory fades, we feel obliged religiously to accumulate the testimonies, documents, images, and visible signs of what was, as if this ever-proliferating dossier should be called on as evidence in some

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tribunal of history,” writes Pierre Nora. “In former times, only great families, the Church, and the state kept records; today memories are recorded and memoirs written not only by minor actors in history but by their spouses and doctors.”<sup>68</sup> Any records deemed appropriate to retain in archives thereby acquire even greater value and meaning. As Michel Foucault argues in “The Historical *a Priori* and the Archive,” language itself affords authenticity to archived documents and we covet the written word as a direct connection to past reality.<sup>69</sup> Those records preserved in archives achieve significance, Francis Blouin and William Rosenberg explain, in part from “the notion that archival documentation embodies particular kinds of truth: ones that can be referenced and hence ‘verified,’ ones that are at least partly, in other words, created by the real and symbolic capital of archival institutions themselves.”<sup>70</sup> Even without the imprimatur of archival custody, records that can be authenticated provide a basis for constructing truth claims about the past. They offer a corrective to false statements, lies, and propaganda. Citizens can rely on such documents to achieve accurate knowledge and to counter the power of unscrupulous leaders and demagogues.

However, to control popular thought totalitarian leaders can either destroy or falsify records. This danger became central to the plot of *Nineteen Eighty-Four*. In a 1944 essay on the popularity of crime stories, Orwell depicted one gangster story as “a day dream appropriate to a totalitarian age . . . in which such things as mass bombings of civilians, the use of hostages, torture to obtain confessions, secret prisons, execution without trial, floggings with rubber truncheons, drownings in cesspools, systematic falsification of records and statistics, treachery, bribery and quislingism are normal and morally neutral, even admirable when they are done in a large and bold way.”<sup>71</sup> This reads in retrospect as a check-list for writing his later novel *Nineteen Eighty-Four*. Remarkably, in the middle of a list of weapons of torture and murder, Orwell includes “systematic falsification of records and statistics” as one method of wielding totalitarian power. “From the totalitarian point of view history is something to be created rather than learned,” Orwell wrote in “The Prevention of Literature” in 1945. “A totalitarian state is in effect a theocracy, and its ruling caste, in order to keep its position, has to be thought of as infallible. But since, in practice, no one is infallible, it is frequently necessary to rearrange past events in order to show that this or that mistake was not made, or that this or that imaginary triumph actually happened.”<sup>72</sup> Such concerns prefigured fictional portrayals in his two post-war novels. However, the danger

that significant public records can be destroyed exists even in democratic societies. Government agencies often create a culture of secrecy by limiting access to public records. As one researcher discovered, when he sought to locate records of 1970s farm work in Great Britain, a government official told him that the file had been archived. "When I asked where the archive was kept, I was told that 'archived' meant 'destroyed,'" he reported.<sup>73</sup>

Once corrupt leaders destroy or alter all available written records, only the memory of eyewitnesses can re-establish a truthful account of events. "It is pointed out that all historical records are biased and inaccurate, or on the other hand, that modern physics has proven that what seems to us the real world is an illusion, so that to believe in the evidence of one's senses is simply vulgar philistinism," Orwell declared. "A totalitarian society which succeeded in perpetuating itself would probably set up a schizophrenic system of thought, in which the laws of common sense held good in everyday life and in certain exact sciences, but could be disregarded by the politician, the historian, and the sociologist."<sup>74</sup> This assault on the veracity of human memory undermined the dignity and challenged the intelligence of the population. In *Nineteen Eighty-Four* Orwell would demonstrate the crushing effects of such attacks on human memory.

Personal memory is fallible and can be challenged or undermined. Totalitarian leaders can exploit this weakness to strengthen their control over the population. In an essay in which he tried to recall his childhood memories, Orwell observed, "In general, one's memories of any period must necessarily weaken as one moves away from it. One is constantly learning new facts, and old ones have to drop out to make way for them."<sup>75</sup> The malleability of memory rendered it less reliable than written records. These dangers led Orwell to conclude that by controlling both human memory and written records unscrupulous leaders can control the past and turn history to their own purposes. "The organized lying practiced by totalitarian states is not, as is sometimes claimed, a temporary expedient of the same nature as military deception," he warned. "It is something integral to totalitarianism, something that would still continue even if concentration camps and secret police forces had ceased to be necessary."<sup>76</sup> This was the ultimate nightmare for modern society. It haunted Orwell and prompted him to commit his writing career to counter this potential for future catastrophe.

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### ANIMAL FARM AND THE POLITICS OF MEMORY

Orwell's essays warning of such dangers reached a limited readership. By turning to fiction he gained a worldwide audience, portraying the dangers of totalitarianism in vivid imagery. Central to the themes of *Animal Farm* and *Nineteen Eighty-Four* are the concerns outlined above regarding history, memory, and records. Although it would be a stretch to claim that these are novels about archives (Orwell never used the word), in both works the importance of records is critical in securing the ruling elite's control over public thought. Without the ability to refer to authentic documents it becomes impossible to contradict political orthodoxy.

In *Animal Farm* Orwell created a "fairy story" revealing the tendency toward totalitarianism among barnyard animals who escape the tyranny of their human masters only to suffer oppression from their own kind. Central to the development of this allegory is the concept of a written document—a rudimentary constitution—designed to protect the rights of the animals. However, the ruling pigs alter the written rules to suit their needs. They cover up this falsification of the record by challenging the other animals' memory of the past. When the animals claim that they had all agreed on a resolution never to engage in trade with humans, spokes-pig Squealer claims that such a resolution "had never been passed, or even suggested." Squealer asks shrewdly, "Are you certain that this is not something you have dreamed, comrades? Have you any record of such a resolution? Is it written down anywhere?" And since it was certainly true that nothing of the kind existed in writing, the animals were satisfied that they had been mistaken."<sup>77</sup> Without written evidence, memory could not be verified.

As their selfish interests change, the domineering pigs furtively alter the painted sign listing the Seven Commandments governing *Animal Farm* by adding words or phrases that change the meaning of these social rules. When the pigs decide to move into the farmhouse and sleep in the beds, for example, they amend the commandment "No animal shall sleep in a bed" by adding the words "*with sheets.*" The faithful horse Clover "had not remembered that the Fourth Commandment mentioned sheets; but as it was [written] there on the wall, it must have done so."<sup>78</sup> After the pigs kill several dissident animals, they add another amendment. "'No animal shall kill any other animal *without cause.*' Somehow or other, the last two words had slipped out of the animals' memory. But they saw now that the Commandment had not been violated . . ."<sup>79</sup> Each time a written rule is altered, the animals question their own memory, rather than doubt the validity of the documents.

When falsifying existing records is not enough, the pigs create or “discover” new documents to solidify their absolute power. In order to discredit the rebellious pig Snowball, Squealer tells the animals that Snowball was a secret agent of farmer Jones. “It has all been proved by documents which he left behind him and which we have only just discovered,” Squealer claims. When the noble horse Boxer argues that Snowball had been a hero of the Battle of the Cowshed, Squealer replies, “That was our mistake, comrade. For we know now—it is written down in the secret documents that we have found—that in reality he was trying to lure us to our doom.” As Squealer depicts Snowball’s treasonous actions, the animals edit their own memories of the event. “Now when Squealer described the scene so graphically, it seemed to the animals that they did remember it.”<sup>80</sup> Later, Squealer falsely tells the animals that Snowball himself had spread the “lie” that he had been given a medal for heroism, when he had actually been censured for cowardice. “Once again some of the animals heard this with a certain bewilderment, but Squealer was soon able to convince them that their memories had been at fault.”<sup>81</sup> Memory could thus be altered by powerful lies and vivid descriptions as well as by falsified documents. Repeated often enough, and without contradictory documentary evidence, such lies become truth.

The pigs use their mastery of writing to solidify their power and authority. Squealer tells the animals that the pigs “had to expend enormous labours every day upon mysterious things called ‘files,’ ‘reports,’ ‘minutes,’ and ‘memoranda.’ These were large sheets of paper which had to be closely covered with writing, and as soon as they were so covered, they were burnt in the furnace.”<sup>82</sup> (This is what a records manager would call a very short-term retention schedule.) For the pigs of *Animal Farm*, it is simply a way to use written records to mystify and dominate the proletarian animals. Without recourse to their own records, the animals lack both personal and collective memory of the past:

Sometimes the older ones among them racked their dim memories and tried to determine whether in the early days of the Rebellion, when Jones’s expulsion was still recent, things had been better or worse than now. They could not remember. There was nothing with which they could compare their present lives: they had nothing to go upon except Squealer’s lists of figures, which invariably demonstrated that everything was getting better and better.<sup>83</sup>

*Animal Farm* depicts a totalitarian society in which the rulers consolidate their power through control of both memory and records. With no verifiable records of the past, the animals' memory can be altered or crushed by the domineering pigs. Orwell thus found a fictional setting to illustrate his growing alarm for a society in which absolute power could be wielded not with a gun but with a pen. Without records, without archives, there could be no authentic and reliable evidence of the past.

### **NINETEEN EIGHTY-FOUR AND THE DESTRUCTION OF MEMORY**

Orwell brought these concerns to full realization in his final novel, *Nineteen Eighty-Four*. In portraying a bleak totalitarian dystopia, he demonstrated the ability of the rulers to control their subjects through constant surveillance, thought control, and manipulation of language. Central to this power was the Party's control over written records and human memory:

The mutability of the past is the central tenet of Ingsoc. Past events, it is argued, have no objective existence, but survive only in written records and in human memories. The past is whatever the records and the memories agree upon. And since the Party is in full control of all records, and in equally full control of the minds of its members, it follows that the past is whatever the Party chooses to make it.<sup>84</sup>

Orwell clearly distinguished memory from records. They are alternative means of understanding and representing the past. Yet it is clear that written records—the very stuff of archives—hold primacy in this system of thought control.

The Party gains control over records both by destroying and by altering them. Winston Smith, the ill-fated hero of *Nineteen Eighty-Four*, works in the Records Department of Oceania, where he daily must go back into the archives of government reports, newspapers, books, and party speeches to alter the historical record in accordance with changing needs of those in power. To show the leader's infallibility, Smith and his fellow records specialists would "rewrite a paragraph of Big Brother's speech in such a way as to make him predict the thing that had actually happened." Once a revised version of the record has been substituted, the obsolete records of the past are quickly discarded down the "memory hole"—Newspeak for a chute that leads to an enormous central incinerator.<sup>85</sup> Winston reflects on this revision of the past, when the Party controls all written records. "The past, he reflected, had not merely been altered, it had been actually destroyed. For how could you establish

even the most obvious fact when there existed no record outside your own memory?"<sup>86</sup> Winston felt this loss personally. He held few memories from "the dim period of his early childhood." Remembering anything proved extremely difficult. "Beyond the late Fifties everything faded," he lamented. "You remembered huge events which had quite probably not happened, you remembered the details of incidents without being able to recapture their atmosphere, and there were long blank periods to which you could assign nothing."<sup>87</sup> As Orwell recognizes, memory relies on corroborating evidence, on records that provide tangible links to the past.

These concerns emerged in public life clearly during the cold war. In an October 1945 essay entitled "You and the Atom Bomb," Orwell anticipated the central scenario of *Nineteen Eighty-Four*. "We may be heading not for general breakdown but for an epoch as horribly stable as the slave empires of antiquity," he warned, beset by "the kind of world-view, the kind of beliefs, and the social structure that would probably prevail in a State which was at once unconquerable and in a permanent state of 'cold war' with its neighbours."<sup>88</sup> Both sides sought to control knowledge of the past, through "a continual reprocessing of approved views of the past (or amnesia about the past) and the accretion of new dimensions of myth," E. P. Thompson writes. Using a virtual "memory hole" approach to records, Thompson states, these "'anti-historians' actively involved in the destruction of evidence include not only government 'weeder'—bureaucrats who cleanse the archives of potentially harmful material before releasing them to readers—but also officers in charge."<sup>89</sup> Destroying records alters the past. Memory can expose the lies of the rulers, but without documentary evidence memory cannot be proven correct.

Dissenters can be eliminated without a trace when there are no records to expose such acts. "People simply disappeared, always during the night. Your name was removed from the registers, every record of everything you had ever done was wiped out, your one-time existence was denied and then forgotten."<sup>90</sup> Total control over records gave the Party absolute power over knowledge of everything outside one's personal experience. "If the Party could thrust its hand into the past and say of this or that event, it never happened—that, surely, was more terrifying than mere torture and death," Orwell warned. ". . . And if all others accepted the lie which the Party imposed—if all records told the same tale—then the lie passed into history and became truth. 'Who controls the past' ran the Party

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slogan, 'controls the future: who controls the present controls the past.'"<sup>91</sup> The power over history thus shapes the political power of the ruling elite, and this power over historical reality comes from control of written records—from archives.

It is significant that Winston Smith works in the Records Department, which plays a central role in solidifying the Party's power. Documentary evidence lies at the heart of Orwell's depiction of totalitarianism. "Day by day and almost minute by minute the past was brought up to date," he explains. "In this way every prediction made by the Party could be shown by documentary evidence to have been correct; nor was any item of news, or any expression of opinion, which conflicted with the needs of the moment, ever allowed to remain on record. All history was a palimpsest, scraped clean and reinscribed exactly as often as was necessary."<sup>92</sup> This falsification of records requires extensive archival institutions, perverting the proper role of archives. "There were the vast repositories where the corrected documents were stored, and the hidden furnaces where the original copies were destroyed," Orwell explains.<sup>93</sup> The Records Department is only a single branch of the Ministry of Truth, which is responsible for a broad array of information and entertainment, all serving the Party's propaganda goals.

As Winston Smith and other rewriters of the past prepare different versions of these fake documents, "some master brain in the Inner Party would select this version or that, would re-edit it and set in motion the complex processes of cross-referencing that would be required, and then the chosen lie would pass into the permanent records and become truth."<sup>94</sup> In addition to written records, virtually all information sources have to be manipulated by the Party. "Every record has been destroyed or falsified, every book has been rewritten, every picture has been repainted, every statue and street and building has been renamed, every date has been altered," Winston explains to Julia, his co-conspirator and secret lover. "I know, of course, that the past is falsified, but . . . [t]he only evidence is inside my own mind, and I don't know with certainty that any other human being shares my memories."<sup>95</sup> In this situation personal memory requires confirmation from external records or from some form of collective or social memory. Only when memory and records corroborate each other can one discover the truth of the past.

Under the apartheid regime in South Africa the struggle over public records and social memory echoed Orwell's warnings.

Public archives became first the supports for apartheid control and later a means of reconstructing the truth of the nation's past. "In imposing apartheid ideology, the state sought to destroy all oppositional memory through censorship, confiscation, banning, incarceration, assassination, and a range of other oppressive tools," archivist Verne Harris recounts. "This was the context within which public archivists practiced under apartheid—struggle informed not only their institutional and social environments, it permeated the fabric of their daily professional work. Impartiality was patently a pipe dream."<sup>96</sup> Regardless of the personal intentions of individual archivists, as part of the state bureaucracy the public archives services became tools of the apartheid regime. The government's disregard for accountability and transparency resulted in "numerous cases of unauthorized destruction of public records by government offices" in a "systematic endeavor to secure a selective amnesia as the apartheid system crumbled."<sup>97</sup> "Between 1990 and 1994, the state engaged in large-scale sanitization of its memory resources designed to keep certain information out of the hands of a future democratic government," reports Verne Harris.<sup>98</sup> Hilda Bernstein describes South Africa's history as one of "torn and missing pages," and Harris asserts, "Any nation that has an incomplete understanding of its past rests on shaky foundations, and . . . government must be made accountable, especially in the light of the historically repressive role of the South African state."<sup>99</sup> This experience echoes both Orwell's memory holes and the forced forgetting of which John Ross warns in "Against Amnesia."

Efforts to control the past through restricting access or destroying records characterize totalitarian and closed political regimes. "Terror works on ignorance, on the ungraspable nature and undefined scope of the arbitrary power of the oppressor," historian Jeremy Black explains. "The authoritarian state needs to locate its opponents, to understand and control dissidence, but does not wish to be understood, other than as a comprehensive force. The end of communist rule transformed the situation." Thus, in the Baltic States and former Soviet Union, "As part of reconstruction, previously blank periods in national records could now be studied," and the "archives of Communist states and parties were opened for examination." The end of communist rule also "enabled scholars in former Eastern-bloc countries to gain access to Western literature and archival sources."<sup>100</sup> This opening of archives to public scrutiny provides opportunities to correct past injustices and to hold perpetrators of injustice to public accountability. As Orwell implicitly recognized, archives thus emerged as central to the efforts

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to resist, to overcome, and eventually to understand and remember the oppression of totalitarian dictatorships.

In *Nineteen Eighty-Four* memory takes several forms—personal memories of one’s own experiences, collective memories shared by all members of society, memories grounded in historical interpretation of the past, and archival memory embedded in documents, statues, monuments, and even an antique glass paperweight. Early in the story Winston reflects on the impermanence of personal memory. “When there were no external records that you could refer to, even the outline of your own life lost its sharpness,” he laments.<sup>101</sup> Later, he despairs of enlisting the proles in resistance against the Party because they cannot remember their own lives before the Revolution. He tries to query one elderly prole, but concludes, “The old man’s memory was nothing but a rubbish heap of details. One could question him all day without getting any real information.” Soon no one would be able to compare his or her life before the Party’s takeover to the present; hence no one could identify the lies being told about the past. “They were like the ant, which can see small objects but not large ones,” Smith despairs. “And when memory failed and written records were falsified—when that happened, the claim of the Party to have improved the conditions of human life had got to be accepted, because there did not exist, and never again could exist, any standard against which it could be tested.”<sup>102</sup> Remaining human—retaining his personal identity and mental coherence—creates for Smith a duty to preserve the truth of the past. This same human impulse arose among the victims of the Holocaust, particularly those who survived to bear witness to its horrors. Even amid the deprivations and looming near-certainty of death, prisoners carved small enclaves of freedom. “Every memory became a protest; every smile was a call to resist; every human act turned into a struggle against the torturer’s philosophy,” Elie Wiesel reports.<sup>103</sup> As Orwell recognized, the last recourse of victims may be their memory, their determination not to forget the acts of their oppressors.

Fighting against historical amnesia becomes essential in a society that seeks to deny the past. Quoting Pierre Nora’s monumental *Les lieux de mémoire*, Nancy Wood states, “Under the impact of the waning fortunes of ‘environments of memory’ in the modern world, individual memories acquire ever-greater significance as the guarantors of social continuity, instilling an ‘obligation to remember’ that assumes the ‘power of an internal coercion.’”<sup>104</sup> Such forms of memory thus carry significance for social stability,

as Orwell recognized, and as protection against totalitarianism and political repression. The call for preservation of human memory echoes most clearly in efforts to preserve the memory of the Holocaust, lest such atrocities be repeated. In their examination of war and remembrance in the twentieth century, Jay Winter and Emmanuel Sivan argue that “experience is intrinsically social” and that remembrance is “a process, dependent upon groups of people who act over time”—a “collective enterprise through which *homo agens* creates and maintains.” Although recognizing that “state agency and manipulation” have been well documented, Winter and Sivan counter Orwell’s pessimism about the possibility of overcoming such efforts at control. “Even in totalitarian situations,” they argue, “state agency does not control individual or group memory completely.”<sup>105</sup> The bleak world of *Nineteen Eighty-Four* reveals the consequences if such state power over memory and the past become absolute.

