



ARCHIVAL SILENCES

MISSING, LOST AND, UNCREATED ARCHIVES

Edited by
Michael Moss and David Thomas



ARCHIVAL SILENCES

Archival Silences demonstrates emphatically that archival absences exist all over the globe. The book questions whether benign 'silence' is an appropriate label for the variety of destructions, concealment and absences that can be identified within archival collections.

Including contributions from archivists and scholars working around the world, this truly international collection examines archives in Australia, Brazil, Denmark, England, India, Iceland, Jamaica, Malawi, the Philippines, Scotland, Turkey and the United States. Making a clear link between autocratic regimes and the failure to record often horrendous crimes against humanity, the volume demonstrates that the failure of governments to create records, or to allow access to records, appears to be universal. Arguing that this helps to establish a hegemonic narrative that excludes the 'other', this book showcases the actions historians and archivists have taken to ensure that gaps in archives are filled. Yet the book also claims that silences in archives are inevitable and argues not only that recordkeeping should be mandated by international courts and bodies, but that we need to develop other ways of reading archives broadly conceived to compensate for absences.

Archival Silences addresses fundamental issues of access to the written record around the world. It is directed at those with a concern for social justice, particularly scholars and students of archival studies, history, sociology, international relations, international law, business administration and information science.

Michael Moss was professor emeritus of archival science at the University of Northumbria, he was previously research professor in archival studies in the Humanities Advanced Technology and Information Institute at the University of Glasgow, where he directed the Information Management and Preservation MSc programme.

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Archives

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Michael Stanley Moss

1947–2021

Michael sadly died while this book was in press.

Michael was educated at the University of Oxford and trained in the Bodleian Library. After Oxford an opportunity arose in Glasgow: the then Scottish Record Office along with the National Register of Archives for Scotland had funded the appointment of several Regional Registrars as business surveyors. Michael became the Western Registrar based at the University of Glasgow. In 1974 he became the archivist at the University of Glasgow; a post he remained in until 2003 when he was seconded to write a history of Standard Life.

This was a wonderful time for an imaginative and creative archivist like Michael. In 1974 Glasgow was a city whose traditional industries of shipbuilding and engineering were in decline and Michael was able to capture the archives of many companies in those industries, as well as those of the other great Glasgow business – finance and banking. He made Glasgow University Archives the premier centre for business and industrial history in the UK.

On returning from secondment he was appointed to a personal research Chair in Archival Studies in the Humanities Advanced Technology and Information Institute at the University of Glasgow, where he devised and directed the Information Management and Preservation MSc programme, and supervised numerous PhDs.

In 2013 he became Professor and subsequently Emeritus Professor at Northumbria University.

Michael wrote extensively in the field of history, notably business and industrial history, and naturally he wrote on the most famous Scottish industry of all, whisky. In 1981, he and John R Hume co-authored the definitive history of Scotch whisky; a revised edition was published in 2000. At the end of his life, he was working on the history of a leading firm of distillers.

He also wrote a huge amount in the field of archival theory. Probably his most important and innovative work was the use of the evidence given to public inquiries as a lens through which he could examine the state of records management in government. Lords Hutton and Butler may have thought they were conducting public inquiries into issues surrounding the Iraq War, but they were also providing Michael with the data he needed to provide a deeply insightful critique of the UK government's procedures of governance¹.

Michael was extremely well read and he drew on an enormous range of authors in his work: everyone from RS Surtees and Anthony Trollope, to k-punk and Heidegger. Without being overtly interdisciplinary he was familiar with multiple disciplines, obtaining insights which could be put to thoughtful and innovative use

¹ Michael Moss, *The Hutton Inquiry, the President of Nigeria and What the Butler Hoped to See*, *The English Historical Review* 120, no. 487 (Jun. 2005), 577-592.

in novel contexts. His work always contained an element of intellectual surprise; you went on a journey with him, often a rollicking good academic romp, and you always arrived somewhere new with revised perspectives and a lot more thinking to do.

And yet, it is his personal qualities we will miss most. He was extraordinarily kind and generous, and hugely energetic, taking on and completing a superhuman number of research and writing projects as well as swimming in cold seas, climbing Lakeland Fells the hard way, and creating a wonderful garden in his family home in Ayrshire. He had a close family and a vast number of friends from all round the world. The breadth of writing in this volume alone is proof of that.

When I asked a friend to review an early draft of this tribute she remarked that I had frequently used words like 'huge' and 'hugely' and 'enormous'. This was a subconscious expression of the way I think of him. Michael was large in every way – in his intelligence, in his person, in his energy, in his insights, and his friendships. He was a great person and one whom we are much richer for having known.

David Thomas

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David Thomas was employed at the UK National Archives for most of his career, acting as Director of Technology from 2005 until his retirement in 2013. Subsequently, he was a Visiting Professor at Northumbria University. He was author, with Valerie Johnson and Simon Fowler, of *The Silence of the Archive* (Facet, 2017). He was educated at London University and trained at the National Archives. He researches and writes on history and information sciences. His recent publications include, with Michael Moss, *Do Archives Have Value?* (Facet, 2019) and 'How the file was invented', *Administrativ, Zeitschrift für Verwaltungsgeschichte*, band 4, 2019. He is currently researching lost and haunted landscapes of Hertfordshire.

