THE MISSING PIECE: TOWARDS NEW PARTNERSHIPS WITH USERS OF ARCHIVES

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Archives are unfamiliar places for most people. They can seem remote from our day-to-day concerns and important community issues. They may simply seem to be where old documents go to die and gather dust. Nothing could be farther from the truth. Archives arise from our daily work and personal life activities and shape our communities and wider world in an extraordinary range of ways. Each of us each day is making and using archives, both near and far, directly and/or indirectly. Each day many use an archives in person, or at a distance through the web or phone and mail inquiries. Each day we provide information for – or create ourselves – letters, memos, photographs, diaries, and other records in various media that eventually go into an archives somewhere, according to the laws and policies governing our work and lives, or as gifts we or others make to archives. And each day, as we read books, newspapers, magazines, and web sites, watch movies and television, listen to the radio and now podcasts, go to live theatre, use a library, visit a museum, gallery, or historic site, send our children to school, and even use a video game, we enter and use archives, because they all use archives to meet our needs. The authors who did archival research to write books that are found in the bookstores and libraries, that are reviewed in newspapers, magazines, and on radio, that inspire art works, music, plays, and movies, which are later shown on television, sold as DVDs, used in schools, and guide the creation of museum or historic site exhibits, all spawning in turn a multiplicity of other offshoots, show but in one way how archives are (directly or indirectly) all around us.

That book, movie, play, or web site helps us understand how we have treated each other over time, our failures and achievements, our mutual obligations, and how we might move forward together as communities toward better understandings. More specifically, that book, or the archival records themselves, may help illuminate an inspiring family history, hold a government or other institution accountable for its actions, or protect it from unfounded attack. And more. Archives are now also being

used in an array of profoundly important scientific and medical research, from the study of post-traumatic stress disorder, cancer, pandemics, Alzheimer's Disease, and the genetic bases of disease – to climatology, seismology, geomagnetism, and environmental protection.

In addition, in recent years, societies have become increasingly dependent on a widening variety of evidence in order to deal with human rights concerns. Important examples include: archives used in the pursuit of Nazi war criminals, and in search of the possessions and wealth stolen from Holocaust victims; in spearheading the Aboriginal rights movement (including the most recent example – the 2012 Supreme Court of Canada decision upholding Manitoba Métis land claims); in addressing the abuses of certain medical experiments, such as the mid-twentieth-century Tuskegee syphilis trials in the United States; compensation for the tobacco companies' responsibility for smokers' cancers; solving American civil rights era cold case murders; Canada's Indian residential schools inquiry, including recent revelations from Canadian government archives of abusive nutrition experiments inflicted on the children at these schools; compensation to Japanese-Canadians for confiscation of their property and their internment in the Second World War; recognition of Ukrainian-Canadian internment during the First World War; the Chinese-Canadian Head Tax case; the claims of the disabled regarding institutional mistreatment (a major court case is underway now in Ontario); the rights of Canadian women affected by forced adoption of their children in the 1950s and 1960s; the movement for LGBTQ communities' rights; and cases of the wrongfully convicted, Steven Truscott and Erin Walsh in particular.

At the heart of human rights concerns is an evidential and, increasingly, *archival* or long-term perspective – often because human rights problems are not seen as such until many years pass. In Canada and around the world human rights and social justice issues have been addressed by using archives – from South Africa, South and Central America, and Eastern Europe, all dealing many years after with the ends of various dictatorships – to Australia, New Zealand, and the United States, like Canada, working through the aftermath of centuries of mistreatment of Aboriginal peoples. It thus comes as no surprise that a 2009 United Nations' report notes that "The recognition that archives and archivists play a central role in undergirding human rights has grown over the last decade… A strong national archival system is essential in a democracy to ensure that records important to exercising human rights are preserved." [1]

One might even say that the relationship of archives and human rights is so close that a right to archives should be included among human rights, as archives in democracies should be a cornerstone of their protection. Archives provide means of addressing specific claims and grievances as they come up, and of providing knowledge of our past treatment of one another, rights won, and obligations undertaken, which underpin the very ability to exercise rights. Beyond that the various other uses of archives mentioned above contribute to protection of human rights as well. That book, movie, play, music, broadcast, magazine or news report fosters community self-understanding, identity, memory, economic activity, and thus our overall health and well being as a society, which *itself* makes possible the exercise and pursuit of rights. We dread actual personal amnesia. Community amnesia would be *as* debilitating to protection of rights in a democratic society.