In his own effort to preserve memory as a corrective to state-enforced amnesia, Winston Smith encounters two objects—a newspaper photograph and a glass paperweight—that provide tangible links to the past. His hope of disproving the Party’s lies rests on these seemingly inconsequential objects. In 1973, in his daily work routine, he had unrolled a wad of documents that included a half-torn newspaper page dated ten years earlier. This scrap of paper included a photograph of three men, later executed for conspiracy, at a Party function in New York. This evidence proved that they had not been in Eurasia on that date, as their subsequent confessions claimed, thus proving that their confessions were lies. Smith had never believed that these people had actually committed the crimes of which they were accused, “But this was concrete evidence: it was a fragment of the abolished past, like a fossil bone which turns up in the wrong stratum and destroys a geological theory.”<sup>106</sup> Fearful of being caught with such evidence, Smith had “dropped the photograph into the memory hole, along with some other waste papers.” Eleven years later, he reflects that now he probably would have tried to keep the photograph. “It was curious that the fact of having held it in his fingers seemed to him to make a difference even now, when the photograph itself, as well as the event it recorded, was only memory,” he thought. “Was the Party’s hold on the past less strong, he wondered, because a piece of evidence which existed no longer had once existed?”<sup>107</sup>

By now, however, such facts would have little significance, apart from the evidence that the Party’s “truth” consisted of lies. Smith can understand “the immediate advantages of falsifying the past,” but the

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“ultimate purpose was mysterious.” Big Brother’s fierce visage could almost convince one to deny the evidence of the senses. “Not merely the validity of experience, but the very existence of external reality was tacitly denied by their philosophy,” Smith concludes.<sup>108</sup> Memory can carry forward knowledge of the past and fills gaps in the written record. Yet to sustain memory over time one needs some form of reliable evidence. “Memory is an image of the past constructed by a subjectivity in the present,” as historian Allan Megill states. “It has long been clear that, without independent corroboration, memory cannot serve as a reliable marker of the historical past.”<sup>109</sup> Orwell clearly recognizes this necessary linkage between memory and documentation through tangible traces of the past.

Smith’s photographic evidence reappears after his capture, during an interrogation by O’Brien. “You believed that you had seen unmistakable documentary evidence proving that their confessions were false,” O’Brien taunts Smith, showing him another copy of this same photograph. “It exists!” Winston cries. “No,” says O’Brien, before dropping it into a nearby memory hole. “Dust. It does not exist. It never existed.” “But it did exist! It exists in memory. I remember it. You remember it,” Smith cries out. “I do not remember it,” says O’Brien.<sup>110</sup> This is doublethink. It is an effective means of denying the past.

The second memory trace, tangible evidence of the past, is an antique glass paperweight with a piece of coral embedded in it, which Smith finds at a “prole” neighborhood junk shop. He buys it simply because it is old. “I don’t think it was ever put to any use. That’s what I like about it,” he tells Julia. “It’s a little chunk of history that they’ve forgotten to alter. It’s a message from a hundred years ago, if one knew how to read it.”<sup>111</sup> In a room upstairs from the junk shop, Smith sees a small bookcase that contains only rubbish. “The hunting-down and destruction of books had been done with the same thoroughness in the prole quarters as everywhere else,” Smith reflects. “It was very unlikely that there existed anywhere in Oceania a copy of a book printed earlier than 1960.”<sup>112</sup> Lacking written records, Smith buys and hides the glass paperweight as a reminder of the past. He thereby enacts a common human response to antique objects. “The aesthesis of history amounts to an aesthetic orientation toward objects that are left over from the past, or that appear as if they are left over from the past,” Allan Megill observes. People focus on “the sensual aspect of the objects being contemplated.”<sup>113</sup> Archivists frequently see this response, or experience it themselves, toward old manuscripts or documents from earlier eras. Such relics

connect us to the past, show that we are not alone in the relentless onrush of time, and provide a sensual and esthetic pleasure.

For Winston Smith such pleasures come at great cost. During a raid on the secret room where he meets Julia for illegal sexual liaisons, they are both arrested and imprisoned for re-education. One of the Party policemen ("solid men in black uniforms, with iron-shod boots . . . and truncheons") deliberately shatters the glass paperweight on the hearthstone, exposing the fragment of coral. "How small, thought Winston, how small it always was!"<sup>114</sup> This forms a perfect metaphor for human memory and for evidence of the past. Without protection memory and records cannot survive intact; they cannot convey the past to future generations.

This control of both records and memory is essential to the Party's ongoing power. In his efforts to undermine the Party's control, Winston imagines the possibility of a resistance movement, "small groups of people banding themselves together, and gradually growing, and even leaving a few records behind, so that the next generation can carry on where we have left off."<sup>115</sup> Records could link together these rebel bands, who could verify each other's memories of the past. The futility of such hope becomes apparent at the end, when Party loyalist O'Brien interrogates the captured Winston Smith:

O'Brien smiled faintly. . . . "Does the past exist concretely, in space? Is there somewhere or other a place, a world of solid objects, where the past is still happening?"

"No."

"Then where does the past exist, if at all?"

"In records. It is written down."

"In records. And —?"

"In the mind. In human memories."

"In memory. Very well, then. We, the Party, control all records, and we control all memories. Then we control the past, do we not? . . . I tell you, Winston, that reality is not external. Reality exists in the human mind, and nowhere else. Not in the individual mind, which can make mistakes, and in any case soon perishes; only in the mind of the Party, which is collective and immortal. Whatever the Party holds to be the truth is truth."<sup>116</sup>

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Once all documents have been falsified or destroyed, the only hopes for salvation are the human memory and the will to resist the Party's mind control. "It will be seen that the control of the past depends above all on the training of memory," Orwell explains. "To make sure that all written records agree with the orthodoxy of the moment is merely a mechanical act. But it is also necessary to remember that events happened in the desired manner. And if it is necessary to rearrange one's memories or to tamper with written records, then it is necessary to forget that one has done so."<sup>117</sup> This completes the cycle, perfects the lie. It fills the archives with doctored records, and the human mind with false memories. As Winston recognizes, "History has stopped. Nothing exists except an endless present in which the Party is always right."<sup>118</sup> In the end, of course, Winston Smith succumbs to the mind control of the Party and comes to love Big Brother. Yet Orwell did not think the future hopeless for mankind. As he stated in a letter to Francis Henson, he set the story in Britain "in order to emphasize that the English-speaking races are not innately better than anyone else and that totalitarianism, if not fought against, could triumph anywhere."<sup>119</sup> The possibility of—the necessity for—resistance to tyranny gave Orwell some optimism about the future. *Nineteen Eighty-Four* was not a hopeless lament, but a cry for action, a call to unseat the forces of totalitarianism wherever they might arise.

### POLITICS AND LITERATURE

**T**he nightmare world of *Nineteen Eighty-Four* carries a clear political message, a warning against totalitarianism. Orwell intended this to apply both to fascism and to communism, and even to English socialism (Ingsoc in the novel's abbreviated form). When criticized for being a political writer, Orwell countered that "every writer, especially every novelist, has a 'message,' whether he admits it or not, and the minutest details of his work are influenced by it. All art is propaganda."<sup>120</sup> He insisted that every work of literature was "an attempt to influence the viewpoint of one's contemporaries by recording experience," at least to some degree. "There is no such thing as a genuinely non-political literature, and least of all in an age like our own, when fears, hatreds, and loyalties of a directly political kind are near to the surface of everyone's consciousness."<sup>121</sup>

In an era of war, fascism, concentration camps, and atomic bombs, Orwell argued, these are "what we daily think about, and therefore to a great extent what we write about." Politics invade literature, in large measure because writers develop "an awareness of the

enormous injustice and misery of the world, and a guilt-stricken feeling that one ought to be doing something about it, which makes a purely æsthetic attitude towards life impossible." Therefore, "no thinking person can or does genuinely keep out of politics, in an age like the present one."<sup>122</sup> In writing about the Barcelona fighting, for example, Orwell stated that "no one can be completely objective" on such a momentous issue. "One is practically obliged to take sides," he argued, and he warned the reader of his "bias" and his possible mistakes. "Still, I have done my best to be honest," he pledged.<sup>123</sup>

In an essay explaining "Why I Write," Orwell acknowledged the impact of the Spanish Civil War on his literary career. "Every line of serious work that I have written since 1936 has been written, directly or indirectly, against totalitarianism and for democratic socialism, as I understand it." If a writer is forced to consider political issues, Orwell admonished, "the more one is conscious of one's political bias, the more chance one has of acting politically without sacrificing one's esthetic and intellectual integrity."<sup>124</sup> This ideal of maintaining honesty and integrity, of acknowledging one's own interpretive framework, provides the writer's best protection against lies and propaganda. This is true for historians, novelists, and all writers.

The very language used by writers conveys political messages and subtexts. Orwell's brilliant essay "Politics and the English Language," written in 1946, argues that "the decline of a language must ultimately have political and economic causes." Concerned about the dishonest writing of the era, Orwell contends that "the slovenliness of our language makes it easier for us to have foolish thoughts," but argues that this process can—and must—be reversed, since "to think clearly is a necessary first step towards political regeneration."<sup>125</sup> He details the common use of stale metaphors, verbal false limbs, passive voice, pretentious diction, vague and meaningless words, intentional deception, and ready-made phrases, as symptoms of a writer who is not particularly interested in what he is saying. "A scrupulous writer, in every sentence that he writes, will ask himself at least four questions, thus: What am I trying to say? What words will express it? What image or idiom will make it clearer? Is this image fresh enough to have an effect?" Orwell adds, "And he will probably ask himself two more: Could I put it more shortly? Have I said anything that is unavoidably ugly?"<sup>126</sup> Political writing often seeks to diminish rather than expand thinking, in favor of conformity. This is the essential characteristic of Newspeak.

In *Nineteen Eighty-Four* Orwell demonstrates the dangers of allowing language to deteriorate to the point that people could not express

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coherent ideas. Winston Smith learns this from Syme, one of many people working on the revised Newspeak dictionary. "Don't you see that the whole aim of Newspeak is to narrow the range of thought? In the end we shall make thought-crime literally impossible, because there will be no words in which to express it," Syme tells Winston. "The Revolution will be complete when the language is perfect."<sup>127</sup> Orwell explains this in detail in an appendix, "The Principles of Newspeak." Oceania needed a new official language. "The purpose of Newspeak was not only to provide a medium of expression for the world-view and mental habits proper to the devotees of Ingsoc, but to make all other modes of thought impossible. . . . This was done partly by the invention of new words, but chiefly by eliminating undesirable words and by stripping such words as remained of unorthodox meanings."<sup>128</sup> Words such as *honor*, *justice*, *morality*, *democracy*, and *science* have been eliminated, and each edition of the Newspeak dictionary contains fewer words than the previous. Such reductions benefit the Party, "since the smaller the area of choice, the smaller the temptation to take thought."<sup>129</sup> Party loyalty "demands a continuous alteration of the past, made possible by the system of thought . . . known in Newspeak as doublethink."<sup>130</sup> The ability to hold "two contradictory beliefs in one's mind simultaneously" and accept both of them forms the essential act of the Party, "to use conscious deception while retaining the firmness of purpose that goes with complete honesty."<sup>131</sup> Thus, the Party faithful accept the slogans, "WAR IS PEACE. FREEDOM IS SLAVERY. IGNORANCE IS STRENGTH."<sup>132</sup> Newspeak and doublethink extend the Party's control over thought, which the destruction of accurate records had begun. Without reliable memory, authentic records, or effective modes of language, no one can challenge the autocratic rulers of Oceania. Control over both language and records leaves memory powerless.

Any use of language to convey ideas or influence another's thinking becomes political. Overtly political writing is particularly dangerous, Orwell argues. "In our time, political speech and writing are largely the defense of the indefensible," Orwell claims. "Thus political language has to consist largely of euphemism, question-begging and sheer cloudy vagueness." Such language, he contends, "is designed to make lies sound truthful and murder respectable, and to give an appearance of solidity to pure wind. Once cannot change this all in a moment, but one can at least change one's own habits." As a writer, Orwell recognizes that "if thought corrupts language, language can also corrupt thought." To express any ideas in writing constitutes a political act. "In our age there is no such thing as 'keeping out of

politics.’ All issues are political issues, and politics itself is a mass of lies, evasions, folly, hatred and schizophrenia. When the general atmosphere is bad, language must suffer.”<sup>133</sup> There can be no neutrality in such circumstances. Each writer—each citizen—must take sides. Thus writing is essentially political. The same is true for those responsible for written records, in all formats, and for shaping institutions of social memory. Historians and archivists cannot avoid taking actions that are fundamentally political. In fact, nearly every decision they make, nearly every word they speak or write, enters the political fray. If their actions do not challenge the status quo, they will reinforce it.

### ORWELL IN THE ARCHIVES

If it is true that the victors write history, as Orwell declares, it follows that they often employ archives to institutionalize their power. This has been true throughout human history. Despots, kings, religious leaders, and presidents have legitimized their authority through documents, both symbolic and real. From Greek and Roman archives preserving records of governmental power, to medieval charters, to the American Constitution, such documents have strengthened the power of the rulers. Yet the rights of subjects have also been protected by resort to documents, from the Magna Carta to the American Bill of Rights and the French Declaration of the Rights of Man.

In archives, from ancient to modern times, the preponderance of records has documented the activities and interests of the more powerful groups in society. Education, literacy, and access to power have reinforced the entrenched interests of the elite classes. Representation in archives has privileged the stories of these groups, since it is their voices that are most often recorded and thus most frequently heard in historical accounts. Examples abound of societies in which the powerful have ruled by controlling and manipulating information and records. As Noam Chomsky argues, “elites depend on sophisticated information systems, media control, surveillance” and related measures to maintain their positions.<sup>134</sup> Echoing the implicit objective of Orwell’s Ministry of Truth, Jacques Derrida explicitly links political power to the archives: “There is no political power without control of the archive, if not of memory.”<sup>135</sup>

Even in democratic societies, public officials often seek to control public discourse by manipulating access to information, as former Society of American Archivists president Tim Ericson stated: “Nothing has been able to slow the growth of secrecy in government.

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Many suspect it serves the interests of politics, malfeasance, misdeeds, and potential embarrassment more than our national security.”<sup>136</sup> Government secrecy is the enemy of truth, and the beginning of amnesia. Thus, as we look at the relationships among political power, memory, history, and archives, we should keep in mind that these are vital concerns. At times the nature of our social and political systems—including our personal and collective liberties—may be at stake.

As George Orwell reminded us, the very act of remembering can be a powerful political statement. What we remember, and how we form and preserve our memories, defines us as individuals, as members of various social groups, and as a society. Confronted by demands for sanitizing the past—for a collective drink of the fatal kool-aid of amnesia—we can join Winston Smith in resistance. Faced with the overpowering totalitarian control of the Party, Smith places his hope in history. When members of a clandestine resistance group offer a toast, the leader asks, “What shall it be this time? . . . To the death of Big Brother? To humanity? To the future?” “To the past,” Winston suggests. “The past is more important,” his comrade agrees.<sup>137</sup> For Orwell, memory—both personal and collective—provided the only antidote to totalitarianism. The political act of defiance required both personal memory and the corroborating evidence of authentic and reliable records. Orwell found his answer to the dangers of political repression in the archives.

### MILAN KUNDERA ON TRUTH, MEMORY, AND OPPRESSION

Orwell’s warnings about totalitarianism, oppression, and the police state have found numerous echoes in world literature. Writers who have battled directly against repressive regimes could hardly avoid calling forth similar images and stories of brave people resisting the power of the state. Few have done so more effectively than Czech writer Milan Kundera. The themes Orwell expounded regarding the struggle for truth, power, memory, and identity play out clearly against the background of the Soviet Union’s oppression of Czechoslovakia during the cold war era, as Kundera depicted it in his novels and essays. For Kundera, however, the public arena of politics forms the background and context in which to explore personal stories of love, honor, betrayal, death, identity, and existence. In his novels and essays, Kundera demonstrates how, in the slogan popularized by 1960s protestors, the personal truly is the political.

Born in Brno, Czechoslovakia in 1929, Kundera represents the generation that came of age following the Second World War. Starting his career as a poet, he published three volumes of poetry between 1953 and 1964, before turning to the novel as his primary medium. In 1967 his first novel, *The Joke*, established Kundera as an important dissident voice during the reform movement leading up to the 1968 Prague Spring. This short-lived democratic movement ended with Soviet tanks rumbling through the streets of Czechoslovakia's capital. In the aftermath, Kundera and other non-communist writers lost their jobs and had their books removed from libraries and bookstores. Initially prevented from traveling to the West, Kundera eventually found sanctuary and a teaching job in France in 1975. Following his exile, he published the novels *Life Is Elsewhere* and *The Farewell Party*, before completing *The Book of Laughter and Forgetting* in 1979. In 1984 he published his best-known novel, *The Unbearable Lightness of Being*, adapted as a movie in 1988. His later novels include *Immortality* (1990), and *Ignorance* (2000), among others. Although his focus rests upon fictional characters and their struggles to make sense of existential questions, Kundera both explicitly and implicitly addresses the central political issues of his era. In doing so, he provides insights into the intersection and collision of truth, memory, and political power.

As George Orwell recognized, any writer who pays attention to what is happening in the contemporary world must address fundamental questions of truth, power, and morality. It is impossible to ignore the past or to blot it entirely from one's purview. Even those who seek to forget the past because of its suffering or its seeming irrelevance to current problems will fondly recall personal incidents from their own pasts. In the literary study *Atrocity and Amnesia: The Political Novel Since 1945*, Robert Boyers states, "One is involved in time, like it or not, and can no more succeed in escaping the past than in launching oneself directly into the future of one's dreams."<sup>138</sup> As writers confront the past—including the recent past of world-wide warfare, the Holocaust, Soviet gulags, and totalitarian oppression—they engage political realities. As Franz Fanon argues, politics is the collective assertion of the will to power.<sup>139</sup> This is the context in which both Orwell and, a generation later, Kundera wrote about resisting political power. For Orwell, fascism provided the reference point for a political orientation shaped by the Spanish Civil War, the Second World War, and the cold war. Kundera addressed the post-war dominance of Soviet power in Eastern Europe, particularly his home country, Czechoslovakia. Although neither writer explicitly focused on archives, their examinations

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of the meanings of truth, memory, and freedom indicate how documents and archives contribute to the struggle against political power.