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INTRODUCTION*

Michael Moss and David Thomas

The concept of archival silences and absences is a simple one and one that does not require a huge theoretical insight. It is a concept with which anyone who has worked in a public reading room in a record office has faced many times. It can be summed up in a question – why, when a member of the public turns up at an archive with a perfectly legitimate expectation that information they are seeking will be available, are they so often sent away disappointed?

Try to find the military service records of someone who served in the British Army in World War I; you probably have a 25 per cent chance of success. Try to find a record of an individual slave who was shipped from Africa to America or the Caribbean and you have no chance. Want to research itinerants, Roma, beggars and persons with no fixed abode in England, pretty much any time? It will test your research skills almost to breaking point.

These silences extend to the domestic. One of us (Thomas) had relatives who, according to family legend, lived in a particular street in London at the time of the 1911 Census, but they cannot be found in the official record. Why could this be? Equally, why have our efforts to trace the life of Frederic Martyn, British soldier, French Legionnaire and billiards expert come to very little? Tracing the lives of successful shopkeepers and soldiers should, surely, be easy but there are absences and silences. Why?

Even sources that most of us would imagine would be full of facts and information are frequently full of silences and absences. For example, one might imagine that diaries would be packed with interesting and valuable detail about their authors' lives. Well, yes, maybe, but as Polly North explains in Chapter 11, diaries are hugely varied in the information they contain and can be filled with silences and omissions.

*The editors would like to thank Susan Stuart and Andrea Thomas for their generous help with the creation of this book.

Similarly, writing about the journal composed by Captain Cook on his voyage of exploration to the South Pacific and 'Australia', Michael Piggott explains that 'the journal was at times circumspect, at times silent, at times deliberately misleading'.

There has been a developing interest in the issue of silences and absences in archives in recent years, starting with Michel-Rolph Trouillot's *Silencing the Past: Power and the Production of History* and including David Thomas, Valerie Johnson and Simon Fowler's, *The Silence of the Archive*.¹ Anne Gilliland and Michelle Caswell wrote about the use of imagination as a way to fill gaps in the archive, while Tamy Guberek and Margaret Hedstrom wrote about silence in Guatemala's National Police Archive.²

Trouillot saw silences as inherent in the writing of history and in the creation of archives. Sometimes, they were the things left out, not deliberately but because they were not seen as important at the time. He argued that silences are created at four central moments: the moment of fact creation (the making of sources); the moment of fact assembly (the making of archives); the moment of fact retrieval (the making of narratives) and the moment of retrospective significance (the making of history in the final instance).³ This book focusses on the first two of Trouillot's moments – the making of sources and the moment of fact assembly because these are the areas that are, on the whole, under the control of archivists and creators of records.

In order to investigate this phenomenon, we have brought together writers who come from very different archival backgrounds and perspectives. Michael Piggott, Stanley Griffin, Paul Lihoma and Swapan Chakravorty write with authority on archives in countries whose historical experience was shaped by colonialism (Australia, Jamaica, Malawi and India). Renato Pinto Venancio and Adalson de Oliverira Nascimento, Iyra S. Buenrostro and Paul Lihoma write about countries (Brazil, the Philippines and Malawi) that have relatively recently moved from authoritarian regimes to more open ones. Michael Moss and David Thomas, and Lale Özdemir and Oğuz İcimsoy write about countries (England, Scotland and Turkey) that have long historical and archival traditions bringing the perspective of centuries. Other writers are able to describe particular issues in the creation of silences, Mette Seidelin and Christian Larsen talk about records relating to children and adolescents in Denmark, Eiríkur G. Guðmundsson writes about the particular issues surrounding access to the investigation into the collapse of Icelandic banks following the 2008 financial crisis, while Polly North writes about the value of diaries as records and possible approaches to analysing them. The editors, Michael Moss and David Thomas, provide both a general overview of the subject and discuss approaches to resolving some of the issues raised in this volume. Finally, in an Afterword, David Hebb draws on his nearly 50 years' experience of using archives across the world to describe some of the problems users of archives find when trying to access material.

While we do not focus on the making of narrative, it is clear that the ability of historians to do their work is dependent not only on the assemblage of records, but also in the way in which archivists catalogue them. In Chapter 8 of this volume, Lale Özdemir describes how difficulties in translation and transliteration from Ottoman

Turkish can make access to the records of the Ottoman era in Turkey very challenging. She gives the example of a catalogue that contains the names of two English army captains erroneously listed as *İslefVekarper*⁴ and *İstfabak*.⁵ These names have been so poorly transcribed that it is not possible to decipher their true identities and the captains remain veiled behind these pseudonyms. As Paul Lihoma points out in Chapter 7, due to staff shortages, no single consignment of records in the National Archives of Malawi from 1964 to 1990 has been appraised and catalogued. In Chapter 9, Swapan Chakravorty draws attention to cataloguing issues in the National Library of India. In an Afterword to the volume, David Hebb shows how poor cataloguing, coupled with the decline in scholarship among archivists impedes researchers.

Much of the work in this field has been centred on individual countries: Trouillot on Haiti and Thomas, Johnson and Fowler on England. This may be dangerously limited, but we have made an effort to achieve geographical spread and secure contributions from different phonic communities. As Renato Pinto Venancio and Adalson de Oliveira Nascimento point out in Chapter 5, some recent research on political police has been written from a European point of view, which may not tally with the experience of other regions. David Hebb in his Afterword describes how his career as a historian has taken him to archives in Europe, North and South America and Asia, as well as to islands in the Atlantic and Pacific and he is far from unique in this respect. The aim of this book is to take, as far as practical, a global view of silences and absences and to extend the range of types of records under discussion. Geographically, the chapters range from Iceland in the north to Australia in the south and also include contributions from Brazil, Jamaica, Denmark, Britain, India, Malawi, the Philippines, Turkey and the United States. Interestingly, the authors are fairly evenly divided between those who live on islands and those who live on large continents.

