Controversial collections: who has access?
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**Introduction**

 The keepings of records have always been a part of human history. These records tell where we came from and where we are going. However, many events of the past are painful and often unimaginable. “These records, they provide immediate advantages not available to purely oral cultures” (O’Toole, 1993, p. 235). The records of events that are often painful are ones that are also controversial to the general public and therefore, should controversial collections be open to public access? In this day and age of technology, access to records will not only help to understand the past but give the possibility of insight to the future. This paper will examine what exactly are controversial collections; discuss the legal issues surrounding archives, as well as controversial collections; case studies of several controversial collections, and how these affected the population.

**Archives**

 Frank Burke asked “Is there something in the human psyche that dictates the keeping of a record, and what is the motivation for that act?” (O’Toole, 1993, p. 235) There are many reasons that archives are kept, whether it be to record history, to keep records of comings and goings, or to prove ownership, financial reasons, legal reasons, and “’honor distinguished persons’” (O’Toole, 1993, p. 236)in olden times, keeping large archives was a sign of status (O’Toole, 1993). Rubin (2004) writes that “Records play critical role in the preservation of materials through which history is written” (338). The most important quality of archives “and one which distinguishes them from other kinds of manuscripts, is their impartiality” (Hodson, 1972, 3).

 There are several different types of archives. This paper will look at those which are considered public. The “public archivists’ duty is to preserve and make accessible the records entrusted to their archives” (Behrnd-Klodt, 2008, p. 46). The records that are in these archives are ones that “frequently provide the scaffolding for the stories relayed and sometimes they even play central roles” (Cox and Wallace, 2002, p. 2). Without records, especially of events that play on human emotions, “they can evolve into sources of memory for individuals, organizations, and society. For some they can become symbolic” (Cox and Wallace, 2002, p. 4), it can be hard to keep the frame of mind. As will be discussed later in the case studies section, they can also become places of healing for the affected. Cook (2002) makes an excellent statement when he wrote: “archives are not merely scholarly playgrounds for their staff and researchers; they can also be active agents of political accountability, social memory, and national identify” (38). In the United States, while there are many, many public archives, the one that is considered “the Nation’s” is the National Archives and Records Administration (hereafter referred to as NARA), which are located in Washington, DC. For NARA, “the role of preserving and providing access to this essential evidence of history is at the core of our mission” (Bradsher, 2002, p. 177).

 There are many ways that archives collect and acquire materials. In most cases is through donation; either by a single person or by an estate. Most archives receive items by way of “gifts” and rarely are the items ever purchased (Behrnd-Klodt, 2008, p. 41). An exception to this will be shown in the case studies. If materials are to be accessible, many times it is necessary to determine whether or not copyright issues will arise. “Institutions that own the original or a copy of a work may display that work” (Warwick, 2002, p. 248). It also should be noted that “The acquisition of an object, does not generally mean that the copyright is acquired” (Warwick, 20022, p. 248). That is not the only issue that needs to be addressed; intellectual property also needs to be addressed: It is important to know who keeps the intellectual property rights to documents and collections so that researchers will know who to get permission from to reproduce items (Vanni, 2002, p. 13). Lastly, one other important item that needs to be looked at is the value of the materials. In most cases the archrival institution will have the works appraised by someone who is licensed. Materials, to most archivists are valuable but the price for them must be determined and is usually termed “fair market value” which is defined as “the price at which property would change hands between a willing buyer and a willing seller, neither being under a compulsion to buy or sell, and both having reasonable knowledge of relevant factors” (McLean, 2002, p. 33). Once these things have been determined, the ideas of who will have access to the items can be brought up for discussion