In two interviews conducted with American novelist Philip Roth during his first visits to London and the United States, Kundera directly addressed the political situation in Czechoslovakia. "In the course of a mere half-century, it experienced democracy, fascism, revolution, Stalinist terror, as well as the disintegration of Stalinism, German and Russian occupation, mass deportations, the death of the West in its own land," Kundera stated. "It is thus sinking under the weight of history, and looks at the world with immense skepticism."<sup>140</sup> Soviet control over Czechoslovakia had dismantled Czech literature, by proscribing 200 Czech writers ("including the dead Franz Kafka") and dismissing 145 Czech historians from their posts. History was rewritten and monuments demolished. "A nation which loses awareness of its past gradually loses its self," Kundera warned. "Politics unmask the metaphysics of private life, private life unmask the metaphysics of politics." Thus, he told Roth, "what terrifies us about death is not the loss of the future but the loss of the past. Forgetting is a form of death ever present within life . . . . But forgetting is also the great problem of politics."<sup>141</sup> In the same way that Winston Smith offered a hopeful toast "To the past," Kundera also declared that remembering the past provides the greatest bulwark against totalitarianism.

For Kundera, however, resistance to oppression arises from questioning rather than from pronouncing answers. "What Orwell tells us could have been said just as well (or even much better) in an essay or pamphlet," Kundera argues. As we have seen, Orwell in fact started by publishing essays before determining that fiction would reach a wider audience. Kundera correctly suggests, however, that Orwell approached his novels as a vehicle for expounding solutions to world problems. "The world of one single Truth and the relative, ambiguous world of the novel are molded of entirely different substances," Kundera states. "Totalitarian Truth excludes relativity, doubt, questioning; it can never accommodate what I would call the spirit of the novel." In the novel, he declares, "a dogmatic thought turns hypothetical."<sup>142</sup> Kundera told Roth that he remained wary of the words *pessimism* and *optimism*. "A novel does not assert anything; a novel searches and poses questions," he declared. "The stupidity of people comes from having an answer for everything. The wisdom of the novel comes from having a question for everything." The novelist shows us how to understand the world as a question.

"The totalitarian world, whether founded on Marx, Islam, or anything else, is a world of answers rather than questions."<sup>143</sup> It is this spirit of openness and exploration that characterizes not only the best novelists but also the best citizens. In an oppressive society, questioning authority—as Orwell also recognized—holds the key to human survival and the persistence of humanism. People living in democratic societies, however, also require this spirit of questioning.

In his first novel, *The Joke*, Kundera presents a series of love stories—often tales of obsession, told by a handful of characters whose lives intersect—against the backdrop of Czech postwar politics. The spirit of the book, as Kundera later declared, "was diametrically opposed to the official ideology" of Soviet-controlled Czechoslovakia.<sup>144</sup> The central character, Ludvik Jahn, runs afoul of party leaders when he sends an intentionally ironic and iconoclastic postcard to a young woman who had spurned his entreaties and headed to a communist youth camp for the summer. She writes to him, "chock full of earnest enthusiasm" for the calisthenics, discussion, songs, and "healthy atmosphere" at the camp. Ludvik states, "So I bought a postcard and (to hurt, shock, and confuse her) wrote: Optimism is the opium of the people! A healthy atmosphere stinks of stupidity! Long live Trotsky! Ludvik."<sup>145</sup> Intended as a joke, the three-sentence postcard unintentionally becomes documentary evidence of his disregard for party loyalty and his rebellious spirit. Denounced even by his university friends in a public inquisitorial hearing, Ludvik ends up in a military prison working in the mines. According to his interrogators, "a man either was a revolutionary, in which case he completely merged with the movement into one collective entity, or he wasn't, . . . and therefore suffered constant guilt." Ludvik gradually accepts the fact that his words, even though intended as a joke, nonetheless mark a transgression against the Party, and "torrents of tortured self-criticism started whirling through my head."<sup>146</sup>

Kundera counterposes Ludvik with another character, Helena, who represents the faithful party *apparatchik*. "People call me a hard-liner, a fanatic, a dogmatist, a Party bloodhound," Helena declares, ". . . but they'll never make me ashamed of loving the Party and sacrificing all my spare time to it. What else do I have to live for?" In phrases reminiscent of the party faithful in *Nineteen Eighty-Four*, Helena gushes, "the Party is almost like a living being, I can tell it all my most intimate thoughts."<sup>147</sup> Even Ludvik describes how he felt dazzled upon joining the Communist Party, which offered "the

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feeling (real or apparent) of standing near the wheel of history.” Young party leaders practically ran the universities single-handedly, since there were few Communists on the faculty. This was not exactly the “intoxication of power” but a milder feeling: “we let history bewitch us; we were drunk with the thought of jumping on its back and feeling it beneath us, and if, more often than not, the result was an ugly lust for power,” an illusion remained that all men “would no longer stand outside history, no longer cringe under its heel, but direct and create it.”<sup>148</sup> This sense of power and control, although illusory, proved irresistible to many young men and women under the Soviet regime—as it had throughout human history, when people sensed their ability to gain influence and control over others.

Themes of remembering and forgetting, past and present, truth and mystery infuse *The Joke*. Obsessed with Lucie, a young woman whom he fails to seduce, Ludvik later recognizes that “having become part of the irrevocable past (something that lives in the past, but is dead to the present), she gradually lost all corporeality, physicality in my mind and turned into a kind of legend or myth, inscribed on parchment and laid in a metal casket.” The imagery of parchment and metal casket calls to mind the documentary evidence of the past enshrined in archives and libraries. For Ludvik, his personal experience “takes the form of a rebus whose message must be deciphered,” because “the stories we live in life comprise the mythology of our lives and in that mythology lies the key to truth and mystery.”<sup>149</sup> Lucie also becomes an obsession for Ludvik’s nemesis Kostka. “I watched her smile,” Kostka says while watching Lucie working in the field. “Until then her soul had been in eternal flight from both past and future. She had been afraid of everything. Past and future were treacherous maelstroms. She clung desperately to the leaky lifeboat of the present, a precarious refuge at best.”<sup>150</sup> In this metaphor, Kundera illustrates the challenge facing all humans in reconciling past, present, and future.

In efforts to establish stable connections to the past, people often turn to tradition, folklore, and cultural heritage. One of the main themes in *The Joke* centers on a local Moravian village’s annual celebration of a tradition believed to originate from a legend about Hungarian King Matthias fleeing from Bohemia in defeat. “The Ride of the Kings was said to be a reminder of that historic event, but all it took was a brief perusal of source documents to show that the tradition of the Ride antedates by far the misadventures of the Hungarian king,” Ludvik relates. He thereby shows the usefulness of archival documents in separating truth from legend. Yet the legend

persists. It serves the cultural needs of people who long ago forgot its origins or what it signified. No one knows what it means, Ludvik states, but the reenactments convey meaning, “just as Egyptian hieroglyphs are most beautiful to people who cannot read them.”<sup>151</sup> People today lack the patience to listen to such traditions. “At some point far in the past a group of people had something important to say,” he muses. “By now history is nothing more than the thin thread of what is remembered stretched out over the ocean of what has been forgotten,” Ludvik concludes, “. . . and the consequences will be dire: man will lose all insight into himself, and his history—unfathomable, inscrutable—will shrink into a handful of senseless schematic signs.” Then he realizes, “most people willingly deceive themselves with a doubly false faith; they believe in eternal memory (of men, things, deeds, people) and in rectification (of deeds, errors, sins, injustice).” Both beliefs are shams: “All rectification (both vengeance and forgiveness) will be taken over by oblivion. No one will rectify wrongs; all wrongs will be forgotten.”<sup>152</sup> Kundera stated in a preface added years after the initial publication that the *Ride of the Kings* forms “a frame of forgetting.” Nostalgia provides the strongest link binding us to a life eaten away by forgetting. “If a man loses the paradise of the future, he still has the paradise of the past, paradise lost,” he declares.<sup>153</sup> Yet nostalgia is a poor substitute for truth. Accurate history depends on evidence, on a clear understanding of meaning and purpose. In this novel, at least, Kundera does not recognize the possibility of documentary evidence—preserved in archives, libraries, and museums—as a means of preventing oblivion and forgetfulness. Archival evidence provides one available tool not only for preserving heritage, but also for redressing wrongs and holding oppressive rulers to account before the gaze of public opinion.

In *Immortality* (1990), Kundera explores the human desire to leave a mark on the pages of history. This is also a common motivation for individuals considering placing their personal papers or organizational records in an archival repository, where future generations can learn of their achievements. The flip side of this shows through in a surveillance society, such as Orwell’s Oceania, where Big Brother watches over all citizens. Cameras, telescreens, and documentary records provide the means of surveillance in *Nineteen Eighty-Four*. In *Immortality* a young woman dies during a completely minor operation because of “a carelessly administered anesthetic.” In response a consumer-protection organization proposes that in the future “all operations should be filmed and the films permanently filed.” This leads Agnes to imagine a scenario

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reminiscent of Big Brother's panoptical presence: "in the end one single stare will be instituted that will not leave us for a moment, will follow us in the street, in the woods, at the doctor's, on the operating table, in bed; pictures of our life, down to the last detail, will be filed away to be used at any time, in court proceedings or in the interest of public curiosity." Agnes remembers that as a child her mother told her, "God sees you," in order to keep her from lying or biting her nails. She had imagined God always watching her. Now cameras seemed to be everywhere, capturing images of injured plane crash victims, celebrities, even the Queen of England's sister on a nude beach. "God's eye has been replaced by a camera. The eye of one has been replaced by the eyes of all," Agnes thinks.<sup>154</sup> When these video cameras feed images into computer systems for long-term storage, the archival systems need to sort out those with long-term value from more transitory information.

Public opinion polls likewise contribute to this sense of popular voyeurism, a constant process of creating or defining truth in modern democratic societies. In polling everyone has a voice, and equal influence over the public's perception of reality. "Public opinion polls are a parliament in permanent session, whose function is to create truth, the most democratic truth that has ever existed," Kundera declares. This results in powerful imagery ("imagologues") shaping the "parliament of truth" according to popular criteria divorced from historical causation. "Ideologies fought with one another, and each of them was capable of filling a whole epoch with its thinking," as Agnes's husband Paul concludes: "ideology belonged to history, while the reign of imagology begins where history ends."<sup>155</sup> These two forces thus take modern society into what we might now call a "reality show" paradigm. Ubiquitous cameras constantly watch people as they perform daily activities, increasingly self-conscious that they are being watched and therefore self-consciously play-acting for the camera. When instant television polls ask viewers to text their answers to a computer-linked telephone system, the illusion of participatory democracy replaces real human interaction. Even in supermarket checkout counters, frequent shopper "discount" cards enable the merchandizing conglomerates to track highly personal and individual data. This can be used for benign purposes, but its ultimate purpose is to expand marketing opportunities within increasingly specific consumer niches. Such surveillance, Orwell and Kundera warn, can also feed the needs of governmental powers both in totalitarian and democratic societies.

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*Immortality* presents several additional ideas for consideration in regard to memory, truth, and political power. Kundera depicts Europeans as longing for a lost history. "World history, with its revolutions, utopias, hopes, and despair, had vanished from Europe, leaving only nostalgia behind," he states. This leads both Agnes's daughter Bettina and her sister Laura to seek some new form of immortality. Bettina wishes to say, "I refuse to die with this day and its cares, I wish to transcend myself, to be a part of history, because history is eternal memory." Laura's aspiration to immortality is more modest, but she wants "to transcend herself and the unhappy moment in which she lives to do 'something' to make everyone who has known her remember her."<sup>156</sup> These are the two personal sides of immortality for Kundera. The first seeks to be known to future generations whom one has never met. The latter, to achieve a smaller measure of immortality by continuing to live in the memories of people one has known. In the first aspect, archives and documentary records—books, memoirs, letters, diaries, account books, photographs, even entries in census records or personnel department databases—contribute to the immortality of people otherwise unknown to future generations. This is one reason that some people become self-conscious about the image they will bequeath to posterity.

Numerous instances exist of children or close friends carefully selecting, editing, shaping the documentary record left behind by a loved one. Kundera recounts the story of Bettina Brentano, a young woman who carried on a long flirtation—and correspondence—with the immortal German literary figure Johann Wolfgang von Goethe. Seeking to gain her own immortality by association with the famous author, after Goethe's death Bettina spent three years correcting, rewriting, and adding to the letters she had exchanged with him. She was disappointed in rereading her own compositions, which did not seem suitably elevated or detailed. Even worse, she found Goethe's letters to her too brief, too reserved, even impertinent. Editing for publication, she changed his phrase "my dear friend" to "my dear heart," and added sentences suggesting that Goethe regarded her as his inspiring Muse. Unless extended by a tradition of oral culture, personal memory lasts a much shorter time, confined to the lives of individual people. "Nobody questioned the authenticity of the correspondence until 1920, when the original letters were discovered and published," Kundera explains. He surmises that Bettina did not burn the original letters, which later revealed her false claims to intimacy with the great Goethe, because burning such intimate documents would be like admitting to yourself that

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you could die tomorrow. One puts off such destruction until one day it is too late. "Man reckons with immortality, and forgets to reckon with death," Kundera concludes.<sup>157</sup> The personal valuation of documents, whether sentimental or intellectual, makes them too dear to cast away. This may also delay an individual's decision to donate such materials to an archival repository, which is why many institutions encourage potential donors to include provisions in their wills to ensure their papers will reach the archives.

In his recent work, Kundera returns to the theme of memory, linking it directly to archives. In his novel *Ignorance*, he devotes one chapter to these concerns. Memory cannot be understood without considering a mathematical approach, Kundera posits, since "the memory retains no more than a millionth, a hundred-millionth, in short an utterly infinitesimal bit of the lived life." This affects the very essence of mankind. "If someone could retain in his memory everything he had experienced, if he could at any time call up any fragment of his past, he would be nothing like human beings: neither his loves nor his friendships nor his angers nor his capacity to forgive or avenge would resemble ours," he states. "We will never cease our critique of those persons who distort the past, rewrite it, falsify it, who exaggerate the importance of one event and fail to mention some other," yet we must not avoid the obvious fact that reality cannot be reconstructed. "Even the most voluminous archives cannot help." The old diary kept by Josef, the central character of the novel, is "an archival document that preserves notes by the authentic witness to a certain past; the notes speak of events that their author has no reason to repudiate but that his memory cannot confirm, either."<sup>158</sup> Thus, the archival record attests to facts, experiences, ideas, and opinions that cannot be corroborated by personal recollection. In such cases, one must assume either that the written account is correct or that it was falsely recorded at an earlier time.

Josef cannot remember an incident described in his diary. He cannot claim that his record of the event is identical with what he had actually experienced: "he knew that it was only the plausible plastered over the forgotten." Memory remains partial, incomplete. Two people meeting after many years may think they are linked by common experiences from the past, Kundera observes, yet their memories may not correspond: "each of them retains two or three small scenes from the past, but each has his own; their recollections are not similar; they don't intersect." For example, Irina remembers every detail of a long-ago meeting with Josef at the airport, but

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Josef remembers nothing. Even when two people live in the same apartment and love each other, “by tacit and unconscious consent they leave vast areas of their life unremembered, and they talk time and time again about the same few events out of which they weave a joint narrative that, like a breeze in the boughs, murmurs above their heads and reminds them constantly that they have lived together.”<sup>159</sup> Diaries and old love letters might fill these gaps, providing archival evidence of prior events, shared experiences, passionate feelings, or personal opinions. Yet few spouses create such documents, unless separated for extended periods of days or weeks. With the omnipresent e-mail, written messages may become more common but less permanent, less substantial, dependent on rapidly changing technology.

When his wife dies, Josef gradually loses the clear and intense memories of her smiles, her funny comments, the experiences they had shared. “After his wife’s death Josef noticed that without daily conversations, the murmur of their past life grew faint,” Kundera observes. “And there lies the horror: the past we remember is devoid of time. Impossible to reexperience a love the way we reread a book or resee a film. Dead, Josef’s wife has no dimension at all, either material or temporal.”<sup>160</sup> Because their life together resided in a system of oral communication (“daily conversations”), memory could not hold fast to the details of daily experience. Kundera contrasts this ability to revisit experience with the fixity of books and films. The same is true for archival documents, official records, personal love notes, and a myriad of forms by which people keep track of their lives and leave footprints on the ever-shifting sands of time. Archival sources may not be created for the purpose of immortality, but they do convey human experience over time and distance, allowing us to verify accounts of the past, to confirm (or disprove) memory, and to provide a sense of continuity both for individuals and for society itself.

The archival impulse to document and preserve carries a potential danger for the individual. As memory becomes enshrined in repositories, we become distanced from our own pasts, our own experiences. The torture of trying to retrieve forgotten moments of his wife’s existence drives Josef to despair. Every successful recall of a shared experience merely reveals “the immensity of the void around that moment,” the infinitesimal fraction of the past that he could resurrect. “Then one day he forbade himself that painful ramble through the corridors of the past, and stopped his vain efforts to bring her back as she had been,” Kundera recounts. “He

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even thought that by his fixation on her bygone existence, he was traitorously relegating her to a museum of vanished objects and excluding her from his present life.” Josef and his wife had never destroyed their private correspondence or their daily appointment books, but “it never occurred to them to reread them.”<sup>161</sup>

Remarkably, even when documentation of the past existed, they did not use it to remember or relive their life together. After his wife’s death, Josef may have found such personal archives too painful, too evocative. Yet this failure to recognize the potential value of archival sources may stand as a metaphor for the general neglect of archives by society at large. Even when such records could meet pressing immediate needs, they often are overlooked, ignored, or unrecognized. On both a personal level and a societal scale, such neglect leaves us impoverished and uninformed.

For Kundera such concerns about photographs, documents, and the archival imperative remain secondary to his main project, understanding and representing human experience. These archival issues constitute part of the historical background in which his characters confront each other and the harsh realities of modern life. In *The Art of the Novel*, his most significant work of nonfiction, Kundera defines the novel as “The great prose form in which an author thoroughly explores, by means of experimental selves (characters), some themes of existence.”<sup>162</sup> In an address given upon accepting the Jerusalem award for international literature, Kundera distinguishes between the writer and the novelist. “The novelist is one who, according to Flaubert, seeks to disappear behind his work,” he states. “To disappear behind his work, that is, to renounce the role of public figure.”<sup>163</sup> Kundera increasingly found this difficult. During the Soviet era in Czechoslovakia, and even after it ended, the Western world regarded him as the exiled spokesman for the Czech people. Yet Kundera continued to resist this public role, and to argue that he was not a journalist, historian, or political figure. “If the writer considers a historical situation a fresh and revealing possibility of the human world, he will want to describe it as it is,” he stated in an interview with Christian Salmon. “Still, fidelity to historical reality is a secondary matter as regards the value of the novel. The novelist is neither historian nor prophet: he is an explorer of existence.”<sup>164</sup> However, Kundera also recognized that the novelist needed to take a public stance at times. In his address in Jerusalem, he declared that European culture faced threats from within and without “over what is most precious about it—its respect for the individual, for his original thought, and for his right to an inviolable private life.” Faced with such threats, he stated his belief

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that the “precious essence of the European spirit is being held safe as in a treasure chest inside the history of the novel, the wisdom of the novel.”<sup>165</sup> This image of a treasure chest could also signify one of the central purposes of archives. The protection of culture and heritage, even human spirituality—those in the Jerusalem audience could not help but think of the Torah and the Ark of the Covenant in the metaphor of a “treasure chest”—motivates not only the novelist, but also the librarian, the museum curator, and the archivist. This is not their only purpose or meaning, but it is one of the fundamental contributions made by archivists and their repositories, their “treasure chests.”