Despite its broad geographical spread, a number of common themes emerge. The first of these is that authoritarian regimes, not surprisingly, tend to result in archival silences. In Chapter 6, Iyra Buenrostro describes how the declaration of martial law by President Marcos of the Philippines in 1972 led to archival silences and manipulation of the official memory. Similarly, as Venancio and Nascimento explain in Chapter 5, after the restoration of democracy in Brazil in the 1980s, there was a failure to transfer the records of the political state police to public archives, while in Chile records of national intelligence organisations either do not exist or are not available to the public. In Malawi, as Paul Lihoma describes in Chapter 7, the regime of Dr Banda imposed such restrictions on access that the National Archives were effectively closed from the late 1960s to the early 1980s.

The same silencing happened with colonialism, as Michael Piggott writes in Chapter 2:

As a silencing force, colonisation has few equals. In the Caribbean for example, the consequences of Spanish French British and Dutch expansions there in the seventeenth and eighteenth centuries included enslavement and

indentureship for some and decimation for the indigenous populations. In eighteenth and nineteenth century Australia – indeed, well into the twentieth – there was a similar impact on communities within which oral traditions cultural practices and languages had flourished for millennia.

In Malawi, the British had a baleful impact on record keeping. Many sensitive local records were burned and others were shipped back to Britain at the time of independence. You can have your country back, but not its records. Similarly, as Stanley H. Griffin reports in Chapter 4, while Jamaica has a long archive tradition:

all the records in the Archives relate to the business of plantation, the profitability of merchant houses, the management of asset – including human enslaved. Thus, the voices of these exploited sectors, even though recorded and ‘written’ in records, are silenced by the oppression, purposes and prejudices of the recorder. Sadly, the hegemonic silencing continues even into the post-Independence era, as traditional appraisal practices and record definitions persist in documenting colonial normative at the expense of the silenced minorities.

Politics and the need for state security can influence decisions about access to archives. In Chapter 9, Swapan Chakravorty describes how the Nehru Memorial Museum and Library in New Delhi had closed records relating to sensitive issues in Indian politics – China, Kashmir and Indira Gandhi’s Emergency of 1975–1977. On a much more physical level, archives in all countries remain at risk from war, fire and flood. According to Lale Özdemir and Oğuz İcimsoy, the Turkish archives have suffered badly from this in the historical period. Early Ottoman records may have been destroyed by the Turco-Mongolian conqueror Timur, while, in the fourteenth century, records stored in the Edirne Palace were destroyed by flooding, and a similar disaster occurred in a palace of Selim II in 1571. There were fires in the main court house in Istanbul in 1934 and in the Ministry of National Education in 1947. Earthquakes in Erzincan in the east of Turkey in 1939 and 1992 had an equally destructive impact. Many of the records of New South Wales Australia were destroyed in a fire in Sydney in 1882. Similarly, most government records from 1891 to 1919 were destroyed in a fire in the Secretariat in Malawi in 1919. This is bad enough but possibly hard to avoid. What is less excusable is the sale to waste paper merchants of Ottoman records and ones from the Azores as described by Lale Özdemir and Oğuz İcimsoy and David Hebb.

Clearly, climate change, which is leading to increasingly severe storms, coastal and riverine flooding and, as we have witnessed over the past couple of years, horrendous forest fires, is likely to put more archives at risk in the future. Sadly, although many archives are well equipped with fire detection and suppression systems and are designed to withstand rough weather, it remains to be seen whether they can protect their contents in the event of a major fire, hurricane or super storm.

We should not neglect a failure of basic records management practice as one cause of silences. In 2008, three of Iceland's biggest banks collapsed resulting in huge economic and political consequences for the country. As Eiríkur G. Guðmundsson describes, the event was looked into by a Special Investigation Commission. Amongst its findings was a serious lack of proper record management in governmental offices, like keeping e-mails, minutes, notations and recording oral communications. Ironically, the Commission did not manage to file and register their archive properly in accordance with the Public Archives Act of Iceland, and consequently it became a huge burden on the National Archives of Iceland.

In Chapter 9, Swapan Chakravorty also raises the issue of a failure by Indian government departments to transfer records to the National Archives and highlights shoddy collection management by ill-trained and overworked staff.

One of the major threats to records comes at a time of changes in government structures, which may result in long delays in transferring the records of the previous regime. In Chapter 5, Venancio and Adalson describe the impact of the gap between the granting of compensation to victims of the previous regime and the transfer to the archives of records relating to repressive government departments. The loss of records and the inability of a number of Brazilian states to preserve the relevant archival fonds may help account for the fact that 41 years after the amnesty was granted, 9000 requests for compensation and reparation are still to be analysed. Similarly, in Turkey there was a change of government in 1923 when the Ottoman Sultanate was replaced by the Turkish Republic. However, while an Ottoman Archives had been established in 1848, an archive for the records of the Republic was not set up until 1976. In Malawi, the outgoing government of Dr Banda destroyed records to cover up evidence of government malfeasance.