Archives now have uses and an impact on our well being far beyond any they have ever had. Online communication now helps them to fulfill this widening potential, as it can bring records right to one's desktop, or join us to people on the other side of the globe, thereby creating new communities. But this potential requires practical support. Like every other valuable community possession, human and other resources are needed to sustain it well. Like our public works infrastructure of roads and bridges, our knowledge infrastructure also needs proper funding and legal and policy authority. (Indeed we need archival records to maintain our public works.) Archives, the least familiar and worst funded part of that knowledge infrastructure, are often nevertheless victims of budget cuts. Each one tears at the archival fabric woven into our communities, at the very moment when archives, if well supported, are able more than ever to strengthen them. Regrettably, however, the severe socio-political-legal weakness of records management and archiving threatens these purposes. Archives are not yet understood well enough and supported strongly enough by society to be able to perform this task as effectively as it should be done.

If we are to protect human rights through evidence and the increasingly significant archival portion of it, we cannot sit back and wait for it to magically appear.

Evidence and archives are made, not found on trees, and control over them is often hotly contested. Despite the vast variety of evidence made each day, and the massive holdings of archives, much more of it is destroyed than kept for very long. That is done of necessity and often legitimately, but not always. Often it is done without much thought, and as a result of neglect and mismanagement. Often evidence is managed poorly because resources are limited and there are other pressing priorities. Even if it is kept, however, the evidence can be poorly identified, maintained in a disorganized way, and mishandled in ways that damage it and erode its integrity and meanings. It can also be tightly restricted, even if an obviously public record. Indeed, the federal Information Commissioner lamented in 2009 that the right of access to the information created by the Canadian government "is at risk of being totally obliterated." In her latest report, she says it remains in a "perilous state."[2]

These problems of the public record are only multiplied on the private side of evidence-making and archiving. Here the volume and variety of it are vaster still (the evidence made by *all* relevant individuals and non-governmental institutions), and there are very few legal requirements for its careful management and archiving. Yet the actions of many businesses, churches, and other institutions can have a profound effect on human rights. The personal witness of activists and the persecuted, and the records of human rights NGOs, are vital, but often vulnerable to loss and destruction. And yet there is little provision for archiving such records in standard publicly funded archives – mainly because these archives are typically so impoverished that they have had to cut back severely on work with private materials. This key type of human rights record is at grave risk.

And what of the impact of the digital form so much of the evidence now takes? The advent of digital communication adds to these challenges as it is readily susceptible to manipulation, misplacement, and destruction due to technological fragility and obsolescence, unless archiving measures are taken early. However, they have seldom been taken, despite the countless urgings, warnings, and proposals for action to do so by archivists to their sponsoring institutions. Canadian public archives hold very little that was created only in digital form, now some 60 years into the digital age. Other countries have not been much more successful. What will be the effect on human rights? If this pattern continues, as we get deeper and deeper into the computer age, and less and less dependent on paper, it is very doubtful that a residential schools type of inquiry, should it come up 30 or 40 years from now, could be carried out in the way it has been in recent years. Although we are inundated with digital information, the warnings of some observers of a coming digital 'dark age' may well hold true for that massive portion of this information – the born-digital record of institutions and individuals – that is very far from readily available. And though responsibility for its long-term accessibility and preservation clearly lies within the legal mandates of most public archives, it has yet to be archived.

These significant challenges to the evidential foundations of human rights work, research, and education are faced by the other uses of archives that I have mentioned. They are all in jeopardy for the same sorts of reasons. The challenge is compounded by the fact that records that support each of these areas of interest are not simply found in a prepackaged state, in one place, and labeled conveniently. The human rights record, for example, is everywhere – across the offices and homes of various records creators and in various parts of various archives. It is not likely conveniently labeled in bold capitals "HUMAN RIGHTS RECORD OF INTEREST TO YOU." Who would have thought, for example, that the humble school attendance sheet would become central to the resolution of the residential schools question for thousands of people? And what would we make of a curious document in the BC provincial archives, dated 1854, and having *no text*, but carrying 159 Aboriginal names with an x beside each one, and signed by Hudson's Bay Company Governor James Douglas, as "Governor of Vancouver Island." A careful contextual analysis of this record in relation to others, done by an archivist in the 1960s, showed it to be the equivalent of a long overlooked treaty, which, when finally understood as such, launched the modern Aboriginal rights movement and legal process in Canada.[3] Any form of record (from oral testimony to e mail) of any origin (a private person or government, business, religious, educational, medical, scientific, or other institution) and of any age could become a human rights record – depending on the circumstances.