When Kundera addresses the historical reality underlying his novels, he speaks directly to the politics and power relations of Europe, particularly his native Czechoslovakia and his adopted France. In *The Art of the Novel* he writes at length about history and historiography. He begins by distinguishing between the novel that examines “the historical dimension of human existence” and the novel that is “the illustration of a historical situation, the description of a society at a given moment, a novelized historiography.” The latter type violates the novel’s purpose, its *raison d’être*. In his novels, he declares, “I behave toward history like the stage designer who constructs an abstract set out of the few items indispensable to the action.” As a novelist, he keeps historical situations in the background, used only to “create a revelatory existential situation” for his characters. “Historiography writes the history of society, not of man,” he insists. “That is why the historical events my novels talk about are often forgotten by historiography.”<sup>166</sup> In making this distinction, however, Kundera fails to recognize the recent trends in historiography to examine life from the bottom up, to uncover precisely the forgotten events and situations he prizes. Bound by rules of evidence, authenticity, and documentation, historians enjoy less freedom for the imagination, but many have begun to explore the human condition, the individuals previously unseen in the broad brush strokes of societal history.

Asked whether it is important to know the history of Czechoslovakia to understand his novels, he answers, “No. Whatever needs to be known of it the novel itself tells.” Yet he acknowledges that to understand any novel one must understand the broad historical context of European history. “I can understand *Don Quixote* without knowing the history of Spain. I cannot understand it without some idea, however general, of Europe’s historical experience—of its age of chivalry, for instance, of courtly love, of the shift from the

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Middle Ages to the Modern Era.”<sup>167</sup> Historical reality thus forms the backdrop for fiction, for the exploration of essential themes of human nature, existence, and interaction. Although Kundera regards such context as the backdrop for the personal stories of individual characters, one cannot fully understand these characters’ actions or motivations without knowing the historical context in which they live. Furthermore, Kundera’s explication of his characters enriches the reader’s understanding of that historical context. Seeing his characters respond to the events of the Prague Spring, for example, helps one to grasp both the political implications and the personal impact of the Soviet tanks and the cowardly acquiescence of Alexander Dubcek. Both novelist and historian enrich our understanding of the human experience. Both contribute thus to a political response, to our knowledge of how people respond to and are affected by historical events, political decisions, and human actions. Documenting these processes informs the professional responsibilities of librarians, museum curators, and archivists.

### THE UNBEARABLE LIGHTNESS OF HISTORY

In Kundera’s best-known novel, *The Unbearable Lightness of Being*, one of the prominent themes is the feeling of continuity or “heaviness” associated with memory, and the contrasting sense of “lightness” created by forgetting. This concept connects the individual to political events in many of his works. Weighed down by responsibilities, people have long admired the mythic Atlas, who literally carried the weight of the world on his shoulders. In *The Unbearable Lightness of Being* Kundera focuses on human relationships—love, eroticism, loyalty, infidelity, betrayal, and friendship—but still reveals some of his concepts of history, archives, and memory. According to literary critic Robert Boyles, *Unbearable Lightness* is not a political novel, but uses the politics of the cold war as a background against which the characters enact their fates.<sup>168</sup> This may be a matter of definition, however, since it is impossible to separate the personal stories of Kundera’s characters from their political context. The impact of Soviet invasion and occupation forms a theme second in prominence only to sexual conquest and erotic encounters. Didactic exposition of the events of 1968 and their aftermath figures prominently in the novel. In addition, several references to archives reveal the links connecting political power, oppression, recordkeeping, and resistance.

The central story of *Unbearable Lightness* is the relationship between Tomas and Tereza, linked to stories of their circle of friends and acquaintances. These stories emerge amidst the upheavals of the

Prague Spring of 1968, “that dizzying liberalization of Communism which ended with the Russian invasion,”<sup>169</sup> which disrupted the lives of Czech people at all levels. In the humiliation of Dubcek by the Soviets, Tereza sees the weakness of those who resist totalitarian power. Summoned to Moscow after the tanks rolled through Prague’s streets, Dubcek faced possible execution before being sent back to resume his role as head of state. “He returned, humiliated to address his humiliated nation,” Kundera reports. “He was so humiliated he could not even speak.” Long pauses, when Dubcek seemed unable to breathe or speak, showed Tereza and others the depth of his humiliation and weakness. At the time, most Czechs hated Dubcek and felt offended by his weakness. “Those pauses contained all the horror that had befallen their country,” Kundera states. In thinking back, after seeking asylum in Switzerland, Tereza found Dubcek’s speech a rallying point for resistance. “She realized that she belonged among the weak, and that she had to be faithful to them precisely because they were weak and gasped for breath in the middle of sentences.”<sup>170</sup> Tereza thus casts her lot with the oppressed people of her native land, taking pride in the weakness that nonetheless led them to resist the power of Soviet tanks, secret police, surveillance, and intimidation.

Another character in the story, Sabina, emigrates to France, where she witnesses demonstrations against Soviet imperialism on the anniversary of the Russian invasion of her country. She finds herself unable to join the protests. As she wants to tell her French friends, but can’t, she sees that “behind Communism, Fascism, behind all occupations and invasions lurks a more basic, pervasive evil and that the image of that evil was a parade of people marching by with raised fists and shouting identical syllables in unison.”<sup>171</sup> Even worse than the exertion of naked political and military power, Sabina thinks, is the conformity and mass hysteria of mindlessly supporting any ideological cause. As she recognizes, “the people who struggle against what we call totalitarian regimes cannot function with queries and doubts. They, too, need certainties and simple truths to make the multitudes understand, to provoke collective tears.”<sup>172</sup> This surrender of individuality to the groupthink mentality of the mob frightens and troubles Sabina. It offers an important reminder of the necessity for clear thinking and analysis in responding to political power struggles.

The power of the Soviet regime encompassed many of the forms that Orwell had detected in European fascism: destruction of incriminating evidence, surveillance, interrogation, and punishment for dissenters. The invasion of Czechoslovakia, however, provided tangible evidence of Soviet oppression:

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All previous crimes of the Russian empire had been committed under the cover of a discreet shadow. The deportation of a million Lithuanians, the murder of hundreds of thousands of Poles, the liquidation of the Crimean Tatars remain in our memory, but no photographic documentation exists; sooner or later they will therefore be proclaimed as fabrications. Not so the 1968 invasion of Czechoslovakia, of which both stills and motion pictures are stored in archives throughout the world.

Czech photographers and cameramen were acutely aware that they were the ones who could best do the only thing left to do: preserve the face of violence for the distant future.<sup>173</sup>

Tereza joins the ranks of photographers, roaming the streets to photograph Russian soldiers and officers in compromising positions, showing the harsh face of oppression. Many of her photographs turn up in the western press. “They were pictures of tanks, of threatening fists, of houses destroyed, of corpses covered with bloodstained red-white-and-blue Czech flags,” and images of “young girls in unbelievably short skirts provoking the miserable sexually famished Russian soldiers by kissing random passersby before their eyes.”<sup>174</sup> As Kundera explains, the Russian invasion was both a tragedy and a carnival filled with a curious euphoria.

Significantly, in this description Kundera shows how archival evidence can provide a means of resisting political power by documenting acts of oppression and violations of human rights. The surveillance mechanisms themselves—which Orwell envisioned in the menacing visage of Big Brother and the ubiquitous telescreens—often provide incriminating documentation once the totalitarian regime loses power. In the aftermath of the Prague Spring and Russian invasion, Tereza’s husband Tomas loses his position as a respected surgeon due to a seemingly innocuous article he had written about the political situation. During an unsuccessful attempt by members of a dissident group to enlist him in signing a petition against the Soviet regime, someone jokes about the chances that the police are listening to their conversation through surveillance microphones. He declares that he has nothing to hide, but adds, “And think of what a boon it will be to Czech historians of the future. The complete recorded lives of the Czech intelligentsia on file in the police archives!”<sup>175</sup> Not only would such archival documents provide valuable information about the thoughts of dissidents, but they would also preserve evidence of suppression, atrocities, and abuses of power. This could eventually undermine

the totalitarian regime, or at least expose its excesses for the eyes and ears of posterity.

In the immediate future, of course, this documentation could fulfill its original purpose. Soviet authorities could uncover secret plots, obtain unintended confessions of complicity, or simply embarrass opponents. When Tomas seeks to explain why he refuses to sign the petition against the Russians, he realizes the dangers of being overheard. "He had more to say, but suddenly he remembered that the place might be bugged," Kundera writes. "He had not the slightest ambition to be quoted by historians of centuries to come. He was simply afraid of being quoted by the police." Tomas does not want to provide fodder for the communist propaganda mills, because "he knew that anything anyone in the country said could be broadcast over the radio at any time. He held his tongue."<sup>176</sup> Likewise, Tereza recognizes that her passion for photographing the Russian tanks could be turned against the very people she thought she was supporting. "How naïve they had been, thinking they were risking their lives for their country when in fact they were helping the Russian police," she thinks.<sup>177</sup> In the same way that Winston Smith realizes that his acts of resistance had come to nothing in the face of overwhelming political power, Tomas and Tereza recognize the seeming futility of their gestures of defiance. However, as both Orwell and Kundera intimate, the act of defiance itself can be meaningful. When combined with documentary evidence, whether preserved by individuals or in archival repositories, such resistance can resonate for future generations.

In *The Unbearable Lightness of Being*, Kundera also shows the value to individuals of personal letters, photographs, official records, and documents. When Tereza claims that she must return to Czechoslovakia from Switzerland because her mother's cancer has worsened, Tomas suspects this is not the real reason for the trip. He exposes the lie by telephoning her mother's local hospital and asking for information from her medical file. "Meticulous records of the incidence of cancer were kept throughout the country," so he had no trouble finding out that she had never been suspected of having the disease, nor had she consulted a doctor in the past year.<sup>178</sup> In another scene, Sabina's lover Franz muses on the proliferation of cultural information in societies where people no longer have to work with their hands. Students need to come up with dissertation topics, for example, so the outpouring of written information grows continuously. "Sheets of paper covered with words pile up in archives sadder than cemeteries, because no one ever visits them,

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not even on All Souls' Day," he declares. "Culture is perishing in overproduction, in an avalanche of words, in the madness of quantity."<sup>179</sup> The modern information society thus extends not only to business transactions, government regulation, and other forms of archival documentation, but even to the production of literary and cultural works. For an archivist, the evocation of "archives sadder than cemeteries" harkens to the difficulty of gaining public recognition of and interest in the vast resources of information available for consultation. Although Franz may think that "no one ever visits" archival repositories, Tomas recognizes the availability and usefulness of such records, even while they are still in active files in such institutions as hospitals.

Despite his declaration about the overproduction of cultural information, Franz comes to recognize the personal value and importance of even simple forms of documentary evidence. When Sabina leaves him, he regrets never asking for any of her paintings or drawings, or even a snapshot of her. "As a result, she disappeared from his life without a trace. There was not a scrap of tangible evidence to show that he had spent the most wonderful year of his life with her."<sup>180</sup> By refocusing from the broad cultural problem of excessive documentation, Kundera shows the personal necessity that all people feel for "tangible evidence," which is the basis of archival resources and one important purpose served, for the broader population, by archival repositories.

As a testament to the necessity of resisting totalitarian regimes, *Unbearable Lightness* celebrates the power of individual will and the importance of acts of conscience. Amid numerous sexual conquests, Tomas becomes obsessed with the secret and unknown features of the women he seduces, both physical and emotional characteristics. "What is unique about the 'I' hides itself in what is unimaginable about a person," he thinks. "The individual 'I' is what differs from the common stock, that is, what cannot be guessed at or calculated, what must be unveiled, uncovered, conquered."<sup>181</sup> Although framed in the context of eroticism, Tomas's declaration likewise serves as a testimonial to the significance of individual lives in a political context. Just as Orwell celebrates the importance of individuality through the character Winston Smith, so too does Kundera pronounce the centrality of individual identity and the value of each person, even when his characters may not seem entirely sympathetic or praiseworthy. Kundera prizes the individual willing to stand up against oppression and to display personal courage. When Franz joins a demonstration of doctors, intellectuals, and

celebrities marching to the volatile border of Cambodia to offer medical assistance to war victims, his actions call to mind the Czech intellectual who organized a petition to liberate political prisoners. “His true goal was not to free the prisoners; it was to show that people without fear still exist,” Kundera states.<sup>182</sup> This bravery in the face of oppression echoes Winston Smith’s resistance to the power of Big Brother and the Party in Oceania. This is also the determination, the will to resist, that John Ross celebrates in “Against Amnesia.”

Kundera also shares Orwell’s view that history provides an essential lens through which to view human events and political struggles. After refusing to sign the petition to free political prisoners, Tomas agonizes over his decision. He wonders whether he made the right choice. Would the petition become a justification for a “new wave of persecution” by the rulers? “Is it better to shout and thereby hasten the end, or to keep silent and gain thereby a slower death?” Tomas concludes that since human life occurs only once, with no second, third, or fourth life in which to compare decisions and determine the best course of action, “we cannot determine which of our decisions are good and which bad” in given situations. “History is similar to individual lives in this respect,” Kundera reflects. “The history of the Czechs will not be repeated, nor will the history of Europe. The history of the Czechs and of Europe is a pair of sketches from the pen of mankind’s fateful inexperience. History is as light as individual human life, unbearably light, light as a feather, as dust swirling into the air, as whatever will no longer exist tomorrow.”<sup>183</sup> Although people can be weighed down—burdened and imprisoned—by history, by the accumulated detritus of the past, history can also seem ephemeral and insubstantial in the face of oppression and naked power. The obligation to resist such power may prove more weighty, more burdensome, than an individual person can bear. But it is this call to conscience, to resistance in the face of overwhelming odds, that both Kundera and Orwell consider essential. Memory, evidence, and documentation provide tools for exposing the corruptions of totalitarian regimes, for preventing collective amnesia, and for resisting political power.

### **LAUGHTER, FORGETTING, AND POLITICS**

**K**undera’s *The Book of Laughter and Forgetting*, published in 1979, provides his most extensive commentary on these issues of memory, documents, and the personal impact of political power. Although focused on personal stories, it draws more extensively than his other works on public events. “The basic event

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of the book is the story of totalitarianism, which deprives people of memory and thus retools them into a nation of children,” Kundera told Philip Roth. “All totalitarianisms do this. And perhaps our entire technical age does this, with its cult of the future, its cult of youth and childhood, its indifference to the past and mistrust of thought.”<sup>184</sup> The political framework of the novel is the intimate relationship between cultural disorder and political corruption. By presenting these issues in a starkly political context—from the onset of communist control over Czechoslovakia in 1948 to the repression of the Prague Spring and the democratic resistance twenty years later—Kundera directly addresses the political struggle to remember.<sup>185</sup>

The novel opens with a historical account reminiscent of Winston Smith’s lost photograph, which proved that the Party had lied. A famous photograph of Czech leaders celebrating the February 1948 communist takeover in Prague had to be doctored later after one of the party leaders was charged with treason and hanged. “The propaganda section immediately airbrushed him out of history and, obviously, out of the photographs as well,” Kundera reports. This brief opening scene leads directly into a passage that historians and archivists have often quoted: “It is 1971 and Mirek says that the struggle of man against power is the struggle of memory against forgetting.”<sup>186</sup> Mirek has been keeping a diary, preserving his correspondence, and taking notes at meetings in which Soviet oppression was discussed. When his friends call him careless (meaning reckless for his disregard of reprisals), Mirek responds that trying to hide one’s beliefs marks “the beginning of the end.” Yet he soon decides to secrete these incriminating papers in a safe place.<sup>187</sup> Like Winston Smith, Mirek recognizes the dangers of documentary evidence and its potential threat to those in power. Also like Smith, Mirek experiences a police raid, during which they seize “letters from Mirek’s friends, documents from the early days of the Russian occupation, analyses of the political situation, minutes of meetings, and a few books.”<sup>188</sup> Mirek himself is not led off to torture and brainwashing, but the seizure of his documents illuminates their potential power for subversion, for the struggle against forgetting. Kundera acknowledged that this story echoed “Orwell’s famous theme: the forgetting that a totalitarian regime imposes.” Yet Kundera insisted that the originality of Mirek’s story derives from a central fact of human experience: “Before it becomes a political issue, the will to forget is an existential one: man has always harbored the desire to rewrite his own biography, to change the past, to wipe out tracks, both his own and others’. The will to

forget is very different from a simple temptation to deceive.”<sup>189</sup>

Kundera recognizes that the rapid succession of modern calamities and injustices creates a sense of amnesia in cold war society. A bloody massacre in Bangladesh “quickly covered over the memory of the Russian invasion of Czechoslovakia,” the assassination of Allende in Chile “drowned out the groans in Bangladesh,” and so on, until “ultimately everyone lets everything be forgotten.”<sup>190</sup> The sheer frequency of such horrific events becomes swallowed by the banality of everyday life. This mirrors Orwell’s Oceania, which remained in a constant state of war in order to numb people to the tragedies surrounding them. Kundera repeats Orwell’s argument that political power requires control over memory. After describing the Soviet army’s incursion into Bohemia on August 21, 1968, to suppress the popular expression of freedom known as the Prague Spring, he declares that this “stain on the nation’s fair history” had to be nullified. “As a result, no one in Czechoslovakia commemorates the 21st of August, and the names of the people who rose up against their own youth are carefully erased from the nation’s memory, like a mistake from a homework assignment.”<sup>191</sup> Truth and memory are casualties of totalitarianism, because they threaten the party’s power and control. Reminders of the past—personal letters, unaltered photographs, official records—contain the seeds of resistance, the potential to undermine an oppressive regime.