An important issue is raised by Swapan Chakravorty in Chapter 9 when he talks of the problem of clarity about what constitutes an historical record and who judges its value and its reliability. Silences can also occur when records are deliberately not created about particular topics or people, where subject areas are regarded as not worth collecting. In Australia, as Michael Piggott describes in Chapter 2, there was heavy surveillance of white convicts, but less information was collected about Chinese, Indian, indigenous Australian and other non-Europeans. While there are large volumes of material relating to World War I among the Australian archives, letters from home to the front and information about the German-Australians who were deported after the war were not collected. The Australian War Memorial only began to document the World War I service of indigenous Australians in the 1990s.

There is a particular problem with subjects with large cross-jurisdictional societal themes, which lack a natural constituency to champion their documentation and which are often no one's concerns and consequently escape the archival gaze. Somehow, the subjects are too imprecise or inchoate to be captured by archives. This idea of 'imprecision' as a significant reason for archival absences is highlighted in Chapter 2, in which Michael Piggott cites the example of that most large and ill-defined subject: the Australian Bush. A similar phenomenon was recently highlighted

by Genevieve Carpio in her work on the Inland Empire – the territory adjacent to and inland of Los Angeles. She explains that it is:

a vast region, without clear boundaries, one that encompasses multiple cities and place types, including sites as diverse as farms, factories, suburbs, and prisons. There is no clear answer to where it begins and ends. Rather, its boundaries are porous – culturally meaningful, but without clear governmental designations – making it a heavily contested ‘place,’ with even the very name being up for debate.⁶

Consequently, there is no authority responsible for its documentation and, as Moss and Thomas explain in Chapter 12, Carpio’s research involved putting together a jigsaw of, often non-conventional, resources.

Above all, this book is about the silencing of voices. We started to research this field because as historians and people who had worked in the public facing parts of archives, we were puzzled by the absences and silences which we found. Our initial focus was largely historical – why was it impossible to find records to answer particular historical questions. However, what this book reveals is that there is a whole world of human voices that have been silenced and excluded and it is this which is the most significant of the absences and silences which we have been discussing. Currently, much of the focus of discussion in the field of archives is about the role of archives in promoting social justice. However, as this book makes clear, there can be no social justice while voices are suppressed.

For some archive writers, oral cultures that do not rely on written records are not suitable for inclusion in the archive proper. Even when archivists do contemplate oral records, as Piggott observes: ‘there is a feeling of reassurance when stories are complemented by song or ceremony, or even better tangibly things such as rock art or – something of a favourite example of the exotic ‘other’ – knotted strings (*quipu*)’.

A very similar point is made by Stanley H. Griffin in Chapter 4; he argues that the holdings of Jamaica’s archives are ‘a dialectical relationship between oral and scribal discourse’, wherein the written text negates and silences the oral memory. In Chapter 7, Paul Lihoma describes the transition from an oral to a written culture in Malawi in the 1930s.

Even textual records frequently exclude voices. Sometimes, this is because record creators chose to suppress them. In Chapter 10, which deals with records relating to children who were abused, Seidelin and Larsen frequently refer to the way in which the voices of abused children were silenced because they were not considered valuable. In some cases, the voices of children can only be heard mediated through the voices of parents or teachers, but, as Moss and Thomas remark in Chapter 1, mediation has its own agency and the voices we hear through the words of teachers and parents may not be the authentic voices of the children. In the situation described by Seidelin and Larsen, it was the authorities or the parents who defined that a problem existed and needed to be addressed and it was the authorities who decided

what questions to ask, what information was relevant and what was sufficiently important to be recorded in the case files.

Thomas and Moss go further and argue that many records that are now seen as purely textual were originally intended to be spoken out loud. Indeed, before the coming of universal literacy, there was a complex hierarchy of speech, memory and written documents in which the spoken was regarded as most significant. Archives, by treating such records as texts and denying their oral qualities – forcing them to be read silently, often in front of notices proclaiming ‘Silence’ – have robbed them of much of their significance.

Inevitably, the move to the digital is problematic. In Chapter 8, Özdemir and İcimsoy raise concerns that the Turkish Archives have not yet gone far enough in preparing for the digital era, both in terms of infrastructure and guidance and this may lead to further silences or exclusion. Piggott raises the important question of whether digitisation programmes that inevitably focus on archival treasures will further enhance cultural stereotyping and canonicity. He poses a hypothetical question: ‘for all intents and purposes, the answer to “if it hasn’t been digitized does it even exist?” is: “No”’.

Probably the most damaging effect of the digital on archives is that it has inspired a belief that instant gratification is possible. Those of the Google generation have a life experience in which answers to most questions can be found by the use of Google, Wikipedia or digitised online resources. But, as David Hebb shows in the Afterword, real research is not like that. It requires a combination of intelligence, curiosity, ingenuity and a lot of time (and in his case, travel) devoted to searching.

Moss and Thomas raise further concerns about the digital by explaining how increased access to global digital resources enhances research in the wealthy north, but disadvantages poor institutions in the global south. Moreover, the multiplicity of copies of digital records and issues about formats raises potential issues concerning authenticity for researchers, issues, which, on the whole were not present in the analogue world.

Piggott raises a huge question about the role of technology in Australia’s treatment of refugees, which relates back to our theme of the suppression of voices. While Australia keeps myriad records *about* refugees, it prevents the creation of records *of* them by not allowing journalists to visit refugee camps and denying refugees access to mobile phones. Because the refugees are a diverse group of people and because the camps are not technically in Australia, there is no archival sector, including community archives which is responsible for collecting records of their voices.