**Acquirement and Policies**

 Rubin (2004) writes that there are two main reasons for tension in who has access to the archives. “One aspect of tension arises from the need to first and foremost to preserve the archival records” and that the second aspect of tension is concerned “with the concomitant responsibility to promote access to these records by ensuring that only reasonable restrictions be placed on their use” (p. 338). If donated by a person, there must be “agreements must be made among donors and archivists so that the archival profession may formulate a position on the issue of access policies” (Whorley, 2006, p. 12). The most important for any archive is to have policies in place on who has access to what materials. By having these in place, it not only protects the institution but it also provides “direction, continuity, and predictability, accountability, standardization, guidelines for staff, volunteers, and visitors, and uniformity” (Behrnd-Klodt, 2008, p. 4).The policies for access also must reflect and support the initial parent institution and the large intuitions’ mission statement, core values, and personal goals (Behrnd-Klodt, 2008). Who has access is dependent upon the institution and the records they hold. Also many organizations “limit or control access to their own records” (Behrnd-Klodt, 2008, p. 104). To answer questions a donor’s questions of who access to materials, the archivist should outline the policies and discuses with the donor if they would like restricted access to their materials (Behrnd-Klodt, 2008, p. 111).

The laws governing who has access are very complicated and these include federal laws such as the U.S. Constitution and Bill of Rights, as well as state and local laws. There also may be court decisions that either restrict or allow access to certain materials (Behrnd-Klodt, 2008, p. 103). Private donors “may seek access restrictions, censor their own files before donation, or destroy or decline to donate personal papers” (Behrnd-Klodt, 2008, p. 104). However, it is the position of this paper that archives should be open to the public. Under the First amendment of the Constitution, the public has the right to know, especially to any material that is related in some way to the government (Behrnd-Klodt, 2008, p. 105). Behrnd-Klodt (2008) writes that “whose judgment should determine what to open and what to restrict, and to whom?”(p. 50).

 Not only may there be laws governing who has actually does have access There also may be both professional and *personal* ethics at play in who is allowed access.(Behrnd-Klodt, 2008, p. 105). As Rubin (2004) writes “The archivist is ethically bound to minimize such restrictions” (p. 338).

**Ethics and Privacy**

 It is important for any archivist to have not only personal ethics, but professional ones and must relate these to the job. In the United States, many archivists apply the Society of American Archivists code of Ethics (see appendix A). This policy, the public has a right to access (Buchanan, 2002, p. 227). Ethical archivists should:

Treat users fairly; preserve and protect the integrity of records; never change data or distort facts; provide access to the greatest degree possible to all reasonable applicants without discrimination; maintain privacy; never personally profit from archival information; appraise records impartially; not disparage other archivists or their intuitions; not compete for records; and accept the obligation to work for the betterment of society” (Benedict, 2003, p. 217).

The archivist should also make sure that the workers that work in the archive whether they are other archivists or paid workers, have similar *professional* values. There may be, however, times where personal and professional ethics collide. For example, “a librarian with strong religious values may feel uncomfortable providing access to materials that portray atheistic values” (Edwards, 2004, p. 1). Other examples may be of that of sexuality. With the change in attitudes in the United States in the last several decades, different types of records are being researched and access and this includes topics of sexuality. Some archivists may have personal issues with some records of sexuality studies (Schwarz, 1992); however, it is important for those archivists to set aside that personal view in the professional setting. Many archivists feel this tug and pull between offering things to the public to garner funds and recognition but at the same time feel that by not allowing the public, they garner favor with students, teachers, and other scholars (Hodson, 1972).

Privacy is a constant issue with many archivists and many donors. There are times when a collection comes in and the donor feels that some of the collection holds embarrassing material either about them or the person the collection is about. Lipinski (2002) writes that “it is important to note that the right of privacy generally does not survive death” (p. 48). If a donor does want privacy there are ways of working around that privacy. The first and possibly most important is if “those private facts are of a ‘legitimate public interest or concern’” (Lipinski, 2003, p. 49). A problem with this is, especially in more privatized archives is the definition of public interest or concern. Whose call is that to make? The institution? The archivist? It is a very tough decision and it is determined in many ways. “One standard often employed is newsworthiness; another is public official standard” meaning that it concerns a public official (Lipinski, 2002, p. 49). Way to determine privacy is to discuss with the donor the issues of privacy.