As in *Nineteen Eighty-Four*, Kundera portrays the power of personal memory and privately held documentation of the past. Mirek attempts to regain possession of love letters he had sent to a former girlfriend. He cannot remember what he had been like when he was younger, and he wants to return to this personal correspondence “to find the secret of his youth, his beginnings, his point of departure.”<sup>192</sup> His personal identity has become entwined with the documentary evidence of the past, just as social classes and nations find their sense of identity through and in written records. Yet Mirek also wants to obliterate the painful memories of his past love. He wants to destroy the love letters, to cast them into the equivalent of the Ministry of Truth’s memory holes. “He airbrushed her out of the picture in the same way the Party propaganda section airbrushed Clementis from the balcony where Gottwald gave his historic speech. Mirek is as much a rewriter of history as the Communist Party, all political parties, all nations, all men,” Kundera declares. “The only reason people want to be masters of the future is to change the past. They are fighting for access to the laboratories where photographs

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are retouched and biographies and histories rewritten.”<sup>193</sup> The compulsion to alter the past, which Orwell saw as a means to political power, appears to Kundera as the purpose for which people seek such power. The goal is to cleanse our minds, eliminate painful memories, and remake our own—and society’s—image as we want it to be. Perhaps this is the difference between personal and political concerns for control of memory. As individuals our focus is on the emotional content and self-identity afforded by memory, and the documentation that preserves it and brings it to life. Political entities seeking power within society use the control of the past, as Orwell argues, to control the present and the future.

Another character in *The Book of Laughter and Forgetting*, Tamina, notices with desperation that her memory of her late husband is “growing paler and paler” with the passage of time. All that she has left to remember him is his passport picture. When they had begun dating, she recalls, he had asked her to keep a diary to document both their lives. “He was ten years older than she was and had some idea of how poor the human memory can be,” Kundera explains. Tamina had argued that acknowledging that such experiences could ever be forgotten would make a mockery of their love. Now she regrets that the diary she did keep contains only fragmentary entries and many blank pages. Tamina attempts to fill in the gaps in her diaries. She tries to bring back memories as reference points to “provide a basic framework for the past as she recreated it.”<sup>194</sup> Personal memory—as well as organizational memory—requires documentary confirmation, written (or visual) evidence, or some tangible inscription.

Unfortunately for Tamina, who now lives in a small village in western Europe, her diaries remain at her mother’s apartment in Czechoslovakia. Correspondence seeking the return of the diaries would have to go through the secret police and Tamina “could not resign herself to the idea of police officials sticking their noses into her private life.” Her late husband had been on the Czech blacklists, and Tamina realizes that “police files are our only claim to immortality.” At the same time, she understands that her western neighbors could never understand why private letters and diaries might be confiscated, so she tells them that she is concerned about her “political documents.”<sup>195</sup> In a repressive state, the personal indeed becomes political. Even old love letters are subject to inspection, suppression, and censorship. Receiving them can be an act of political subversion, just as Winston Smith’s glass paperweight symbolized his independent thinking and secret opposition to authority. As Tamina realizes, “what gave her written memories

value, meaning, was that they were meant for her alone.” The diaries helped to define her identity. That was why she so desperately sought to regain them, “before the image of the past they contained was destroyed.”<sup>196</sup>

These personal diaries symbolize the power of written records to embody both personal memory and the individual’s assertion of identity in the face of political repression. Such documents thus carry the capacity to resist power. Although Tamina cannot tell her western friends that the documents she wants to retrieve from Czechoslovakia are personal diaries rather than political documents, her friend Hugo grasps the underlying message concerning political power. “I have come to realize that the problem of power is the same everywhere, in your country and ours, East and West,” he tells Tamina. “We must be careful not to replace one type of power with another; we must reject the very principle of power and reject it everywhere.”<sup>197</sup> Kundera, like Orwell, thereby connects the personal concerns of his characters to the political repression of the police states in which they live. Truth and memory, an accurate representation of the national past and of personal lives, depend on documentary sources. Without explicitly linking this realization to the existence of archives, Kundera attests to the power that such repositories can exert. In fact, if Kundera had discussed archives he would most likely have regarded them as tools of state oppression rather than sources of liberation and truth. Under the Soviet system, as in all political regimes, archives have more often been part of the state’s mechanisms of power.

Kundera returns to the opening scene of communist leaders speaking to the crowds in Prague in 1948, reporting that Franz Kafka had attended school in the building from whose balcony they later spoke. He reflects on Kafka’s writings about time, memory, and identity. “Prague in his novels is a city without memory. It has even forgotten its name. Nobody there remembers anything,” Kundera writes. “No song is capable of uniting the city’s present with its past by recalling the moment of its birth.” The street on which Tamina was born had been renamed after each political upheaval, Kundera writes, as successive regimes sought to “lobotomize” it. The monuments of the past were ghosts, demolished in turn by the Czech Reformation, the Austrian Counterreformation, the Czechoslovak Republic, and the communists. Where statues of Stalin had been torn down, Lenin statues had sprouted up “like weeds on the ruins, like melancholy flowers of forgetting.”<sup>198</sup>

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This seemingly wistful metaphor soon gives way to darker images. In the following sentence, starting a new chapter section, Kundera begins, "If Franz Kafka was the prophet of a world without memory, Gustav Husak is its creator." The seventh president of Czechoslovakia, Husak was known as "the president of forgetting." He presided over the worst massacre of culture and thought since 1621. Among other assaults, he dismissed some hundred and forty-five Czech historians from universities and research institutes, including Kundera's friend Milan Hubl. "The first step in liquidating a people,' said Hubl, 'is to erase its memory. Destroy its books, its culture, its history. Then have somebody write new books, manufacture a new culture, invent a new history. Before long the nation will begin to forget what it is and what it was.'"<sup>199</sup> This pronouncement could have come directly from Big Brother's manual for thought control. It reiterates the Ministry of Truth's reasons for constantly rewriting all records and accounts of the past.

Both George Orwell and Milan Kundera thus connected the concept of personal memory with political dissidence, portrayed the importance of documents to corroborate and preserve memory, and warned against the power wielded by regimes that control memory and representations of the past. These concerns have broad political implications, but they also provide a mechanism for examining the construction of memory and the roles played by archives and archivists. Often referred to as "houses of memory," or the "collective memory" of society, archives clearly engage in the process of remembering and recalling the past. The direct equation of archives and memory breaks down upon further inspection, as the next chapter explains, but the complex interactions of memory, documents, and institutions concerned with history deserve careful examination.

### EMBRACING SOCIAL RESPONSIBILITY

**O**ne challenge for archivists is to embrace the power of archives and use it to make society more knowledgeable, more tolerant, more diverse, and more just. The first step is to abandon the pretense of neutrality. As Allan Spear, a professor of history and Minnesota state senator, told a Society of American Archivists audience in 1983, "The concepts of neutrality and objectivity are impossible to achieve and, more often than not, smoke screens to hide what are really political decisions in support of the status quo. Inaction can have political consequences as far reaching as action."<sup>200</sup> The performance of archivists, their use of power, needs to be opened to debate and to accountability. As

Terry Cook and Joan Schwartz argue, "Power recognized becomes power that can be questioned, made accountable, and opened to transparent dialogue and enriched understanding."<sup>201</sup> Once archivists acknowledge their professional and personal viewpoints, they can avoid using this power indiscriminately or, even worse, accidentally.

Archivists have already made many thought-provoking suggestions on how to acknowledge and use the power of archives. Eric Ketelaar urges archivists to open their decision-making to public scrutiny: "In a democracy, the debate about selection and access should be a public debate, subject to verification and control by the public."<sup>202</sup> Paraphrasing Abraham Lincoln, Ketelaar calls archivists to ensure "Archives of the people, by the people, for the people."<sup>203</sup>

Archivists' focus on the technical side of their duties sometimes obscures their social and cultural responsibilities. Shirley Spragge warned in 1994 of an emerging "abdication crisis of archivists' cultural responsibility." Too much emphasis on recordkeeping systems, accountability, and evidence, John Dirks adds, creates concern that "what could be termed as 'the right brain' of the archival mission—our cultural role in preserving heritage, and social memory—has been unfairly neglected, sidelined, and even devalued." In addition to holding accountable those leaders in politics, business, academics, and other fields whose records they manage, archivists themselves, Dirks reminds us, "will be held accountable by tomorrow's users, who depend on our making well formulated, professional decisions that can stand the test of time. Indeed archivists are vital players, not passive observers, of the relationship between history, memory, and accountability."<sup>204</sup> Power carries responsibility. It also raises the stakes of what archivists do and how they perform their roles.

Hilary Jenkinson set an unattainable ideal of the archivist as one who served researchers but never engaged in interpretation of the records. However, as Tom Nesmith asserts, "an act of interpretation is always at the heart of the management and use of documents." The archivist's role in society is "the assessment and protection of the integrity of the record as evidence." Nesmith adds, "Thus the utility, reliability, and authenticity of archival records are directly related to the ability of the archivist to interpret or contextualize records as fully as possible, rather than based simply on observing and guarding those attributes of records."<sup>205</sup> Like the records they manage, archivists must be authentic, reliable, and trustworthy. Their professional responsibilities are vital and profound.

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In their role as creators of the documentary record, archivists help to ensure accountability and documentation, and to provide a means to verify or correct personal and collective memory through documentation. Accountability lies at the heart of Orwell's fear of Big Brother's control over public memory. As Milan Kundera warned in the face of Soviet attempts to obliterate memories and compel the silence of the Czechoslovakian people, "the struggle of man against power is the struggle of memory against forgetting."<sup>206</sup> American geographer Kenneth Foote observes, "For archivists, the idea of archives as memory is more than a metaphor. The documents and artifacts they collect are important resources for extending the spatial and temporal range of human communication."<sup>207</sup> Archives provide essential benefits for society. "The care which the nation devotes to the preservation of the monuments of its past may serve as a true measure of the degree of civilization it has achieved," historian Waldo G. Leland declared in 1912. "The chief monument of the history of a nation is its archives, the preservation of which is recognized in all civilized countries as a natural and proper function of government."<sup>208</sup> Archives not only hold public leaders accountable, they also enable all citizens to know the past.

Archivists therefore become responsible to all citizens in a democratic society. They play an important function that often goes unnoticed. Archives document society and protect the rights of citizens. A generation ago Gerald Ham challenged archivists to "provide the future with a representative record of human experience in our time," and to "hold up a mirror for mankind" so they could help people "understand the world they live in."<sup>209</sup> Although archivists may be less sanguine now than then about their ability to do so, this is still a noble calling. At its heart, Ham's challenge is to represent all of society in the archives, to give voice to the poor, the impotent, and the obscure. Archivists, both individually and collectively, must commit themselves to ensuring that their records document the lives and experiences of all groups in society, not just the political, economic, social, and intellectual elite. In 1971 Howard Zinn urged archivists to "take the trouble to compile a whole new world of documentary material, about the lives, desires, needs, of ordinary people." This would help ensure "that the condition, the grievances, the will of the under classes become a force in the nation."<sup>210</sup>

In responding to this challenge, archivists have made great strides. There are more archives devoted to—or at least concerned with—documenting women, racial and ethnic groups, laborers, the poor,

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gays and lesbians, and other marginalized peoples. Archivists can still do more. They should aspire to improve on their past successes. In addition to ensuring documentation of these marginalized groups, archivists also need to document the Christian right, the conservative “silent majority,” and extremist groups on both ends of the political spectrum, from the Ku Klux Klan and militia groups to anarchists and eco-terrorists.

Paying attention to the need for accountability and documentation serves the cause of human rights and social justice. “Archives not only aid in holding today’s organizations legally and fiscally accountable to society, they also hold yesterday’s leaders and institutions accountable, both in terms of morality and effectiveness,” John Dirks claims. The availability of archives is essential to serve “a society’s need for the prevalence of justice, and the preservation of rights, and values.”<sup>211</sup> Archival records have been used to rehabilitate people wrongly convicted of crimes under totalitarian regimes, and to obtain restitution from their former oppressors.<sup>212</sup>

Archivists must strive, as Duff and Harris urge, “to investigate the aspects of records that are not being described, and the voices that are not being heard.” However, they remind archivists to be careful not to inject their own biases and assumptions in giving voice to the marginalized groups in society. “It is imperative that we not romanticize ‘otherness,’” they insist.<sup>213</sup> There is an inherent tension in documenting groups that have traditionally been neglected or marginalized. Who owns their history? The controversy over Native American graves and artifacts illustrates a problem of ownership that affects other groups in society. One reason that African Americans, ethnic groups, gays and lesbians, and others have created their own repositories is to retain control over their own documentation, over its presentation and interpretation, and over the very terms of access. Among Native Americans, for example, there are some rituals and traditions that only specified families within a tribe are entitled to know. The archival concept of open and equal access must be modified to respect such cultural traditions.<sup>214</sup> Jeannette Bastian describes the loss of cultural memory suffered by the people of the Virgin Islands when the governmental records of Dutch and American colonial rulers were removed to those respective nations. Too narrow a definition of provenance led to a loss of control over the people’s archives, history, and memory.<sup>215</sup>

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Archivist Joel Wurl recounts an incident that vividly illustrates the power of archives to represent and protect the history and collective memory of a community. During the riots in Los Angeles following the Rodney King verdict, looters and arsonists approached the Southern California Library for Social Studies and Research, a major repository depicting contemporary social justice movements and underrepresented communities. “Standing guard, Building Manager Chester Murray responded by telling them the library contained the history of African Americans, Latinos, and working class people and persuaded them to leave it alone. Many of the surrounding buildings were damaged or destroyed, but not the library.”<sup>216</sup> Archivists should strive to be as effective as Chester Murray in explaining the importance of archives and their social and political value.

As archivists and the many constituencies that use archives, either directly or indirectly, confront the power relationships at work within archives, they must consider the context in which such powerful social forces operate. The historical origins and development of archives demonstrate the potential influence of archives and archivists in the construction of memory, in accountability and public interest concerns, and in using this power of archives to achieve socially responsible goals while ensuring professional integrity. Archives must serve all sectors of society. By embracing the power of archives, archivists can fulfill their proper role in society, to ensure archives of the people, by the people, and for the people. In doing so, archivists can help those struggling to resist political power.



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### CHAPTER 3

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# **POLITICAL PRESSURE** **and the ARCHIVAL RECORD**

*EDITED BY Margaret Procter, Michael Cook, Caroline Williams*



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## **THE ROLE OF THE ARCHIVES IN PROTECTING THE RECORD FROM POLITICAL PRESSURE**

*Chris Hurley*



I would like to share two stories in which I have been personally involved and deliver two lessons based on these experiences. For this discussion, I treat the term “the record” as being synonymous with “public record in a free democracy.” I could extend the discussion to other political systems and non-government enterprises, even to personal recordkeeping, but because both my stories deal with records destruction, that is what I focus on. The issues are the same, however, for all aspects of the making and keeping of records.

### **The Nordlinger Affair**

**THE FIRST STORY TAKES PLACE IN VICTORIA (AUSTRALIA) IN 1990**

Australia is a federation of six states that make up a national or “Commonwealth” government. In addition to federal law, each of these states has its own archival legislation making a State Archivist

responsible, *inter alia*, for authorising the disposal of all records. Records cannot, by law, be disposed of until this authorisation is given.

In 1990, I had been the State Archivist of Victoria for nearly ten years. The State Archives was called the Public Record Office (PRO), and my title was Keeper of Public Records.

From time to time, it is the common experience of government archives authorities that cases of unauthorised disposal come to notice—often in the pages of newspapers and mentioned incidentally in connection with stories which have another focus. It is then normal practice for the Archives to write to the offending department or agency, obtain a reply acknowledging awareness of their obligations under archives legislation, explaining that the reported occurrence (if true) was regrettable, and that steps have been taken to see it doesn't happen again. The Archives then usually files the reply, and nothing further eventuates. This is sometimes waggishly called “enforcing” the Act.

In 1988, the Cain Labor Government was going to the polls. It might be an understatement to say that they had an unusually strong desire to control media reporting of their performance. In the lead-up to the election, a story erupted concerning the dismissal of a senior bureaucrat, Nordlinger, who had been an embarrassment to them.

Nordlinger decided he was not going to go quietly. He argued his dismissal was improper. The press reports referred to an interview between Nordlinger and Chairman of the Victorian Public Service Board, Maurice Keppel. Reports said that Nordlinger had observed Keppel making notes during the interview and had lodged a Freedom of Information (FOI) request to see them. He was informed that they had been destroyed.

As Keeper of Public Records, I wrote to Maurice Keppel asking him what authority he had under the Public Records Act for destroying the notes of the interview. I received a reply that I regarded as evasive and unsatisfactory—according to the benchmark we habitually apply in similar cases of unauthorised destruction. The correspondence continued (unsatisfactorily) throughout the election campaign.

Although it was not publicised, everyone involved was aware of the potential for political embarrassment. Nordlinger was out to make trouble. The State Premier was personally involved in his firing and was on the record as supporting the Chairman. The tenor of Keppel's

replies to me (I believed) was that the disposition of the notes of the interview and the public records issues surrounding the record of the meeting were none of my business. I found this unsatisfactory. It was not a reply I would have accepted from any other agency or any other public servant. The reply I would have accepted (and then filed) would have said that a mistake had been made and it wouldn't happen again.

The problem for the Government was that the Public Records Act laid an obligation on all public offices to make and keep a full and accurate record of the business of the office. If a record of the interview existed, Nordlinger would be entitled to it under FOI. The Government had said he couldn't have it because no record existed. However, it had been publicly reported that notes had been taken. Therefore, either the notes (or a record of the meeting based on the notes) had to be made available to Nordlinger or, if neither the notes nor a full and accurate record based on them could be produced, a breach of the Public Records Act would appear to have occurred.

After Keppel's second or third reply, I was summoned to the office of the head of the department within which the PRO operated. I was asked to take the matter no further; it was potentially damaging to the Government in an election campaign. Under no circumstances would Keppel supply the response I was seeking. If the issue became public, it would do neither the PRO nor me any good. If, on the other hand, I abandoned my pursuit of the matter, I was promised that after the election the acting head of department would personally urge an augmentation of my powers as Keeper and seek to obtain the support and resources for us to pursue such matters more effectively.

I should say that I placed no reliance whatsoever in these promises, but thought the implied threats were real.<sup>1</sup> I replied that I had no wish to make a public fuss during an election campaign, but that I felt obliged to pursue the same course of action in this case that we would pursue (and had pursued) in all similar cases. I made the point that if

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1 I had observed the treatment handed out to a former departmental colleague, Victoria's Chief Electoral Officer. He came under pressure when exercising statutory discretion as to whether or not to prosecute a government minister for electoral fraud (the Nunawading Affair). He sought legal advice and was told that the Minister should be prosecuted. The department "suggested" that prudence required he seek a second opinion, then a third, then a fourth, and so on. Each opinion recommended prosecution. Finally, one was received which said there was a possibility that the prosecution would not succeed. On the basis of this, he was advised not to proceed. Afterwards, he resigned, a broken man.

we were seen to pursue a different course of action in a case involving the Premier and the Chairman personally, it would expose us all to greater criticism than if the PRO was seen to treat everyone in the same manner. I even alluded to Watergate and the analogy that harm comes not from the offence but the attempt to cover it up. To no avail.