It is easy when thinking about silences to start from the presumption everything should be known, recorded and made available. More experienced researchers do not fall into this trap. David Hebb describes how:

Perhaps I started my research life with such rosy assumptions, but experience soon turned them round 180 degrees: now I begin research on the basis that what I am looking for might not have been written down, preserved, or

certainly not in the form or completeness I would like, and that it is highly unlikely that the archivist sitting at an enquiry desk will be able to show me where the answers to my questions may lie.

However, this is to neglect an equally powerful force, the determination of individuals to maintain their privacy. This introduction began with the example of relatives of Thomas who could not be found at a particular address in the 1911 Census. Perhaps the family stories were simply wrong or perhaps, as immigrants, they wished to avoid the gaze of the authorities. Equally, the mysterious lack of records about the later life of Frederic Martyn may have been his own choice. Having spent at least one period in prison and having published a wholly fictional account of his time in the *Légion étrangère*, he might have considered it wise to adopt a low profile. Certainly, other chapters bear this out. Michael Piggott tells the story of Patrick White, Australia's most famous novelist, who kept no drafts of his books or copies of letters he had sent. He destroyed letters he had received and urged his correspondents to do the same. As Polly North demonstrates in Chapter 11, diaries are full of holes and self-censorship and she quotes Katherine Mansfield 'There was a time – it is not so long ago – when I should have written all that has happened since I left France. But now I deliberately choose to tell no living soul'.

Notes

- 1 Michel-Rolph Trouillot, (1995) *Silencing the Past: P and the Production of History* (Boston: Beacon Press, 1995), 26, 90–2; David Thomas, Valerie Johnson and Simon Fowler, *The Silence of the Archive* (London: Facet, 2017).
- 2 Anne J. Gilliland and Michelle Caswell, 'Records and their imaginaries: Imagining the impossible, making possible the imagined', *Archival Science*, 16 no.1 (2016), 53–75; Tamy Guberek and Margaret Hedstrom, 'On or off the record? Detecting patterns of silence about death in Guatemala's National Police Archive', *Archival Science*, 17 (2017): 27–54.
- 3 Trouillot, 26.
- 4 BETSİS Catalogue Reference: HR.MKT. / 37–14–0 Tarih: H-04-12-1266
- 5 BETSİS Catalogue Reference: İngiliz Kaptan İstfabak ve Ellefird Bromlis'e izn-i sefine verilmesi. A.DVN.DVE. / 22–100–0 Tarih: H-10-09-1273.
- 6 Genevieve Carpio, 'Tales from the rebel archive: History as Subversive Practice at California's Margin', *Southern California Quarterly*, 102, no. 1 (2019), 62.

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1

THEORISING THE SILENCES

Michael Moss and David Thomas

Michel-Rolph Trouillot, who wrote on the liberation struggle of the slaves of Haiti, was the pioneering writer on archival silences. For Trouillot, silences were inherent in the writing of history and in the creation of archives. Sometimes, they were the things left out, not deliberately but because they were not seen as important at the time. He argued that silences are created at four central moments: the moment of fact creation (the making of sources); the moment of fact assembly (the making of archives); the moment of fact retrieval (the making of narratives); and the moment of retrospective significance (the making of history in the final instance).¹

He used the example of the Haitian liberation struggle. There are very few sources in France describing the views of the revolutionaries because the European intelligentsia could not conceive of the idea of a black republic and believed that the revolt was caused by outside agitators. This disdain for the revolutionaries has continued almost to our day, the British historian Eric Hobsbawm scarcely mentions Haiti in his book *The Age of Revolutions, 1789–1843*. Trouillot said ‘What we are observing here is archival power at its strongest, the power to define what is and what is not a serious object of research and therefore of mention’.²

We fully accept Trouillot’s theorising of archival silences, but, in this chapter, we wish to add some glosses to it, which, while not taking away from his essential argument, offer a more in-depth view.

When we first began thinking about silences, we assumed that silences in archives are always present and that users are normally correct in asserting that evidence is missing. We also believed that the ending of silences – the discovery or release of previously silenced archives – would have a healing effect. We also accepted the common trope that the marginalised are most likely to suffer from silences. In fact, the situation is much more nuanced than we originally thought. Although all those statements are true, they are only true up to a point.

What we have discovered is just how visceral and political archival silences can be, but that the ending of silences does not always solve anything. Moreover, we are increasingly aware of the issues posed by the textuality of archives. The issue of which is the 'original' of a record that has long troubled manuscript and biblical scholars will surely come to trouble archive users in the digital age. Digitisation is silencing records because scholars at wealthy universities in the north have access to a diversity of material unavailable to scholars at poorer universities in the south. At the same time, digitisation programmes may mean that records that are non-western, non-canonical and non-quotidian are excluded, thus continuing to silence the poor and marginalised.

Finally, we are increasingly aware that silences mean silences. That archival practices have turned records that were intended to be spoken out loud – to be performed – into texts to be read silently and by so doing have robbed them of much of their meaning. This is particularly the case with evidence presented in courts of law that was either given by those involved or was in the form of depositions.