And so this perspective shapes my main suggestion for future action on archival concerns. Although there are specific actions that can be taken to assist archival work right now in all areas, including human rights, such as in

the University of Manitoba's designation as the home for the Truth and Reconciliation Commission of Canada's archives, something prior and foundational is required. A brief return to archival history is needed here. Archival development in Canada has rested mainly on three things – archivists, archival institutions, and users of archives. Over the last century, we have seen the emergence of a new archival profession (marked by the creation of l'Association des archivistes du Québec in 1967 and the Association of Canadian Archivists in 1975), the creation and development of many archival institutions (marked by the establishment of the Canadian Council of Archives in 1985), and the emergence of the various new users of archives mentioned above. For the last forty years or so, the agenda for archivists has largely been about profession-building and – for archival institutions – about institution-building. These have been necessary priorities and brought us much in the way of new professional expertise and improved archival facilities and programs. But they have only gained us so much. Otherwise we would not need this Archival Summit. These agendas tended to be inward-looking on the whole and, necessarily so, in order to build the new profession and new and growing archival institutions. And while hardly indifferent to users of archives, users were not as high a priority. This is the missing piece. It is perhaps easy to overlook that before there have been archivists, and before archival institutions appear, there are usually people who want to use archival materials. It was the Literary and Historical Society of Quebec after all that sparked the creation in 1872 of the forerunner of Library and Archives Canada, where the archival profession in Canada was subsequently nurtured. And archivists in Canada fostered impressive archival institutional development across the first half of the twentieth century through cultivation of an alliance with the nascent historical profession. Yet, that foundational alliance has frayed, and other researchers have become more numerous, but without really entering a new broadly based alliance with archivists that includes the historians again.

We have reached a new stage in archival history when this alliance must be built. The new stage has been brought on by two things: i) the extraordinary recent expansion and diversification of the uses of archives; ii) the widespread use of born-digital records. The first offers to bring archival work out of the shadows and to the centre of societal concerns, as human rights issues illustrate. As alluded to already, the second threatens to scuttle those still embryonic hopes. The way forward I believe is to bring together the new potential allies that the increasing use of archives provides archivists in order to assist archivists to address primarily (but not exclusively) the threats digital records present and to ensure instead fulfillment of their great promise. The exciting expansion of the uses of archives has occurred mainly with the analogue record. Archives worldwide have so far been unable to make much headway in archiving the born-digital record because that requires much greater commitment to archiving it by its creators than the analogue record has needed. So far that commitment has not been made. Indeed always tight budget restraints and sometimes steep cuts in archival budgets lay bare its weakness. The *separate* and *scattered* complaints made usually *after the fact* by users of archives about these cuts have been largely ignored. We will not have archives like we have known, and that have brought us to the edge of extraordinary new valuable roles for archives, without mastering the born-digital record. But this is not so much a technical problem in archiving or computing anymore or a financial one. It is now mainly a 'political', public awareness, and social problem that requires the appropriate social and 'political' response.

A renewed, strengthened alliance of archivists and users of archives offers the best hope for meeting these challenges and seizing these opportunities. The expanded variety of users offers archivists a larger group of allies than ever before. The increasingly significant types of uses of archives (as in human and Aboriginal rights issues) offer a more powerful set of allies than ever before. What practical next steps might be taken to rebuild this archival partnership? I suggest that this conference recommend creation of what might be called the Coalition *for* Canadian Archives. It would be composed mainly of key users of archives. Its coordinating committee should include the presidents of the ACA and AAQ, or their designates. Its aim would be to bring to sponsors of archives and the wider public the problems and needs of users of archives, archivists, and archival institutions. It could set agendas for advancing these needs. It should do so proactively by taking needs, concerns, and advice directly and regularly to sponsors of archives and the news media. It could commission expert reports on issues when needed, send representatives to appear before parliamentary and government bodies at all levels and to meet with relevant groups in the business, academic, and archiving worlds. It should prompt discussion of these issues among the coalition's member groups (in their various publications

and conferences), stimulate interest in archival research among such potential new users, participate regularly in archival conferences, and encourage creation and support of local and regional coalitions that might also be established. It could respond quickly with a single powerful voice to possible or actual cuts to archival budgets or threats to their authority. It would give users of archives a greater role as *advocates* for archives as well as their users.