As a matter of prudence, and to avoid the possibility of unnecessary publicity in the heat of an election campaign, I agreed to hold off replying to Keppel's latest unresponsive letter until two days before the election and to keep the papers locked in my desk until then. This was done.

After the election, I was again summoned to the office of the acting head of department, told there would be no reply from Keppel to my latest letter, instructed not to write to him again on that matter, instructed further to write no letters of any kind to any departments except with the approval of the head of my own department, and (for good measure) asked why I hadn't solved the problems of electronic recordkeeping. I was told my failure to do so might now be viewed as a performance issue. (For some years prior to this, I had been drawing attention, in my annual reports to Parliament, that like archives programmes everywhere we were concerned about the problems of electronic recordkeeping.) The impracticality of having all our correspondence with government departments vetted at departmental level quickly became apparent even to those who had issued this instruction. During the next two years, we gradually re-established that the PRO could correspond with government agencies on routine matters, but any correspondence on unauthorised disposal still had to be vetted by higher authority.

In Victoria, the Minister is advised by a statutory body called the Public Records Advisory Council, which I attended. During this period, I gradually gathered evidence of instances of unauthorized disposal which came to our notice. On average, there are about half a dozen of these every year in every jurisdiction in Australia which get reported in some way in the media. I discussed with some members what, if anything, our responsibilities were—theirs, mine, and the Minister's—in dealing with such reports. Some of those I spoke with were uncomfortable, then alarmed, and eventually concluded (as I had hoped) that if everyone went on effectively ignoring the reported breaches of statutory obligations then everyone, the Minister, the Keeper, and they themselves would be open to blame.

When I thought they were in a receptive frame of mind, I prepared a report for the next Advisory Council meeting recommending that they advise the Minister to adopt a more proactive stance towards reported breaches of the Act. At this time, I was required to submit papers to a departmental official who sat as a member of the Council. Although there was no formal instruction to delay despatch to other members until after this official had vetted them, this was in fact what usually happened. As expected, I was summoned, asked to withdraw the report, and (when I refused) instructed not to send out the papers. I replied that it was too late and that they had already gone out. In fact, they were stamped and waiting for me downstairs, so I personally mailed them immediately upon my return to the office.

Two months later, I was removed as Keeper and transferred sideways to the non-job of “Chief Archivist,” especially created for me and never filled again after I left it. Meanwhile, the statutory position of Keeper was occupied by acting arrangements for the next two years before it was finally filled just before the 1992 election.<sup>2</sup> For the succeeding six years, I was left with virtually no duties of any kind, but being paid at my former salary level. That period became a most fruitful time in my career for research and publishing. So far as I am aware, the Victorian Government has not been made uncomfortable since then in the matter of unauthorised disposal of public records.

What should the archivist do in the face of political pressure? In this case, by my own admission, I lied and disobeyed a lawful order. Does the archivist have professional obligations which can, under certain circumstances, justify non-compliance with contractual employment obligations? Was I right to insist that we treat all such cases the same way? Was the manner of treatment we had evolved the correct way of handling them? Can a consistent stance of any kind on unauthorised disposal be maintained by archival authorities? In any case, what role (if any) do archives authorities have in support of accountability of governments for recordkeeping?

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2 The position was advertised and an attempt made to fill it while I was overseas on long service leave. I lodged an appeal, not against the selection but against the process. A competent review authority found the departmental process for filling the position so procedurally flawed that the department was ordered to cancel their selection and re-interview. They did, but it made no difference to the final outcome.

When an archive's authority is established and functions under arrangements which forbid the destruction of records without the necessary permissions, what is the archivist to do when confronted with evidence (or, at least, allegations) that those arrangements are being violated? Especially when no one else is doing anything about it? Even when the archivist's mandate to enforce the arrangements is far from clear and explicit?

There are two possible approaches to this archival task. One, expressed in relation to the utility of the new international Standard on Records Management in bringing government departments into line, is referred to as "thwacking." This approach emphasises regulation, monitoring, compliance, and the threat of penalties. The other approach, which I would call insinuation or service-delivery, suggests that archivists should work through cooperation, by being helpful, forging alliances, conducting campaigns of persuasion, and education. This approach prefers to catch flies with honey.

These are alternative implementation strategies for achieving the same goal, not alternative goals. They can be picked up and laid aside as convenient. They should be treated as objects of choice as to strategy and purpose. Which to use and when depends on the role and function the archivist is mandated to do. Sometimes it is necessary to insinuate, and sometimes it is necessary to "thwack."

#### **THE FIRST LESSON DEALS WITH THE ROLE OF PROTECTORS OF THE PUBLIC RECORD**

There is surprisingly little role analysis in our literature concerning the archivist and the protection of the public record. Let us consider for a moment what is involved.

1. There must be a public record.
2. The record has to be useable.
3. The record has to be protected and preserved from concealment or distortion.

In some Australian jurisdictions, as in Victoria, the archives statute contains an obligation to "make and keep" full and accurate

records of public business. On paper, this means that public servants and politicians who cannot produce a full and accurate record of their dealings in public business are guilty of a statutory breach. Leaving aside the efficacy of that way of going about it, it is clear that if record-keeping is to underpin accountable practices, there must be some obligation to keep full and accurate records of public business.

Where such obligations are imposed, especially when their enunciation or enforcement is entrusted to a body such as the archives authority, it is common (at least in Australia) for departments and agencies to regard this as an unwelcome intrusion, as red tape, and as a bureaucratic obligation extraneous to their core business. The purpose of recordkeeping obligations, within the public sector or any other corporate enterprise, is largely outside the scope of this paper. However, I will allude to two things which put the matter in another light.

First, a recordkeeping obligation which bears upon a department, agency, or business unit—while it may seem to be extraneous to the business purposes of the department, agency, or business unit—may be an essential requirement for the enterprise of which it is part. Units have no trouble submitting to enterprise-wide requirements for adequate financial and human resource management requirements, but for some reason they have difficulty seeing recordkeeping the same way.

Second, while external regulation can always be legitimately seen as an imposition and an obstacle, it can also be a benefit. By subscribing to recordkeeping requirements, a department, agency, or business unit can give quality assurances which can underpin business confidence. So, in describing the possible role of the regulator below, it is worth emphasising that it is not necessarily a game of cops and robbers.

If recordkeeping obligations are not met—deliberately or through carelessness or lack of support—it loosens the ties of accountability. In the last Australian election, the Government won support by taking a “hard line” on asylum seekers trying to reach Australia by boat. During the campaign, the Government bolstered its demonisation of these boat people by claiming, with the aid of pictures, that asylum seekers were throwing their children into the sea in a vain attempt to prevent the Australian navy from turning them back. It was a lie. It was known to be a lie almost from the moment the claim was made. But the public did not find this out until after the election. A Parliamentary

Inquiry was unable to establish conclusively who, if anyone, in the Government knew it was lie and how it was possible for the lie to remain uncorrected for the whole of the campaign. This was partly due to the fact that inadequate records were made and kept.

In both Britain and Australia, we have seen how difficult it was to reconstruct, after the event, the story of how untruth concerning the existence and threat of chemical, biological, and nuclear weapons in Iraq came to form the policy basis for war. Again, the lack of a comprehensive, accurate, reliable, and useable public record is partly to blame. In both countries, the role of ministerial advisers has come into question. They are unelected, unaccountable, and outside the traditional recordkeeping framework. They wield great vicarious influence in their minister's name and seem to be used to separate ministers from that responsibility which comes from being the recipient of knowledge or unwelcome (but fair and impartial) advice.

It is not enough to oblige our public officials to make and keep full and accurate records—that obligation must be enforced in some way. In Australia, even where the obligation is given a statutory basis, it is not enforced. If it is to be enforced, it becomes necessary to ask the question: How? My answer is entirely technical. I do not dwell on the politics of enforcement, but on the methods. What are the possible roles and functions which enforce good recordkeeping in support of accountability? In my chapter of a recently published book,<sup>3</sup> I have identified at least ten. These can fit fairly easily under the two approaches already referred to (insinuation and “thwacking”), with the addition of a third: auditing.

Under the heading of insinuation, we can include the following:

- setting standards; articulating professional wisdom or experience
- advising, recommending, educating
- assisting; participating in a course of action; carrying out a decision
- providing services and the assurance of quality and meeting professional standards
- enabling by proving tools (e.g., metadata frameworks)

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3 Sue McKemish, Michael Piggott, Barbara Reed, and Frank Upward, eds., *Archives—Recordkeeping in Society*. Topics in Australasian Library and Information Studies, No. 24 (Wagga Wagga, New South Wales: Charles Sturt University Centre for Information Studies, 2005), ch. 11 “Recordkeeping and Accountability.”

Under the heading of “thwacking,” we can include :

- issuing instructions or edicts; allowing or forbidding action (e.g., disposal)
- monitoring behaviour and collecting reports on performance
- policing; detecting wrong-doing
- enforcing requirements and intervening to alter behaviour

The audit function must be separated because it is fundamental that audit must not be done by the same person or body responsible for setting standards or enforcing compliance. The recordkeeper’s performance in those roles is being audited too.

These are the possible roles of the recordkeeper in protecting the public record. Some of them do not belong together. It follows that two or more entities must be involved. The auditor and the standard-setter, for example, must always be different entities. It would be possible, but very difficult, for one entity to maintain roles in offering advice and assistance while simultaneously monitoring and reporting.

Clarity around the role is one thing. Mandating it and avoiding the temptation, when the going gets tough, of slipping out of an assigned role and adopting another or of simply failing to meet one’s responsibilities is another. Let us assume for a moment, what is manifestly not the case, that the role of the recordkeeper in protecting the public record is clear and unambiguously assigned. My second story raises another question: Can the recordkeeper be trusted to carry out such a mandate?

## **The Heiner Affair**

### **THE SECOND STORY BEGINS IN QUEENSLAND (AUSTRALIA) IN 1989**

For many years, the State of Queensland was politically corrupt. Following embarrassing disclosures and a Royal Commission conducted by Tony Fitzgerald, QC, the incumbent Government was staggering towards its first electoral defeat in decades. In 1989, during the lead-up to the election, an opposition candidate leaked accusations of mismanagement and abuse in a State institution for the incarceration of teenagers. Years later, another Royal Commission

exposed endemic corruption and abuse (physical, sexual, and psychological) in such institutions throughout Queensland, but this was not publicly known at the time.

The beleaguered Government set up an inquiry under a retired magistrate, Noel Heiner. We now know that Heiner was beginning to uncover accusations concerning the kind of abuse that was later exposed as endemic throughout the State's institutions. We now know of at least one incident of pack rape that was not properly reported or dealt with. Even now, new abuses of children in care within the Queensland system—the abuse of foster children, for example—are coming to light. Despite the Royal Commission, there has still not been closure or justice. The reason for this, it is suggested, is a climate of neglect and cover-up, involving successive governments, the abiding bureaucracy, and the unions.

In December 1989, a new Government was elected. The Opposition came to power and the candidate who raised the allegations during the campaign was now minister in charge of the institution Heiner was investigating. Something happened and the new Government stopped Heiner's investigation and ordered his records destroyed. The decision to destroy the records went all the way to Cabinet.

By this time, the head of the institution Heiner had been investigating had taken legal advice. His lawyers were alleging lack of proper process and threatening legal action. Its Crown Solicitor advised the Government that there was no legal obstacle to destruction of the documents up to the moment proceedings were filed in court. Those of you who followed the Enron Case in 2002, culminating in a conviction against the firm of Arthur Andersen, will recall that they acted on exactly similar advice with regard to records of their dealings with Enron—and were punished for it.

The Crown Solicitor's advice to the Queensland Government stated, however, that there was another obstacle to destruction. Heiner's records were public records, and, therefore, the consent of the State Archivist was necessary. The circumstances of the destruction were subsequently investigated several times: by two Senate Committees and by a team of two lawyers empowered by a subsequent Queensland Government to look into it. Although we still do not have all the facts, there is a wealth of documentary and testamentary material about it.

We know that the Queensland Cabinet was aware that an intending litigant wanted the records. We know that the Archivist was asked to approve the destruction and that she inspected the records and agreed to their destruction the same day. We know that for months afterward, the Queensland authorities refused to reveal that the records had been destroyed and stonewalled the lawyers who were seeking to access them in preparation for their case.

Almost everything else about the Heiner Case is subject to dispute and ill-tempered disagreement. Since I have written about this in several places,<sup>4</sup> you can refer to those writings if you want to explore the matter further. You should be aware that my view of the case is not universally accepted among my professional colleagues. Others have a different story to tell and, accordingly, draw different lessons from it.

In the intervening period, the Heiner Case has entered the textbooks, not just for its recordkeeping aspects (they are, in fact, almost marginal to everyone but us) but also in books and articles about the law, whistleblowing, and the politics of accountability. It is still current. As recently as May 2003, the Queensland Government and Opposition were exchanging accusations and explanations about it across the floor of State Parliament.

One of those affected by the Heiner Case was Kevin Lindeberg, a union official acting on behalf of the head of the institution under investigation. Kevin was fired by his union for persisting in support of his union member when everyone else wanted the matter suppressed. His dissatisfaction with the treatment of the case by the Queensland's Criminal Justice Commission (QCJC) led to its being investigated in the Australian Senate—twice. It was Kevin Lindeberg who first drew my attention to the case in the early 1990s.

My story of what followed is this: Having read the record, I decided that the professional obligations to defend the public record from political pressure had not been met by the Archivist. She had been asked to approve the destruction, had inspected the records, and given her consent all on the same day. She had participated in the government's refusal to acknowledge the fact of the destruction to the prospective litigant and his lawyers for months after that. In particular,

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4 My analysis of the Heiner Affair can be found on the Caldeson Consultancy website, <http://www.caldeson.com>.

I was drawn to comments by an official of the QCJC before one of the Senate Inquiries to the effect that it was not the role of the State Archivist to consider whether records were wanted in prospective legal proceedings. She had no role to consider the interests of potential litigants in her appraisal; she was concerned solely with whether or not the records had enduring “historical” value.

I drew the attention of the Council of the Australian Society of Archivists (ASA) to this statement and the surrounding facts and said they must act to refute these words. At the time, it didn’t occur to me that they would not act. I assumed the story was so complex that they had not yet appreciated its significance. I was in my fallow period so I decided to help them by providing a precis. They did nothing. Why they did nothing and the circumstances surrounding their inaction are still matters of rancorous dispute between me and many of my colleagues in Australia. The matter was fought out bitterly for the next decade on the aus-archivists list-serv<sup>5</sup> and elsewhere. The archive of that list-serv debate is still available in cyberspace for those with the endurance to follow it—and a strong digestive system.

After some years, ASA issued a statement refuting the words of the QCJC about the role of the Archivist and blaming the Queensland Government for not fully informing her of the facts. To this day, we still don’t know what the Archivist knew. She has never said, and no one has ever investigated it. Whatever the case, some of us felt that this statement by the ASA was inadequate. It blamed an unsatisfactory appraisal outcome on everyone except the person who conducted it. It failed to explain how archivists could escape the blame when appraisals go wrong. It seemed to me, and to some others, self-serving and counter-productive. If we were unable to face up to the implications of a failure to protect the public record when we were involved, how could we credibly comment on such failures by others? The problem was compounded when the Council of Federal and State Archivists (COFSTA) issued a public motion of congratulations and support for their Queensland colleague because it was concluded, following one of the investigations, that there was no basis for proceeding against her for a breach under the Libraries and Archives Act of Queensland.

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5 <http://www.asap.unimelb.edu.au/asa/aus-archivists/maillist.htm>.

I, for one, felt that the appraisal—regardless of who knew what and having regard for the Archivist’s professional obligations and not just her legal ones—was bad and that professionally we had an obligation to say so. My consistent criticism of the appraisal, ever since I had first drawn it to ASA’s attention, was what I call its “ad hoc” nature. There were no rules in place against which either the procedure or the outcome could be benchmarked. There was nothing in place which indicated how records of terminated inquiries should be dealt with. Because there was no prior statement of what the outcome should be for records of this kind, the Archivist’s judgment in the particular case could not be tested against what could reasonably be argued was a predictable outcome. It could not be defended on the basis that it was similar to all such outcomes for similar material.

Finally, in 1999, that is what the ASA Council did say, in a second statement, following protracted and furious debates on the Australian list-serv. They said the Heiner appraisal violated the standards of good appraisal and that it was wrong to go about appraisals in an ad hoc way. They began to articulate some professional standards by which the next dodgy appraisal decision by an archivist could be judged.

We know, from what happened next, that they consulted the Council of Federal and State Archivists before issuing their condemnation. Some changes were made. We do not know what. These changes were not enough to satisfy the government archivists. They issued their own statement repudiating key parts of the ASA statement, in particular trying to disavow the condemnation of ad hoc appraisal.

In short, the government archivists of Australia

- banded together to support and defend their colleague (as I suppose they would want and expect to be supported in similar circumstances)
- congratulated her when she escaped censure
- opposed the profession’s condemnation of her appraisal
- repudiated the statement of principle by which her ad hoc approach to appraisal was condemned by the profession.

In due course, the Heiner Affair reached the agenda of an ICA Committee dealing, inter alia, with recordkeeping practice. When this

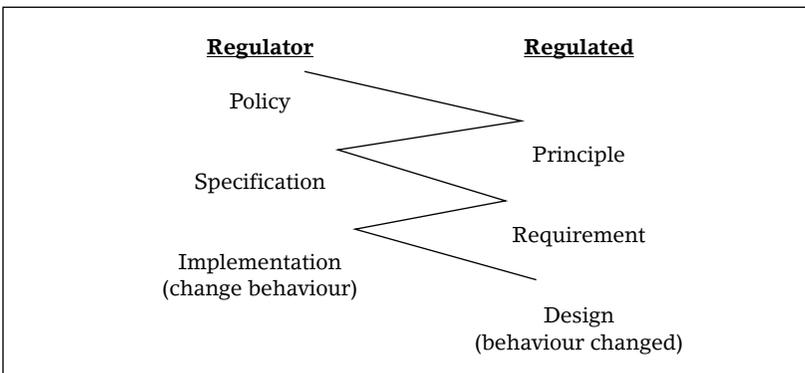
happened, the ICA Secretariat intervened to have it removed from the agenda and instructed that it was a matter for Australia and should not be considered by ICA.

### THE SECOND LESSON: HOW PROTECTORS OF THE PUBLIC RECORD SHOULD BEHAVE

In exercising any or all of the roles and functions identified, the archivist's own performance becomes an issue. If you are going to be an agent of accountability, it behoves you occasionally to act like one. Are they capable of it?

We have dealt with the regulation or monitoring of the behaviour of others by the recordkeeper in the roles and functions articulated above. In those roles, the archivist operates in the left-hand column of an accountability model. See figure 1.