Silences only exist when researchers in the archives notice them

Silences only come into existence when researchers look for specific pieces of information in the archive. Until then, they are uncreated and potential rather than actual. When Richard W. Pollay, historian and paper and advertising collector, first began studying the archives of the advertising industry and marketing ephemera in the mid-1970s, he remarked on the archival silences. Apart from limited collections at the New York Public Library and the US Library of Congress, there was very little material available to researchers.³

It is important to be nuanced in thinking about silences and not jump to any conclusions without considering all possibilities. Many silences could be avoided by a more determined approach by creators and archivists and a more liberal attitude by governments. The availability of archives of advertising has been totally transformed since Pollay made his complaint in the 1970s. A combination of better catalogues, more digitisation, greater interest in the study of advertising and marketing and the donation of material to archives means both that more records are available and that there is greater awareness of their availability. Indeed, it seems that, even at the time he was writing, the situation was not as bad as Pollay described.⁴

Absence of evidence is not evidence of absence

While Pollay was quite reasonable in his expectations, the fact that a user believes that there is a gap or silence in the archives may not necessarily be true. It could be an example of confirmation bias. This form of cognitive bias was defined by Nickerson as the 'seeking or interpreting of evidence in ways that are partial to existing beliefs, expectations, or a hypothesis in hand'.⁵ Nickerson cites the example of the British expedition to West Africa in 1919 to take advantage of a solar eclipse

to test Einstein's theory that light would be bent by a gravitational field. The evidence taken by the expedition was noisy and its leader, Arthur Eddington, had to decide which photographs to use. He took his decision on the basis of Einstein's theory, leading to the paradoxical situation that Eddington could only claim to have confirmed Einstein because he used Einstein's derivations in deciding what his observations really were, while Einstein's derivations only became accepted because Eddington's observation seemed to confirm them.⁶

An example of confirmation bias is, perhaps, Naomi Wolf's reading of the Old Bailey records. In her book *Outrages: Sex, Censorship and the Criminalisation of Love*, Wolf sought to show that 'modern homophobia' was born in 1857, when the introduction of the Matrimonial Causes Act made sodomy a threat to marriage. On a BBC Radio programme she claimed to have discovered several dozen executions of men for having sex with other men. The Old Bailey records show such cases with the phrase 'death recorded'. In fact, this phrase was a piece of legal jargon that had been introduced in 1823, which allowed judges to abstain from pronouncing a sentence of death on anyone they considered suitable for a pardon and it appears that no men were executed for this crime in the period under discussion.⁷

The ending of silences does not always resolve issues

In his article on archives as spaces of memory, Eric Ketelaar discusses the role of archives in truth, justice and memory.⁸ While there are many cases of people being helped to find some sort of closure by the release of previously silent archives, this is not the inevitable outcome. The power of archives to prevent tragedies or to heal in highly conflicted situations is limited. At a conference at Northumbria University on 24 November 2015, Onora O'Neill said 'Do not imagine better record keeping will solve all this, it will not'. Equally, while the Independent Panel on Hillsborough revealed most of the hidden records of the tragedy and helped the families of victims, it did not bring closure. The report was followed by a further coroner's inquest and attempts to prosecute senior police officers involved.

The dispute over the so called 'Comfort Women' was equally visceral and wrapped in archival silences. However, the eventual discovery of relevant records did not resolve the issue. The story of the 'Comfort Women' was described by Chien Liu.

During World War II, the Japanese military recruited 50,000 to 200,000 women, with varying degrees of coercion and deception, from its colonized and occupied territories into sexual slavery for Japanese troops. It has been estimated that Koreans made up about 80–90% of comfort women; the others were from Taiwan, China, the Philippines, Indonesia, the Netherlands, and Australia. The most common method of 'recruitment' was to deceive women with false promises of employment in Japan. The comfort women endured tremendous agonies under inhumane conditions, suffering from mental anguish, sexually transmitted diseases, and violence from soldiers. At the end

of the war, many of them were abandoned or killed by retreating Japanese troops; some were forced to commit suicide along with the soldiers.⁹

Probably between a quarter and a third of the women survived. When they returned home, they were too afraid to speak, fearing that if they did so, they would be ostracised from their families and society.¹⁰

The Japanese military destroyed most of the records relating to these women and so, for many decades, archival silence meant that the truth of what happened was covered up. In 1988, the Korean Church Women's Association began to press for action on this matter. In 1991, Kim-Hak-sun, angered at the Japanese refusal to admit what had happened or to issue an apology became the first Korean former comfort woman to speak out. It was the very archival silence that led to her decision. The Korean Council for Women Drafted for Sexual Slavery had written to the Japanese Embassy demanding an apology. The embassy had replied that a government investigation had found no evidence that women had been forced into slavery and so no apology could be issued. Kim-Hak-sun had been kidnapped at the age of 17 and sent to a Japanese army unit.¹¹

In January 1992, the historian Yoshimi Yoshiaki found, in the Japanese Defence Agency's National Institute of Defense Studies, documents, including one called *Matters Concerning the Recruitment of Women to Work in Military Comfort Stations*, which was sent on 4 March 1938, by an adjutant in the Japanese War Ministry to the Chiefs of Staff of the North China Area Army and the Central China Expeditionary Force. These documents clearly demonstrated that the Japanese military were involved in the establishment of so-called comfort stations and the recruitment of women as sex slaves to work in them.¹²

The Japanese government issued an apology in 1993, the so-called Kono document, which recognised the Japanese military's role in coercive recruitment and transfer of 'Comfort Women' and in the establishment and management of the comfort stations, accepted the moral responsibility of the Japanese government and apologised to the victims.

It is at this point that we run into the limits of the role of archives in promoting social justice, because the issue of social justice rapidly moved from a debate about archival facts to one about politics.