Privacy is a major concern, especially in medical collections, records, and archives. This issue will be discussed further with the Tuskegee Syphilis Study. Medical records in hospitals and archives specifically housing only patient records are different. How long these records are kept and/or open to the public also depends highly on the type of record that it is. Children’s records are kept for at least twenty years while many of other patient records are kept between seven and ten years. Whether or not medical records are seen by the public depends highly on the institution. Washington State University does have medical records of students but the only people who access those are the staff at the archives. However, other institutions such as NARA have allowed the public to see, at least parts of medical records. A good idea is to set dates when certain documents may be opened to the public. These should be discussed with the donor and agreed upon before the archival institution accepts the collection (Whorley, 2006, p. 35).

The balancing act between ethical and privacy issues is a difficult one. One way to help balance them would be to have staff and the archivist separate restricted materials so that only staff (or agreed upon persons) have access to them (Whorley, 2006, p. 36, 37). This way only those who work for the institution and those people who the donor has agreed upon (such as scholars but not the general public). “Lacking formal policies and clear definition of privacy limits, archivists are unable to determine when an invasion of person privacy might be warranted by the public disclosure of personal information” (Whorley, 2006, p. 19).

**Legal Access to Archives**

 The most important thing for any archivist is to have policies in place before any collection is acquired. Then, if any issue should arise, they can refer to those polices. There have been recent developments within the United States that have made access to government archives, particularly in relation to any material relating to presidential papers. On November 1st of 2001, then President Bush signed a executive order that from then on “scholars, journalists and other citizens will have to show ‘a demonstrated specific need to know’ even to ask see documents and records from the Reagan, Clinton or two Bush presidencies—and all others to come” (Reeves, 2001). This also relates to records that were not made public during presidency but put later in the National Archives, the person must have permission from both that president and the sitting president (Reeves, 2001). The decision reads as:

 “The Archivist shall not permit access to these records by a requester unless and until the incumbent President advises the Archivist that the former President and the incumbent President agree to authorize access to the records or until so ordered by a final and nonappealable court” (Reeves, 2001).

This is in direction violation of the Freedom of Information Act (FOIA). This act gives any citizen the right to request information about the government or any institution that receives governmental funding (Whorley, 2006, p. 24). Richard Reeves (2001) asked a White House representative about the new policy, they told him that if he disagreed with being denied access, he could go to court. However, for most researchers do not have the money or even the time that it takes to go up against the U.S. government. At the time, the White House is emphasizing two reasons for Bush’s order. One is that premature disclosure of decision memos and such could stifle candid dialogue inside any White House. Second, this is just a way to streamline the process, make it more orderly” (Reeves, 2001). By keeping these records secret, government backed assassination attempts and other dealings will be kept hidden to protect the men in power (Reeves, 2001). Whorley (2006) said it best that by “Restricting records is making judgments” (27).

**Controversial Collections**

Controversial collections are those which either has already created controversy or those which may create controversy. The Oxford English dictionary gives the definition of controversy as “The action of disputing or contending one with another; dispute, debate, contention” (Oed.com). The most important part of this definition is the debate. It is granted almost all archives could generate debate, but for this paper it is major debates that lead to the definition of controversial archives. In February 2009, the Museums, Libraries and Archives Council issued new guidelines for dealing with controversial material. These were given to help intuitions guide how to manage “controversial material in public libraries (“Controversial content”, 2009). There, of course has been debate as who access to archival material as discussed above and even the courts in the United States have gotten involved, the Fourth Circuit specifically said that professional research and debate in ‘art, literature, history and the law’ are not protected by the First Amendment” (Krug, 2002, p. 65). The important piece is that those who want access should have access and that “archivists must understand the history behind access issues in order to create policies that reflect their times” (Whorley, 2006, p.11).

**Case Studies**

The following sections will look at several collections have had debate surrounding them. Each has different reasons for their collection and who they allowed access to those collections. These case studies are both in the United States as well as outside. Following each one will be a discussion on how the population was affected.