FIGURE 1



Let us now move the recordkeeper over to the right-hand column. The question is: Who or what regulates the recordkeeper in the discharge of the obligation to protect the archival record? It is a question as old as Plato: Who guards the guardian?

The question has two aspects. First, is it possible for relatively low-level bureaucrats to uphold a role as agents of accountability within a bureaucratic structure which makes them subservient to bureaucratic and political direction? It is, after all, the politically moti-

vated actions of politicians and other bureaucrats which the archivist would have to control in some way.

Let us not look for isolated acts of courage to do the right thing. Let us look for a systemic solution, a set of functional requirements with which recordkeepers themselves must and do comply. Let us try to specify the standards which they must meet, benchmarks we can use to evaluate their performance, the hallmarks of a good appraisal (or any other aspect of our work) so that we too can be made accountable.

Part of the answer, it has been suggested, lies in a second aspect of the matter: according to the government archivist, some degree of independence or autonomy; providing for the archivist to answer to a loyalty or responsibility outside the chain of bureaucratic command or the requirements of an employment contract. This might be to a professional standard, to an external review process, to the legislature, or to some other constituent mechanism which frees the archivist (to some degree or other) from the ordinary chain of command when exercising the role of agent of accountability.

Such arrangements cannot be the whole answer. Even when there is a formal “independence,” government watch-dogs are susceptible to subtle pressures to compromise their integrity. Their organisational budgets and personal career prospects lie in the hands of those whose political interests such a role calls upon them to defy. The literature on what is sometimes called the “regulatory capture” of watch-dogs within governments is a growing one. Such capture can be venal or can be simply the demoralisation of good men and women through exhaustion. Many and varied are the ways politicians and the bureaucracy find to wear the watch-dog down. Sometimes, especially when under pressure to perform, the watch-dog, knowing the lengths the system will go to in fighting a particular issue, will simply decide that life is too short and that more good can be done taking on issues with a chance of success.

What I want to deal with, however, is a more basic question. Let us suppose that the archivist has a clearly mandated and clearly articulated role—and the capacity to exercise it. My question is: how can we trust them to do it and, if they do it, how would we know? My question is about benchmarking the performance of the archivist as an agent of accountability.

The significance of the debate about Heiner is not who was right and who was wrong—although that is an important question in its own right. The significance is that the debate went on for years and is still going on, without any way of telling who was right against criteria which had been clearly articulated and consistently applied. All of the opinions expressed (including mine) amounted to little more, ethically, than a personal preference for chocolate ice cream.

I'm not saying there should have been bedrock certainties, immutable laws which covered all possibilities. Benchmarking is not like that. Setting out the benchmarks initiates debate over their application in particular cases. When necessary, they can be modified in the light of experience and with the benefit of hindsight. What the debate over Heiner demonstrated, for me at any rate, was not the inadequacy of our benchmarks but the fact that we didn't have any.

No one was able to say the Heiner appraisal was wrong because it didn't conform to the agreed-upon standard for a good appraisal in this or that respect. If that had been possible, those who disagreed could have argued that my interpretation of the standard was incorrect, that my understanding of the facts was flawed, or that my application of the standard to the known facts was faulty. Finally, there could have been recourse to an argument that the case illustrated that the standard itself was inadequate and should be varied in the light of our experience. None of this was possible. Instead, participants in the debate were, in effect, indicating what they considered good appraisal, in order to apply that opinion to a defence or attack of what happened. But even that dignifies the debate. In May 2003, I made these points to an ASA meeting in Sydney. One of the State Archivists responded by saying (yet again) that the central issue in Heiner was not about any rule concerning what constitutes a good appraisal or establishes when it is bad. He said the issues in Heiner were whether or not the Queensland Cabinet knew the records were wanted for legal proceedings<sup>6</sup> and whether or not the Archivist was told.

In other words, an evaluation of the Heiner appraisal does not depend on our being able to test it empirically against the measures of what a good appraisal should be; it depends on an evaluation of the state

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6 It is an established fact that they did know.

of mind of the participants. This begs the question. I won't say the state of mind of the participants is irrelevant, but neither is it central. If there were benchmarking about what constitutes a good appraisal, it would matter less what the participants were thinking. We can instead measure their actions, their behaviour, against the criteria which set out what should be done, how it should be done, and what the outcome should be.

With this argument, I felt, my opponent was making my case for me. By saying the state of mind of the participants was the key issue, he was highlighting the absence of standards against which actions, methods, and outcomes could be empirically measured. In the common law system, *mens rea* is an essential ingredient of crime, but so is certainty. You can't be convicted of an offence that hasn't been defined (unless, of course, you're being confined at Guantanamo Bay). He was saying (whether or not he realised it) that because we had no other way of establishing what was, and what was not, acceptable behaviour, we were driven to inquire only into what the participants were thinking at the time. You benchmark by asking what people did, not what they thought. But benchmarking is not just about running a ruler over people's actions. It is not simply about measuring the methodology, procedures, and techniques which were used. In some ultimate and fundamental way, it must also be about principle.

The ASA's 1999 statement condemning ad hoc appraisal, calling itself a policy on appraisal, has stayed on the public record for three years. Earlier this year, the current ASA Council issued for comment a document calling itself a draft Appraisal Policy. That document, and my subsequent response to it, can be found on the archive of the *aus-archivists* list. I am highly critical of this draft Appraisal Policy. My reason tracks directly back to the Heiner case. In all the years in which this case was being hotly debated, the fundamental problem, I now see, was that we were arguing about what was, and what was not, the standard for an adequate appraisal. The problem was that there was no satisfactory and credible standard or benchmark against which the actions of the Queensland State Archivist could be judged. And the same can be said, I believe, for any and all aspects of the potential role recordkeepers might have in protecting the public record.

E-mails flew thick and fast, public pronouncements were made, personal endorsements were given, positions were taken, attacked, and

repudiated by people (myself included) who were not actually able to demonstrate, by reference to some standards or benchmarks, which view of the matter was correct. The point here is not that such benchmarks could have resolved the debate—there remains plenty of room for disagreement between those who are examining the same set of facts against undisputed benchmarks. The elimination of dispute is not the point. What has been lacking is not just agreement, but a credible basis upon which disagreements could be debated. What was lacking was a point of reference from which expectations of the behaviour of archivists could be derived and against which their actual performance could be measured.

We know that other agents of accountability have such benchmarks and that they do not eliminate disagreement and dispute. Court judgments are appealed and overruled. Audits are shown to have overlooked irregular practices and to have been adapted to obscure flaws in financial management. Ombudsmen and corruption watch-dogs fail to get it right. To a greater or lesser extent, however, the systems within which such agents of accountability operate are self-correcting because these failures can be examined in the light of prevailing benchmarks and the system within which they operate is, to a greater or lesser extent, set up to identify and remedy perceived errors.

Post Enron, the rules about how accountants operate and their relationship with their clients have been adjusted. In a recent tobacco case in Australia, the rules about the way lawyers relate to their clients were changed after another instance of records destruction on legal advice in advance of formal proceedings. It is not that benchmarks prevent untoward behaviour, but rather that they provide a basis for measurement and corrective action.

Above all, such benchmarks provide a statement by which outcomes, not just procedural rules, can be judged. What matters, ultimately, in the Heiner appraisal, is not simply whether or not the Queensland Archivist followed the provisions of the State's Libraries and Archives Act. What matters, ultimately, is: Did she get it right? Professionally, did she do a good job?

My condemnation of the ASA's draft Appraisal Policy was that it did not help to answer that question. The document was almost entirely procedural, explaining how you go about appraising records.

What it needed to say, in my view, is what kind of outcome an appraisal had to achieve in order for it to be a good appraisal: It had to condemn ad hoc appraisal. It had to provide certainty, consistency, and reliability by specifying that, in similar circumstances, the same kind of records would be appraised in the same way with the same result. It had to provide a basis for examining and testing the actions of the recordkeeper and for demonstrating that they were wrong if they did not adhere to the principles outlined in the policy. It had to be possible to use it to determine if their appraisal decision was not what a reasonable person could expect in light of the Policy Statement.

We know how to do this. What we try to teach others about the articulation and implementation of standards is the same for us (or ought to be). My complaint about the Heiner appraisal—that it was ad hoc—would have been void, in part, if the Queensland Archivist had had pre-determined rules about how to treat categories of material so that some degree of consistency and predictability was achieved. But that would be doing no more than replacing ad hoc appraisal with disposal schedules. Ultimately, disposal schedules are no more satisfactory because they are still validated by the archives institution itself. They are not referenced to any externally promulgated standard of performance and outcome. That, however, is what accountability means.

To be an effective accountability tool, an appraisal policy must not stop at requiring that appraisal outcomes be consistent and predictable. Those criteria would be satisfied by schedules. The policy must define what is needed to test whether the archivist's decision in particular cases (however that decision is expressed) is good or bad. This is what archivists, and anyone faced with new accountability requirements, find so threatening. The autonomy they now enjoy to keep or dispose of records entirely within their own discretion would be eliminated.<sup>7</sup>

There lies the paradox. If archivists are to be considered for the kind of autonomy that is the hallmark of any profession, their individual

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7 Submitting appraisals for external comment is no answer for several reasons. First, mechanisms to elicit effective external scrutiny do not exist and will not until we create parallel contextual frameworks within which others can apply appraisal criteria appropriate to them rather than the organisational concerns within which traditional appraisals are carried out. Second, no external commentator has a mandate to validate appraisal outcomes. Third, such methodologies simply spread the arbitrariness in the absence of articulated standards and benchmarks by which appraisals must be judged. Peer review, however, provided it was done externally, could be acceptable if it were properly managed.

judgment must be circumscribed by standards which remove the freedom to make professional judgments unfettered by any requirement to meet stated outcomes and achieve prescribed benchmarks. That means, in order to be trusted with autonomy, archival judgment must first be professionally constrained.

This will be neither a simple nor an easy thing. But the model of how to do it lies before us in the lessons we teach others about the implementation of recordkeeping standards. First, the principles (the functional requirements) must be articulated. These fundamental purposes are abiding. Underneath the principles, appropriate statements of requirements and practice must be developed. See figure 2.

FIGURE 2

<b>Theoretical Model</b>	<b>Actual Application</b>
<i>Implementing Functional Requirements</i>	<i>Napoleon's Plans for 1812</i>
<ul style="list-style-type: none"> <li>• Principle: What do you want to do?</li> <li>• Requirement: How you must do it.</li> <li>• Implementation: Have you done it?</li> </ul>	<ul style="list-style-type: none"> <li>• Conquer Russia</li> <li>• Capture Smolensk</li> <li>• Get out of bed</li> </ul>

Implementation can take a variety of forms, so long as they meet the same functional requirement. See figure 3.

FIGURE 3

<p><b>My purpose is to reach the Indies:</b></p> <ul style="list-style-type: none"> <li>• I propose to sail to the Cape of Good Hope, then turn east (Vasco da Gama)</li> <li>• I propose to sail west (Christopher Columbus)</li> <li>• We don't propose to sail anywhere (Wright Brothers)</li> </ul>
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There still remains a question of whether, even if we were given such a mandate for developing such standards, clearly and unequivocally, we would be able, allowed, or willing, given the political circum-

stances in which we find ourselves, to carry it out. My point here is much more modest. Without the necessary policy statements which can be used to benchmark our actions in protection of the public record, not just appraisal, but any of the recordkeeping requirements necessary for the creation and preservation of a full, accurate, and useable record, how would we (or anyone else) know?

I very much fear that there is an element within the recordkeeping profession which wants to prevent the emergence of such standards. Fearing, not without justice, that they would not be able (or permitted) to sustain them, they prefer not to have benchmarks in place against which their failures can be measured. Be that as it may, while we lack the benchmarks against which particular appraisals, and the work of particular appraisers, can be judged by others against something like objective standards which give predictability to the task, any claim we might make to act as protectors of the public record must remain hollow.

I am optimistic that it can be done, less so that the will exists to do it. Therefore, if we want to protect the archival record from political pressure, the first step is to wake up and get out of bed.



# ARCHIVES AND JUSTICE

*A South African Perspective*

VERNE HARRIS

with a foreword by Terry Cook

# CHAPTER 17

## Contesting Remembering and Forgetting: The Archive of South Africa's Truth and Reconciliation Commission<sup>1</sup>

### INTRODUCTION: REMEMBERING, FORGETTING, AND IMAGINING

Under apartheid, the terrain of social memory, as with all social space, was a site of struggle. In the crudest sense, this was a struggle of remembering against forgetting, of oppositional remembering that fought a life-and-death struggle against a systematic forgetting engineered by the state. The realities were more complex. Forgetting was an important element in anti-apartheid struggles—forgetting those dimensions of struggle too painful to remember, forgetting the half-truths and lies of the apartheid regime. Those in opposition also had their secrets and blind spots. Moreover, they allowed their imaginations to play. Memory is never a faithful reflection of process, of “reality.” It is shaped, reshaped, figured, configured by the dance of imagination. So that beyond the dynamics of remembering and forgetting, a more profound characterization of struggles represented in social memory is one of narrative against narrative, story against story.

Nevertheless, the tools of forgetfulness, of state-imposed amnesia, were crucial to the exercise of power in apartheid South Africa. The state generated huge information resources, which it secreted jealously from public view. It routinely destroyed public records to keep certain processes secret. More chilling tools for erasing memory were widely utilized, with many thousands of oppositional voices eliminated through informal harassment, media censorship, banning, detention without trial, imprisonment, and assassination. The tools of forgetfulness also were important to the transfer of power, with the state deploying them to secure strategic advantage as negotiations unfolded.

Between 1990 and 1994, the state engaged in large-scale sanitization of its memory resources designed to keep certain information out of the hands of a future democratic government. Soon after the initiation in 1990 of the process toward a negotiated settlement, opposition individuals and structures began to express fears that such sanitization would occur. By 1994, it was clear that these fears were well founded.<sup>2</sup> Not surprisingly, when the Truth and Reconciliation Commission (TRC) was established in 1995 to shine a light into the apartheid system's darkest caverns,<sup>3</sup> one of its specific mandates was "to determine what articles have been destroyed by any person in order to conceal violations of human rights or acts associated with a political objective."<sup>4</sup> The mandate provided the basis for a focused investigation into the destruction of public records by the state.

From the TRC's inception late in 1995 until April 2001 (when I left the employ of the National Archives), I had responsibility for liaison between the TRC and the Archives. When the investigation into records destruction got underway, I was released to become an integral part of the investigative team, an involvement lasting from late 1996 to mid-1998. During 1998, I was contracted by the TRC to collate information gathered by this team and to draft sections of the final report dealing with records destruction. In the period 2001 to 2004, I directed the South African History Archive's freedom of information program, which sought to use the Promotion of Access to Information Act (PAIA) to build an archive of materials released in terms of the act, and whose first project was to target accumulations of apartheid security establishment records identified by the TRC's investigation. I cannot therefore claim to be a dispassionate observer. Rather, my analysis is that of a player in the events discussed below. I begin with an

overview of the TRC as process before focusing on the TRC as archive. This space, as with all archives, is always already one in which dynamics of remembering, forgetting, and imagining are at play. My argument is that this space should be made hospitable to contestation and that we should all be vigilant against impulses in it and around it to amnesia, erasure, secreting, and control.

## THE TRC

It is hard to overemphasize the significance of South Africa's TRC in either national or international contexts. Described as the largest survey of human rights violations undertaken anywhere in the world, it became the key instrument in South Africa's interrogation of its apartheid past. Although its mandated focus was on gross human rights violations perpetrated in the period 1960 to 1994, it consistently attempted to position these violations within broader societal processes. A wealth of information on the apartheid era emerged and was fed into a range of other processes committed to shaping South Africa's future through an understanding of its past. The TRC mobilized South Africans across political, racial, and other divides to engage individual and collective memories of the past, and to debate the importance of memory to processes of reconciliation, envisioning the future, and nation building. This has influenced profoundly South Africa's commitment to an identity-formation founded on the confronting of harsh realities inherited from the past. Such commitment is central to the huge challenge posed by the ideal of reconciliation. The TRC's rationale assumed South Africa to be deeply divided, and to need healing—not through a forgetting of the history of division, but through formal engagements with that history. The TRC, then, was an essential instrument in South Africa's endeavor to find a postapartheid reconciliation, so that the TRC's significance is related not only to memory of the past. As significant is its contribution to memory of South Africa's transition to democracy. Future historians of the transition will find the story of the TRC looming large. So that the operational records of the TRC—the documentation of the TRC *as process*—are as important a memory resource as the records of the past that it both reclaimed and generated.

Unlike truth commissions in many other countries, South Africa's TRC was a public forum. From the appointment of its commissioners to the hearing of individuals' stories in public spaces, there was a commitment to the principles of transparency and public participation. Saturation coverage by the media, most significantly the South African Broadcasting Corporation's (SABC) live coverage of public hearings, took the work of the TRC into homes across the country. Public hearings were not restricted to larger centers; instead, stretching itself to the limit logistically, it sought as far as possible to make the hearings accessible to communities in remote areas. Over 22,000 victims of human rights violations made statements to the TRC, and more than 7,000 perpetrators applied for amnesty. Approximately 10 percent of the victims gave evidence at public hearings. At the height of its impact on public discourse, in the period 1996 to 1998, the TRC was being discussed and debated in homes, classrooms, offices, and factories. Of course, disclosure and participation always have their limits. The TRC felt compelled to delete sections of its final report detailing the culpability of ex-president De Klerk and the National Party. It had to fight hard to fend off a last-minute attempt by the African National Congress (ANC) to force changes to its findings on the ANC. Dissatisfaction was heard from many communities at the lack of consultation around public hearings. Some of its hearings were held *in camera*. Many researchers spoke of frustration at being denied access to TRC records. Information on certain TRC decision-making processes and of internal tensions and disputes was jealously kept out of the public domain.

Without claiming for South Africa a unique status, it is not an exaggeration to assert for South Africa's TRC an important contribution to world memories and narratives. The struggles against apartheid, especially in the 1970s and 1980s, marshaled resources in many countries against the apartheid state. The work of national anti-apartheid movements and international sanctions initiatives drew South Africa into the spotlight, where it came to symbolize racist resistance to the forces of democratization. Not surprisingly, then, the transition to democracy in the post-1990 period drew huge attention from the international media. South Africa was on the front pages around the world. Much of this attention focused on the work of the TRC. Its exposures of apartheid atrocities were reported on.

The public hearings were covered extensively. Its contribution to reconciliation was explored. Its endeavors were compared to those of other countries' truth commissions. TRC commissioners and staff participated in numerous international conferences and seminars both in South Africa and outside the country. The TRC Web site disseminated information around the world. Its report, published in 1998, has been acknowledged as one of the twentieth century's most historically significant documents.<sup>5</sup> Foreign academics, students, and journalists bombarded the TRC with requests for access to its documentation. Numerous institutions from many countries offered expertise and resources to ensure that the TRC's archive was professionally managed and made accessible. Moreover, some sought to collect documentation from the TRC to make it more accessible internationally.