I see the coalition's membership drawn from representatives of the professional and other associations of those who have a key stake in sound records administration and archives in both analogue and digital forms. It could draw from the following communities: the academic; genealogical; literary; Aboriginal; scientific; medical; audit; ombudsperson; information and privacy; records and information management; information technology; legal; public administration; business; philanthropic; journalistic; librarianship; museum curatorship; and human rights and other social justice activist communities. To begin, the coalition could be funded by the participating associations, by financing their representative's expenses. Clearly, long-term funding issues will remain a concern. But preliminary exploration of the viability of such a coalition should not be hampered by funding concerns.

There are many, many important items on the archival agenda. I have scarcely touched on them here. But that is deliberate, as I believe that if we do not give high priority to renewing, expanding, and strengthening our partnership with users of archives, there is little hope for much substantial timely progress on the other agenda items. As an immediate next step, I urge this conference to invite the ACA and AAQ to take steps to explore the creation of such a coalition.

NOTES

1 United Nations, *Report of the Office of the High Commissioner for Human Rights*, 21 August 2009: 3-4. Available at www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-19.pdf. Accessed 15 November 2013. For a small sample of the extensive literature that supports the opening paragraphs of this paper, see Cheryl Avery and Mona Holmlund, eds., *Better Off Forgetting?: Essays on Archives, Public Policy, and Collective Memory* (Toronto: University of Toronto Press, 2010); Richard Cox and David Wallace, eds., *Archives and the Public Good: Accountability and Records in Modern Society* (Westport, Conn.: Quorum Books, 2002); Randall Jimerson, *Archives Power: Memory, Accountability, and Social Justice* (Chicago : Society of American Archivists, 2009); Gari-Anne Patzwald and Sister Carol Marie Wildt, "The Use of Convent Archival Records in Medical Research: The School Sisters of Notre Dame Archives and the Nun Study," *The American Archivist* 67 nº 1 (Spring/Summer 2004); Public Broadcasting Service, "Nova: Ghost in Your Genes" aired 16 October 2007, transcript at www.pbs.org/wgbh/nova/transcripts/3413_genes.html; Jill Delaney, "An Inconvenient Truth? Scientific Photography and Archival Ambivalence," *Archivaria* 65 (Spring 2008); "Turning the Knob on Writers' Closets: Archives and Canadian Literature in the 21st Century" – a special issue of the *Journal of Canadian Studies* 40, nº 2 (Spring 2006); Judith Roberts-Moore, "Establishing Recognition of Past Injustices: Uses of Archival Records in Documenting the Experience of Japanese Canadians During the Second World War," *Archivaria* 53 (Spring 2002); Ian Mosby, "Administering Colonial Science: Nutrition Research and Human Biomedical Experimentation in Aboriginal Communities and Residential Schools, 1942–1952," *Histoire sociale/Social History* 46, nº 91 (May 2013); and Tom Nesmith, "Toward the Archival Stage in the History of Knowledge," keynote paper presented at the annual conference of the Association of Canadian Archivists, 15 June 2013. Available at archivists.ca "Members Login."

2 Office of the Information Commissioner of Canada, *Out of Time: Special Report to Parliament: Systemic Issues Affecting Access to Information in Canada, 2008-2009 Report Cards*, "Message from the Interim Commissioner." Available at www.oic-ci.gc.ca/eng/rp-pr_spe-rep_rap-spe_rep-car_fic-ren_2008-2009_1.aspx. *Annual Report 2012-2013: Information Commissioner of Canada*, "Message from the Commissioner." Available at: www.oic-ci.gc.ca/eng/annual-reports-rapports-annuel_2012-2013_1.aspx (Both accessed 16 November 2013).

3 Anne Lindsay, "Archives and Justice: Willard Ireland's Contribution to the Changing Legal Framework of Aboriginal Rights in Canada, 1963–1973," *Archivaria* 71 (Spring 2011).