***Latin American***

Latin America, in the last three to four decades, has been ravaged by internal struggles. Finally, starting in the mid to late 1990s, the countries started to become whole again. Now in the 21st century, there are countries that are rebuilding and bringing to light the past decades of abuse, war, and tragedy. One of these places is the “Museum of Memory and Human Rights” in Santiago, Chile (Margolis, 2010, p. 50) which is about the victims who were either killed or disappeared during Augusto Pinchochet’s reign (Margolis, 2010). This museum has some very different exhibits: “Some offer interactive galleries where visitors can transport themselves, via “virtual” technology, to the past, and all feature personal effects, letters, and photographs of those who died or disappeared” (Margolis, 2010, p. 51). When the museum opened, Chile’s female president said that “only injuries thoroughly cleaned can heal” (Margolis, 2010, p. 50). What she most likely meant was that these atrocities need to be brought to the light; otherwise the country can never heal. However, Margolis (2010) writes that “poking wounds is risky, especially in Latin America” because those wounds are so new (p. 50).

There are plans in several other countries to either improve or create human-rights museums, such as Guatemala, (Margolis, 2010, p. 50). For example, the Guatemalan genocide lasted from the 1960s up until the early 1990s.. Recently, there was an explosion in July of 2005. It was near the police compound and in an “abandoned munitions depot, they found it stuffed with police records” (Smith, 2009, p. 1). These records, which are estimated at “80 million pages” (Smith, 2009, p. 1), may contain links to identities of many of the “estimated 200,000 people” that were either killed or that disappeared in to neighboring countries (Smith, 2009, p. 1). As with the museum in Chile, not everyone wants these records to come to light. “There has been at least one attempt to firebomb the archive” (Smith, 2009, p. 2). One of the major problems with this case in Guatemala is that some of the people that perpetrated the crimes are still serving in the government (Smith, 2009).

Latin America is finally emerging from its dark past and “managing memories is now part of the job description of the new generation of Latin American leaders” (Margolis, 2010, p. 51). These leaders however, must be cautious. Margolis (2010) writes that “the danger is that remembering turns into a political banner, reviving historical animosities and institutionalizing an ideological battle over who controls memory” (p. 50). In the cases of human rights violations and war, “records have been central to understanding the extent of repression and human-rights violations” (Cox and Wallace, 2002, p. 14) and in many cases the “records can be more reliable than witnesses” in terms of what happened (O’Toole, 2002, p. 12). Although witness statements are still important in research, using records leaves out the emotion of the event for the most part, especially if it is something like police records. “Societies must own up to their darkest hour so as never to repeat it” (Margolis, 2010, p. 51).

***The Tuskegee Syphilis Study***

The official name of this study is the “Tuskegee Study of Untreated Syphilis in the Negro male (1932 – 1972)” (Whorley, 2006, p. 2) and it represents one of the most controversial and prolific medical collections in the United States. The study started in 1932 when the United States Public Heath Services (PHS) was to observe “the natural course of syphilis in 399 African-American men until they died in order to determine whether or not there were any racial differences between whites and blacks in the disease” (Whorley, 2006, p. 2). There were also 200 other African men who also had syphilis who were the control group (Whorley, 2006). “The infected men where never told that they had syphilis; they were merely told that they had ‘bad blood’” (Whorley, 2006, p. 2-3). Not only did this study have government funding but it also cooperation of both the local governments in Macon County but also the state government of Alabama (Whorley, 2006). PHS enlisted the help of local churches, community leaders, and staff at John A. Andrew Memorial Hospital to get African-American men to enroll in the study (Whorley, 70). Most of the men who were involved in the study had little to no health care in their lives and “for participating in the study, these men received a free examination, food, transportation to the hospital, and a fifty dollar burial stipend” (Whorley, 2006, p. 70), which was paid to the family. During World War two, several of the men were on the list to be drafted but “the PHS physicians convinced the draft board to exclude the study participants from consideration for the draft” (Whorley, 2006, p. 71). Even when some of the participants moved out of the area, PHS convinced their outside doctors not to tell them that they had the disease. Due to such manipulation and control plus the lack of safeguards in medical research, this study was allowed to continue for forty years (Whorley, 2006, p. 3, 72). The public found out about the study when the Washington Post ran a story on it on “July 25, 1972” (Whorley, 2006, p.3). The study then officially ended in November of that year. One year later, in 1973, a class action lawsuit “was filed on behalf of the participants against the federal government” (Whorley, 2006, p. 66) by Fred Gray who was seeking “three million in damages for each participant” (Whorley, 2006, p. 66). The lawsuit was later settled out of court for a sum of ten million dollars (Whorley, 2006, p. 67).