Of course, the TRC was not without its flaws or its critics. I have mentioned the limits on transparency and participation. The composition of the commission has been criticized. It has been suggested that its focus on gross human rights violations within a specific period contributed to a skewing of social memory. Its processes of selection and interpretation have been critiqued. Some have gone as far as arguing that it began its work with a metanarrative in place and simply generated an archive to support this metanarrative. It has been accused of political bias. The impact on its work of inadequate research and investigation capabilities has been pointed out. The degree to which the security establishment was able to frustrate its access to extant records has been highlighted. Many of its findings have been questioned. The concept of amnesty has been challenged, and specific amnesty decisions rejected. Its impact on the work of reparation and rehabilitation has been found inadequate. Its contribution to reconciliation has been questioned. And so on, and on. These are important debates, important at many levels, not least in terms of their potential contribution to processes of reconciliation—important if South Africans are to find one another, not simply by forgetting, but by remembering and imagining a way forward that will create spaces for the forgettings which bring healing. It is crucial, then, that space is provided for these debates. Part of this space is constituted by the archive of the TRC. Every interrogation of its work will rely ultimately on access to records *of* the TRC and *about* the TRC.

## THE TRC ARCHIVE

In the broadest sense of the word *archive*, the TRC archive includes not only records generated by the TRC but also the ever-shifting stories in relation to the TRC carried by myriad people. In addition, it includes records used by the TRC, mainly records of state structures, and documentation of the TRC process generated by a wide range of individuals and organizations, within and outside the country. In this sense, the TRC archive is immeasurable. However, for the purposes of this essay, the term is used in a narrower sense to embrace on the one hand the documentary residue left by the TRC as an institution, and on the other the unpublished documentation of the TRC process generated by individuals and organizations within the country. Obviously, the TRC archive can be categorized in various ways, but within this conceptualization we are dealing with two broad categories: records *of* the TRC and records *about* the TRC.

The TRC's own records were generated in its various offices and by its commissioners and officials as they tracked around the country. The result is a vast accumulation of records in a range of media, documenting all TRC processes, from public hearings to vehicle requisitions, from investigations to the purchase of office furniture. Records in TRC custody can be divided into the following categories:

- Paper-based case files for human rights violations, amnesty applications and decisions, reparation and rehabilitation applications, and witness protection.
- Paper-based minutes of commission and committee meetings.
- Submissions, in both electronic and hard copy form.
- Transcripts of hearings, in both electronic and hard copy form.
- Sound and video recordings of hearings. The latter is incomplete, but a full series is in the custody of the SABC, which produced them. The SABC is in the process of providing the National Archives (NA) with an archival copy of the series.
- Office administrative files, in both electronic and hard copy form.
- Various electronic databases.
- The TRC Web site ( <http://www.doj.gov.za/trc/> ).
- Maps, plans, books, journals, photographs, posters, news clippings, and artifacts.

Between 1999 and 2001, the TRC consolidated the records in what was its Cape Town head office. Also in this period, with the assistance of the NA, the tasks of sorting, arranging, listing, containerizing, and labeling were undertaken. Yet, this can only be regarded as a preliminary exercise. A further phase of detailed archival processing is required before the materials will be effectively accessible.

How comprehensive are records making up the formal TRC archive? A definitive answer will only be possible when the records are subjected to detailed archival processing. However, significant gaps already are apparent:

- Inadequate control over electronic records led to some loss of e-memory. There were anarchic hard drives among myriad PCs, and e-mails were routinely deleted. Losses were sustained during media conversion.<sup>6</sup>
- Departing staff removed what they regarded as “personal” records.
- A measure of record-keeping chaos in some TRC structures led to data loss.
- Some state documents secured by the TRC were returned to state structures without adequate documentation.
- A substantial collection amounting to over thirty boxes of records of so-called sensitive documents was handed over to the Ministry of Justice in 1999. Both their whereabouts and contents became the subject of an extended legal battle.<sup>7</sup>

The TRC investigation into the destruction of records by the apartheid state located a number of significant accumulations of security establishment records that survived the purge, and we know there are other such accumulations. Arguably, these constitute an integral part of the TRC archive. Small quantities of records from these accumulations are now in the custody of the NA.

A wide range of individuals and organizations has documented the TRC process. Organs of state (in their formal dealings with the TRC, notably the President’s Office, Cabinet, Department of Justice, security establishment, and NA), the media, NGOs, academics, and other researchers have generated large quantities of records about the TRC. Private archives are collecting some of this material, and some is available to the public in one form or another, but most remains outside the public domain.

## PUBLIC ACCESS TO THE TRC ARCHIVE

The TRC archive thus constitutes a rich resource for social memory, both in South Africa and internationally, and consequently its optimal accessibility and use is desirable. In its report, the TRC adopted this position unequivocally in relation to its own records.<sup>8</sup> It recommended that “all Commission records be transferred to the National Archives” after the final report was made public and that all these records should “be accessible to the public, unless compelling reasons exist for denying such access.” It further recommended that “Government allocate adequate additional funding” to the NA to preserve and maintain the records, including special support to “facilitate creation of decentralised, nation-wide ‘centres of memory’ at which members of the public who do not have personal access to computers can access details of the proceedings of the Commission, including transcripts and sound and video clips of hearings.”<sup>9</sup> How accessible, then, is the TRC archive? The report was published in 1998 in hard copy and CD-ROM, and is accessible on the TRC Web site. The latter site includes transcripts of public hearings and other formal documentation related to TRC activities conducted in the public domain. But there are no linkages between these records and the mass of TRC material from which they are drawn. Moreover, in 2002 the Web site was relocated by the Department of Justice in a process that has been problematic. At the time of writing, the new site address has not been recorded at the old address, and some of the site’s functionality appears to have been lost. Sound and video recordings of public hearings are accessible at the National Archives in Pretoria or the SABC in Johannesburg. Unfortunately, inadequate professional processing (such as detailed description, indexing, and cross-referencing) limits their usefulness. Access to other categories of TRC records must be specifically requested. Until the archive’s transfer to the National Archives in 2001–2002, TRC officials strove valiantly to meet the growing demand for access, but a range of factors hampered their work. Access under the archival management of the National Archives has proved problematic, with many researchers reporting access refusals and long delays in access decisions. Relevant apartheid-era security establishment records identified by the TRC remain largely in the custody of security structures. Until very recently, with the implementation of

the Promotion of Access to Information Act, researchers had little success in securing permission to access the records.

PAIA, passed in February 2000 and operative in March 2001, transforms the information landscape. It expresses the constitutional right of access to information, overrides other legislation providing for such access, and gives criteria for determining access to records of public and private bodies. Significantly, it defines mandatory and discretionary grounds for refusing access—for example, for the former, how records that a body might wish to make available will have to be restricted. With one exception, grounds for refusal are weighed against various other considerations, including public interest.<sup>10</sup> PAIA requires bodies to publicize information about their records, accords them the right to declare records categories and series open (if falling outside the parameters of mandatory restriction), and empowers courts to rule on appeals against refusal. From March 2001, PAIA became the instrument for managing access to the TRC archive.

Clearly, PAIA is welcome. It establishes the right of access to the TRC archive in institutional custody and ensures access management by legislatively defined mechanisms. But the right of access depends on other factors to be efficacious, namely:

- Professional management of records
- Comprehensive and detailed retrieval tools
- Wide dissemination of information about records
- Intellectual linkages between related records
- Imaginative feeding of records into social memory—for instance, through the “centres of memory” recommended by the TRC

In all these respects, the TRC archive requires substantial additional work.

What about access to records *about* the TRC? Some of these—notably those in public (e.g., SABC and NA) and private archives—are available to the public. But most remain outside the public domain. Substantial systemic barriers limit their accessibility:

- Little information on *what* materials exist and *where* they are to be found. No archival audit or survey has yet been undertaken.<sup>11</sup>
- Limited professional processing of materials outside archival custody.

- Much material, notably that in the possession of individuals, is subject to disposal on the basis of personal whim. Stories abound of potentially valuable records either being destroyed or sold or donated, in some cases to overseas institutions.
- Until the bringing into operation of PAIA in March 2001, there was no legislative basis for exercising a right of access to these materials.

## **FUTURE SCENARIOS: CUSTODY, PRESERVATION, AND ACCESS**

There are, then, many concerns about the custody, preservation, and accessibility of records *about* the TRC. Given their heterogeneity and the degree to which they are dispersed, it is difficult to generalize about possible future scenarios. Conditions applying to relevant Cabinet records, for instance, differ markedly from those applying to materials in the custody of an academic. However, three priorities applicable to all these records accumulations are identifiable:

1. All need to be located and identified by means of an archival audit or survey.
2. Those under threat in terms of preservation should be brought under the protective provisions of the National Archives of South Africa Act (NASAA) and/or the National Heritage Resources Act of 1999.
3. Ways of bringing those not publicly accessible (the great majority) into the public domain should be explored.

There are fewer concerns in relation to the custody, preservation, and accessibility of the TRC's own records. Apart from the above-mentioned gaps (which require sustained and well-resourced attention), the records are in the custody of the National Archives in Pretoria. In terms of NASAA, the TRC is a "governmental body" and its records are "public records." This affords the records the full protections provided for in NASAA and the professional services of the NA. The latter

established contact with the TRC early in 1996, and subsequently assisted the TRC with the design of records systems and the training of staff having responsibility for records. Between 1999 and 2002, NA archivists assisted TRC staff with the consolidation and processing of records.

The question of what would happen to the TRC's own records at the end of the process generated intense debate. The TRC's enabling legislation stipulated that when the TRC ceased to exist, all its assets, including intellectual assets, devolved to the Department of Justice, implying that the records would be transferred into the custody of the department until transferred to the NA. NASAA provides for an obligatory transfer of public records with enduring value to the NA when they reach twenty years of age. However, there was a strong case for transferring the records directly to the NA. (A possible exception was records required by the Department of Justice for ongoing functions, like reparation and prosecution). The NA has the infrastructure to provide the records with professional care, is geared to providing public access, and has staff with developed expertise in relation to TRC records: all attributes the Department of Justice does not possess. Moreover, in its report, the TRC recommended that the records should be transferred directly to the NA. NASAA empowers the National Archivist to identify public records that should be transferred to the NA before they have been in existence for twenty years. The question was discussed, sometimes with fierce debate, by the TRC; the Department of Justice; the Department of Arts, Culture, Science and Technology; and the NA from 1999. The NA, to its credit, resisted what appeared to be a determination on the part of Justice officials to exercise direct control over the records in the longer term. The issue was finally resolved in 2001, with all parties agreeing to the transfer of all TRC records to the NA in Pretoria as soon as remaining TRC work was concluded.<sup>12</sup> The transfer began in October 2001<sup>13</sup> and was completed early in 2002.

Resolution of the custody issue is important but several other key questions remain. To what extent will the NA manage TRC records as opposed to being merely custodian? Which state agencies will take management decisions? Will the NA and the Department of Justice simply process access requests as received or will they proactively identify record series and categories and make them available without

the need for recourse to PAIA? My view is that the latter approach is essential. Does the NA plan to subject TRC records to its appraisal program, which aims to select for preservation only 5 percent of public records within its ambit? While it is unnecessary to preserve indefinitely records such as office furniture orders, clearly the nature of the TRC as archive demands an unusually generous set of preservation criteria and a selection process open to public scrutiny and participation.<sup>14</sup> What is the status of the TRC's electronic records? The NA has done little to prepare these vulnerable records for archival management, and I know the TRC has experienced difficulties with media conversion exercises that have been a core element of the records' processing and management for the last three years.<sup>15</sup> It is imperative that vigorous efforts be made to address the above-mentioned gaps in TRC records. The scale of the exercise will place huge strain on the already limited resources of the NA, which will find it difficult to dedicate significant resources to the detailed professional processing of the materials and facilitation of access. Without a substantial infusion of energy and resources, the state will manage a resource for a small elite and the TRC's own vision for the records as a community resource will not be realized.

Clearly, these are issues and questions of intense public interest. The degree to which they remain outside the public domain is therefore disappointing. In October 2000, I was invited to give a paper on the TRC archive at a conference in Cape Town. While still in the employ of the NA, I spoke in my capacity as an individual with specialist knowledge of TRC processes and records. In the paper, I addressed the above-mentioned issues. The response of my employer was immediate and disturbing. I was reprimanded for embarrassing the state, placed under a muzzle in terms of my public statements, and threatened with misconduct proceedings.

## **CONCLUSION: REMEMBERING, FORGETTING, AND IMAGINING**

Between 1996 and 2001, my professional work revolved around the TRC. For much of this time I was seduced by the TRC's dominant metanarrative: that its mission was to promote reconciliation through the bringing of light to dark spaces through the exposing of hidden

pasts. It was an exercise in remembering: a quintessentially archival exercise. Yet, as Derrida<sup>16</sup> observed in an address during a visit to South Africa:

The work of the archivist is not simply a work of memory. It is a work of mourning. And a work of mourning ... is a work of memory but also the best way just to forget the other, ... to keep it safe, in a safe—but when you put something in a safe it's just in order to be able to forget it.... When I handwrite something on a piece of paper, I put it in my pocket or in a safe, it's just in order to forget it.... So, suppose that one day South Africa would have accomplished a perfect, full archive of its whole history ... everyone ... would be eager to put this in such a safe that everyone could just forget it.... And perhaps ... this is the unconfessed desire of the Truth and Reconciliation Commission. That as soon as possible the future generation may have simply forgotten it.... Having kept everything in the archive ... let us forget it to go on, to survive.

By subverting the remembering/forgetting binary opposition, Derrida, I suggest, opens the door to a re-imagination of archival endeavor and a re-imagination of the TRC's work. Crucially, Derrida enables us to understand that the TRC as archive will have no ending. It always will be becoming among us. The central question is the degree to which those who manage the archive will allow space within and around it for contestation. The ultimate test of the TRC as archive is the extent to which it becomes a space for the play of remembering, forgetting, and imagining. This play is always under way in an archive whatever the intentions of those who seek to control it. We have seen such play in and around the TRC archive. However, we also have seen, as noted above, a closing down of this space through instincts of amnesia, erasure, secreting, and control. These instincts must be resisted. As Derrida<sup>17</sup> argues, "Effective democratization can always be measured by this essential criterion: the participation in and the access to the archive, its constitution, and its interpretation."

On all South Africans there is a burden of responsibility to continue giving life to the TRC process, to be always finding the TRC archive, safeguarding, using, promoting, and taking it outside the domains of

elites. For the state, there is the added responsibility of acting on the TRC's recommendations and using the TRC archive to implement an effective reparation and rehabilitation program and to prosecute perpetrators of gross human rights violations who failed to receive amnesty or shunned the amnesty process. If we fail to meet these responsibilities, then we will impoverish ourselves. The debt we owe those who sacrificed so much in the struggles against apartheid will weigh heavily on us. The promise of justice we owe generations to come will be compromised. The value of the TRC and its significance will be corroded. Our past, as the archive always teaches us, lies in our future. The TRC is as much about our future as it is about our past.

## Endnotes

- 1 This essay was first published in *Innovation* 24 (2002). It was based on a paper presented at the “Archives in the Service of International Human Rights” Conference, Tallahassee, Florida, 2001. It draws on my previous work: “‘They Should Have Destroyed More’: The Destruction of Public Records by the South African State in the Final Years of Apartheid,” *Transformation* 42 (2000); “Remembering, Forgetting and the TRC Archive” paper to “Reparations and Memorialisation: the Unfinished Business of the TRC” Conference, Cape Town, October 2000; and “Seeing (in) Blindness: South Africa, Archives and Passion for Justice,” paper to annual conference of Archives and Records Association of New Zealand, Wellington, 2001. I record my indebtedness to various people who commented on this work in draft form, especially to Sello Hatang.
- 2 Between 1988 and 1994, I was an archivist in the State Archives Service (SAS) records management division. Rumors were rife in the public service. By early 1993, I had enough evidence from government sources to know destruction was widespread. When it was clear the SAS was unable or unwilling to act decisively, I leaked information to the ANC, other opposition structures, and the media. The celebrated 1993 Currin case pushed the issue firmly onto center stage in the media and the Harms and Goldstone commissions, as well as the Goniwe inquest, revealed substantial evidence of systematic records destruction.
- 3 The seventeen-member TRC had four main functions: to establish as complete a picture as possible of the causes, nature, and extent of gross human rights violations between 1960 and 1994; to facilitate amnesty to perpetrators of such violations associated with a political objective; to recommend appropriate reparation for victims; and to report on its activities and recommendations. The TRC final report was submitted to President Mandela in October 1998. However, the work of its Amnesty Committee proceeded until well into 2001.
- 4 Promotion of National Unity and Reconciliation Act (1995), section 4d.
- 5 *Truth and Reconciliation Commission of South Africa Report* (Cape Town: The Commission, 1998).
- 6 In the first phase of archiving, electronic records, contents of hard drives, file servers, and floppy disks were downloaded onto tapes. This occurred in 1998. Up until then no formal backup procedures had been put in place. The tapes were not properly managed, so that when at a later stage the tapes were converted to CD-ROM, significant data loss was discovered. Moreover, from my conversations with those involved, it seems that metadata losses were also sustained.
- 7 In 2001, I put in a PAIA request for a list of these records on behalf of the South African History Archive (SAHA). In response, the Department of Justice advised that it held no TRC records, but when pushed claimed that it would first have to consult with the National Intelligence Agency. See Terry Bell, “Burying the Truth, Again,” *Mail and Guardian* 11 April 2002. Subsequently, after at first denying that it had custody of the records, the National Intelligence Agency admitted to having them. Subsequent court action by SAHA saw the records transferred to the National Archives and a majority of them placed in the public domain. However, it remains to be established that none of the records have gone missing.
- 8 TRC, *Report*, vol. 5, chapter 8.
- 9 TRC, *Report*, 344–45.
- 10 The single exception relates to information submitted to the state by citizens for taxation purposes.

- 11 The South African History Archive launched an audit in 2003.
- 12 Discussions with TRC and National Archives officials, September 2001.
- 13 *Mail and Guardian*, 26 October 2001.
- 14 The mechanism for ensuring accountability in the National Archives' appraisal program is the National Archives Commission. In terms of the Archives Act, the commission (a statutory body appointed by the minister via a process of public participation) is empowered to approve the archives' appraisal policy and monitor its implementation. However, the first commission has performed woefully and made no meaningful contribution to the appraisal process.
- 15 See "The Record, the Archive and Electronic Technologies in South Africa," reproduced elsewhere in this book.
- 16 Transcript of Derrida seminar on *Archive Fever*, University of the Witwatersrand, Johannesburg, August 1998, published in Carolyn Hamilton, et al., eds., *Refiguring the Archive* (Cape Town: David Philip, 2002).
- 17 Jacques Derrida, *Archive Fever: A Freudian Impression* (Chicago: University of Chicago Press, 1996).