Although the Japanese government issued an apology, this did not settle the issue because, it only accepted moral, not legal, responsibility and it refused compensation. Instead, it set up a private foundation, the Asia Women's Foundation, to compensate the surviving victims.¹³ Right-wing Japanese politicians began to deny the Japanese government's involvement in mobilising the 'Comfort Women' and this view was supported by Japanese Prime Minister, Shinzo Abe in 2007.¹⁴

Abe's denial damaged relationships between South Korea and Japan and it was not until 2015 that President Obama, as part of his pivot to Asia sought to achieve a reconciliation. His aim was to achieve a resolution of the 'Comfort Women' issue and to secure a trilateral security arrangement between the US, Japan and South Korea. The Japanese government admitted the involvement of their military in the

'Comfort Women' issue and agreed to contribute \$8.3 million to a fund to support the surviving women. However, they still did not admit legal responsibility. This was as good a deal as could be got and both sides declared the matter closed. A year later, on her return from a reconciliation visit to Pearl Harbor, Japanese Defence Minister, Tomomi Inada, visited the Yasukuni Shrine, a traditional Japanese militarist centre where 14 class A war criminals are enshrined. It rapidly became clear that the 'Comfort Women' matter had not been resolved to the wishes of ordinary people in South Korea.¹⁵

Archives relating to 'Comfort Women' were a significant source of contention between China and Japan at the meeting of the Advisory Committee of the UNESCO Memory of the World Register in 2015. The Register was established in 1992 and was originally concerned with documents at risk. It is now a list of significant documents for global history. We despair at this approach, having moved away from the 'great man' view of history, we are now being pushed towards a 'great documents' view of history. As Ian Wilson, former Librarian and Archivist of Canada observed: 'Creeping politicization has underlined the impact of documentary heritage on national historical narratives and identities'.¹⁶

At a time of rising tension between China and Japan, China sought to have two collections of records added to the register: papers concerning the episode of mass murder and mass rape by Japanese imperial troops in Nanjing, China in 1937–1938 and a collection of papers relating to Chinese women used as 'Comfort Women' by Japanese troops. There was a furious row between China and Japan over these two collections of archives, with the Japanese government threatening to withdraw funding from UNESCO. Eventually, while the Nanjing papers were added to the register, the 'Comfort Women' papers were not. China was instructed to co-ordinate with other countries which might be considering submitting documents on the same subject.¹⁷

The dispute over the Nanjing and 'Comfort Women' archives demonstrates clearly the intensely political nature of archives and their limits in resolving historical issues. The release of previously silenced records does not necessarily ensure resolution or reconciliation.

The marginalised are not the only ones to suffer from silences

It is a well-known trope in current archival writing that marginalised groups are excluded from archives. Writing in 2018, Rebekah Xanthe Taylor and Craig Jordan-Baker said that 'Authors looking at marginalized groups specifically, emphasize that archives of more marginalized groups may not be created in the first place and more formal institutional archives might speak about marginalized groups only in statistics and diversity monitoring'.¹⁸

This is true, but the situation is more nuanced. Certainly, many marginalised groups do not appear in records. It is, for example, hard to find information about Roma and other travellers, particularly in early periods, while there is little or

nothing about individual slaves who were shipped across the Atlantic to America or the Caribbean.

However, in England at least, it is not just marginalised groups who do not appear in records. Most people do not feature much in them until the twentieth century. Writing in the language of the 1960s, historian A.J.P. Taylor said ‘a sensible law-abiding Englishman could pass through life and hardly notice the existence of the state beyond the post office and the policeman. He could live where he liked and as he liked’.¹⁹ As Simon Fowler observed, ‘Until World War I, records in the western world were largely created for or about the very rich or the very poor’.²⁰ The rich paid taxes, bought and sold property, got involved in litigation of various sorts and kept household accounts.

The poor fell outside the tax net and for most people in England, the only records of their lives were those kept by the church and later by the state of their births, marriages and deaths. From 1841, they began to appear in census records. They might have lived in a cottage that was part of a manor and so appeared in a court roll, or they might have had other brushes with the civil, criminal or church courts. Some might have held local offices or won prizes at flower shows and so might be traceable through digitised local newspapers. But it is very hard to trace information about many who existed above the poverty level. One of us (Thomas) has spent time trying to track the career of the writer Frederic Martyn who wrote a fictitious account of his adventures in the French Foreign Legion. Beyond Martyn’s highly romanticised published versions of his life, very little survives beyond census records and details of his military career, although he lived until the 1930s. A later section of this chapter tells of Thomas Holden who was transported to Australia at the end of the Napoleonic wars. He subsequently returned to England but we know nothing of Holden’s life after he achieved liberty.²¹ Neither Martyn nor Holden were marginalised people – Martyn was a sergeant-major in the British army, while Holden was a weaver – a semi-literate artisan.