 The records from this study were originally held by the Center for Disease Control but were transferred to NARA. They were originally to be sealed until 2030 to protect patient privacy (Whorley, 2006, p. 3-4). There has been a struggle to access these records. Researchers were allowed some access but it was only to the administrative records, not the medical files (Whorley, 2006, p. 64). Whorley (2006) writes “for NARA, protecting the Tuskegee participant’s medical records appears to be a non-negotiable goal” but “it undercuts the public’s right to know what happened” (p. 94). Whorley (2006) gives four major reasons for NARA to allow access to the medical records and those are that it “provides historical content” (p. 119), social issues, such as doctor/patient relationships that are very interesting during this time period; demographic studies, and allowing the tracing of the participants’ medical histories over a “forty year period” (119). One possible reason that the records have been kept closed is that according to Peter Buxtun, who blew the whistle on the study, says that “they want all the doctors dead. They want all the participants and their wives dead. And a lot of their children directly born of these marriages to be old enough that they are not going to hire a lawyer…” (Whorley, 2006, p. 120). Another possible reason for not allowing access is that if the medial records of the study participants were released in any way is that “if the medical records contained intimate details about the participants or their family members then such information was too sensitive to release to the public” (Whorley, 2006, p. 97). Whorley (2006) advocates that when the records were transferred from the CDC to NARA, “they belong to the Nation” (p. 121), thus making them available for public access.

 This study is unique in that it has “political and social controversy, the racial element, and the government’s misconduct” (Whorley, 2006, p. 115) and given in a place in history. This study and the outcry over it has changed medical studies in the United States, it has “led to experimental reforms, including the requirement of informed consent, the creation in institutional review boards, data and safety, monitoring boards, and continuing ethics education for researchers” (Whorley, 2006, p. 145). The controversy has some lasting affects as well. Because of limited access to the records (due to location and the government being behind on Freedom of Information Access requests), it perpetuates “misconceptions about the study, entangling fact with fiction” (Whorley, 2006, p. 135). It has also caused fear within the black community and because of how they were treated in this study; many still do not participate in medical studies (Whorley, 2006). Whorley’s pointed statement says it all about this study: “The Tuskegee Syphilis study has come to symbolize the medical misconduct and blatant disregard for human rights that took place in the name of science” (p. 145).

***Native American Graves Repatriation Act***

This act was created on November 16, 1990 (Behrnd-Klodt, 2008, p. 196) and what it does is, in basic terms, returns items such as “human remains, burial items, sacred property, and objects of cultural patrimony” that were held by “federally funded museums, institutions of high learning, and state and local agencies” and that they be returned to the respective groups (Behrnd-Klodt, 2008, p. 196). Tribes had to show a genetic with the remains and a cultural affiliation with the cultural items (Behrnd-Klodt, 2008, p. 196). The museums and institutions that had these collections saw it as a loss of many items within their collections (Behrnd-Klodt, 2008, p. 196-197). Native groups were also not happy about how the museums were not giving respect to their cultural items as well as how much many of their culture had been robbed by not being told where the cultural items were (Behrnd-Klodt, 2008, p. 197).

 Over the years NAGPRA has become less and less controversial as well as benefiting both sides by having “ongoing dialogue, improved relationships, between government, institutions, and Native tribes, and increased respect for Native items, objects, and property rights” (Behrnd-Klodt, 2008, p. 197). Not to mention that “the repatriation of remains and objects to Native tribes also has led to the development of a number of Native-operated museums” (Whorley, 2006, p. 197). An example of this is the Nez Perce museum which is located in the Nez Perce National Historical Park in Lawpwai, Idaho. Most of the populations are not affected by this act now and it has as mentioned, with time become less and less controversial

***Central Michigan University***

An example of a time where items for an archive have been purchased was this study. The Clark Historical Library (CHL) at Central Michigan (CMU) purchased “approximately two thousand memberships” that belonged to the local chapter of the Klu Klux Klan and documented membership at an auction (Boles, 1994, p. 53). The CHL staff “recognized that the material fell squarely into the library’s draft collection policy and complimented existing record holdings while the CHL” (Boles, 1994, 54) The CHL staff who were at the auction “made no effort to conceal their presence or their interest in the material” (Boles, 1994, p. 55). The staff also made several statements to the press at the auction that the purchase of the membership cards was in way a reflection of endorsing the Klan’s view or policies (Boles, 1994).

 The auction of the KKK material (there were museum qualities pieces that were auctioned off as well but the CHL was not interested in those) “unearthed deeply felt racial issues” (Boles, 1994, p. 56) in and around Central Michigan University. The reaction on campus was unlike the surrounding public in that it was very strong and very negative towards CHL’s purchase of these cards (Boles, 1994). One newspaper had a quote that said, “They’re still racist as they were in 1975 when I graduated. Just a bunch of bigots” (Boles, 1994, p. 56). A student said, I’m not sure why library officials purchased KKK memorabilia and I don’t care why. I just want to point out that this is an example of how racism continues to exist on this campus” (Boles, 1994, p. 53). CHL staff and leaders met with both students and the press to talk about the tension and ideas that were floating around the campus. Even CMU’s president tried to explain the decision by saying, “I tried to assure them that this is part of an expansion of Michigan history materials. It’s the kind of thing universities do, and was not meant to be political or racial” (Boles, 1994, p. 56).

 Unlike the CMU campus, the people of Newaygo County cared little about the acquisition (Boles, 1994). Those who did look at the records of membership were primarily people looking of genealogical records and those people treated the records just like if the person they were looking up had a jail or prison record. It was just something that happened in the person’s past (Boles, 1994). In this case study, there was this idea that the purchase was made because the pieces were museum quality and “a significant portion of the general public had not the faintest clue why an archives would want records of a controversial orgianziation” (Boles, 1994, p. 58). One of the most important things to come out of this study is that the CHL archivists continued to publically respond to the criticism even though they realized that it may have little or no impact on the people listening but keeping at it may open some peoples’ eyes and see that the purchase was good thing (Boles, 1994).

***NARA and the Library of Congress***

Both the National Archives and the Library Congress are places in the United States were records are held. There are some controversial collections with in both of them. In NARA, there are holdings that items that were looted by the Nazis in World War II (Bradsher, 2002, 177). This includes art, books, records, and gold. Recently, there has been a public awareness about the holdings of Nazi-looted material and it has come from “a desire for a full accounting of the role played during and after the war by the U.S. government” (Bradsher, 2002, p. 178). Also held in NARA are a lot of records that “contain evidence of the federal government’s misconduct in episodes in American history which affected public trust” (Whorley, 2006, p. iv). “NARA is bound by federal statutory laws that prohibit the release of sensitive or personal information” (Whorley, 2006, p. 4). There problem with this though and that is the public has the right to know and to have access to this and thus the Freedom of Information Act can be enacted and NARA as to at least hear the request (Whorley, 2006)

 Within the Library of Congress (LOC), it recently had a collection/display that created quite a controversy. In 1996, the LOC wanted to display an exhibit of Freud’s work that the library had (G.F, 1996There was outcry and exhibit had been “attacked by critics of Freudian therapy” (G.F., 1996, p. 22). James H. Billington from the Library of Congress said that the exhibit, “’Sigmund Freud: Conflict and Culture’ had been designed to take a position on the validity of Freudian psychology, but to portray the fact of Freud as an influence on society” (G.F., 1996, p. 22). On the other side, Patrick Peter Swales “claimed that the exhibit was not meant to educate the public about psychoanalysis but to ‘force-feed them Freud by securing advertising space in a federal institution’” (G. F., 1996, p. 22). Even renowned feminist Gloria Steinem “signed a petition protesting the exhibition” (G. F., 1996, p. 22). In the end, the exhibit was not shown, with the LOC claiming it was due to budget cuts (G.F., 1996).

**Conclusion**

 These several case studies are just an example of some controversial collections. Whorley (2006) writes that “archival records serve as instruments of accountability and building blocks of collective memory” (p. 1). Without this memory, it has hard to know where society is coming from or even where it is going, “control of the past was critical to control both the present and the future” (O’Toole, 1993, p. 254). This paper looked at what are archives, acquisitions and policies, ethics, privacy, and legal access to archives. It examined several case studies. It looked at two outside the United States in Chile and Guatemala. It then looked at several case studies in the United States: including the Tuskegee Syphilis Study, the Native American Graves Repatriation Act, holdings within the National Archives and Records Administration, and a controversial collection with the Library of Congress. All of these case studies highlight the issue as well as both sides and why it was or is controversial. Considering all these as well as other materials consulted, it is the opinion of this paper that archive collections should be open to the public and have access to them. There is a need for some collections to have restrictions on them such as medical records but that does not mean completely shutting off access to them. Archives are our history. It should be open for everybody to see.

**Appendix A**

**Preamble**

The Code of Ethics for Archivists establishes standards for the archival profession. It introduces new members of the profession to those standards, reminds experienced archivists of their professional responsibilities, and serves as a model for institutional policies. It also is intended to inspire public confidence in the profession.

This code provides an ethical framework to guide members of the profession. It does not provide the solution to specific problems.

The term “archivist” as used in this code encompasses all those concerned with the selection, control, care, preservation, and administration of historical and documentary records of enduring value.

**I. Purpose**

The Society of American Archivists recognizes the importance of educating the profession and general public about archival ethics by codifying ethical principles to guide the work of archivists. This code provides a set of principles to which archivists aspire.

**II. Professional Relationships**

Archivists select, preserve, and make available historical and documentary records of enduring value. Archivists cooperate, collaborate, and respect each institution and its mission and collecting policy. Respect and cooperation form the basis of all professional relationships with colleagues and users.

**III. Judgment**

Archivists should exercise professional judgment in acquiring, appraising, and processing historical materials. They should not allow personal beliefs or perspectives to affect their decisions.

**IV. Trust**

Archivists should not profit or otherwise benefit from their privileged access to and control of historical records and documentary materials.

**V. Authenticity and Integrity**

Archivists strive to preserve and protect the authenticity of records in their holdings by documenting their creation and use in hard copy and electronic formats. They have a fundamental obligation to preserve the intellectual and physical integrity of those records.

Archivists may not alter, manipulate, or destroy data or records to conceal facts or distort evidence.

**VI. Access**

Archivists strive to promote open and equitable access to their services and the records in their care without discrimination or preferential treatment, and in accordance with legal requirements, cultural sensitivities, and institutional policies. Archivists recognize their responsibility to promote the use of records as a fundamental purpose of the keeping of archives. Archivists may place restrictions on access for the protection of privacy or confidentiality of information in the records.

**VII. Privacy**

Archivists protect the privacy rights of donors and individuals or groups who are the subject of records. They respect all users’ right to privacy by maintaining the confidentiality of their research and protecting any personal information collected about them in accordance with the institution’s security procedures.

**VIII. Security/Protection**

Archivists protect all documentary materials for which they are responsible and guard them against defacement, physical damage, deterioration, and theft. Archivists should cooperate with colleagues and law enforcement agencies to apprehend and prosecute thieves and vandals.

**IX. Law**

Archivists must uphold all federal, state, and local laws.

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