The very poorest people can be found in the voluminous records concerned with poor relief. Those who joined the British army from 1869 onwards were part of an organisation that marched on forms. The 1880 *Classified List and Alphabetical Index of Army Forms and List of Army Books* included 1285 forms and every soldier made an appearance in a number of these. Indeed, as Barrett and Stallybrass have argued, the presence of so many forms required people to fill them in and so the army, which recruited from the poorest people in society, became a forcing house for literacy. But for most people in earlier times, the archives are more or less silent.²²

It was ever thus. Sometime between 450 and 180 BCE, somebody known to biblical scholars as Kohelet wrote:

And some there be, which have no memorial; who are perished, as though they had never been; and are become as though they had never been born; and their children after them.²³

Silencing has been part of government's policies for millennia

In 2019, Arthur Bradley of Lancaster University cast a new light on silences. Taking his cue from a lecture by Michel Foucault, he argued that sovereignty is neither the power to make die and let live (as the ancient Roman formula puts it) nor the power to make live and let die (as Foucault's reversal of the Roman dictum puts it) but the power to make neither live nor die. He argues that sovereign power can be used to decide what counts as being alive and, by using exile, expulsion, proscription, non-recognition, social death, pre-emptive or retroactive nullification, it can reduce people to a state where it is as if they never existed.²⁴

The earliest example cited by Bradley is the Roman practice whereby any emperor who had brought disgrace or discredit on the state, or any citizen who committed treason could be subject to *damnatio memoriae* whereby all traces of their existence were removed. For emperors (such as Geta in AD 211), their names were scratched from inscriptions on tablets, their faces chiselled from statues, their temples destroyed, images on coins defaced, wills annulled and property expropriated.²⁵

Bradley goes on to trace this practice through history, including the Gunpowder Plot, which, according to Attorney General [later Lord Chief Justice] Edward Coke, was an attempt to achieve the death of the king; 'and not the death of the king only, but of his whole kingdom ... even the deletion of our whole name and nation'.²⁶ Bradley also argues that the decision by the Red Army to kill the entire Romanov family and not just the Czar in May 1919 was part of this practice. It had to be made as if the Romanovs had never existed.²⁷

Putting people in the same invisible position as the Emperor Geta continues to be an element of modern policy. Bradley has argued that the enforced or involuntary disappearances in Chile, Argentina and Guatemala prefigure the USA's use of extraordinary rendition and use of secret detention centres.²⁸

Damnatio memoriae is still going strong. Following the disclosure of allegations of child abuse by the late entertainer Jimmy Savile, all public traces of him were removed, including his gravestone in a Scarborough cemetery, a plaque outside his former flat and a footpath sign in the same town, a statue of him outside a leisure centre in Scotstoun in Glasgow and his name on an inscription on a wall of Leeds Civic Hall.²⁹

The textuality of archives can hide their meaning

Archives are mainly texts and as a result they suffer from the weaknesses of all such objects: their words and format can conceal their meaning. Documents can be silenced in plain sight. The first problem of texts is often recognised as being the need to discover which is the original and so what should be the focus of scholarly investigation. We can explore this difficulty by looking at how literary scholars have sought the 'original' of Shakespeare's *King Lear*. In the absence of a manuscript play script, they had to rely on two early printed texts: a quarto edition of 1608 and the 1623 First Folio. These texts differed from each other and scholars believed that

neither of them represented Shakespeare's authorial work. Beginning in the eighteenth century, they began to conflate the two texts in order to produce the definitive version. More recently, literary scholars have regarded this as an anachronistic approach and have argued that the two texts were, in fact, two separate plays. The 1986 Oxford edition includes both the 1608 and 1623 texts. Not to be outdone, in 1989, Michael Warren produced four texts of *Lear*, the 1608 and 1623 editions, a quarto of 1619 and his own parallel text of the 1608 and 1623 versions.³⁰

While manuscript scholars are familiar with this problem of multiple and variant texts, archivists, on the whole have not had this problem because archives are normally unique. However, in 2016, Amanda Bevan and David Foster claimed to have discovered that page 2 of William Shakespeare's will (of 1616) was a survivor of an earlier, 1613 text.³¹ Well, if we have four *Lears*, we can probably cope with two wills.

In the paper era, archivists knew where their records came from – their authenticity is protected by a chain of custody and issues as to which is the correct version rarely arise. This is not true in the digital era as can be seen from the notorious case of Barrack Obama's birth certificate. Obama was born in Hawaii and his birth was recorded there. However, many people were unwilling to accept a black man as president of the United States and developed claims that he was born in Kenya. Originally, the Department of Health in Hawaii released a printout from a database showing a short form of Obama's birth certificate. This did not satisfy critics and so a copy of the long form of the certificate was released in the form of a PDF. The new document was immediately attacked, partly because the PDF contained layers which, it was alleged, was a proof of forgery. Let us hear Andrew Prescott on the subject:

the controversy is driven by a maniacal form of close reading of documents that is suspicious of almost every feature of an archival record. The rules and conventions that govern the use of documentary evidence, such as the role of certified copies, are overturned and disregarded. Yet this debate reflects the conventions of historical criticism by focussing on the status and characteristics of primary documents. However, this documentary analysis has become destabilised and unhinged to the point of lunacy, because of the effects of making the birth certificates available in digital form. The authenticity of the digital copies can only be shown by their provenance and in a digital environment it is easy to point to technical flaws that might suggest doubts about the document's veracity.³²

The historian Lara Putnam has described how the move to digital has accelerated the sort of data gathering that historians were already doing and has facilitated the development of transnational history. However, this has come at a price. As she observes, 'in terms of discipline-wide transformation, shifting the outer bound of the possible matters less than shifting the center of the easy'.³³ Her observation, which is most pertinent to a book on silences, is that, while there is a wealth of resources available to scholars in wealthy institutions in the global north, the same is

not true of those in poorer institutions or in poorer countries.³⁴ Moreover, there is a real danger that scholarship will focus on what has been digitised and will ignore material that can only be accessed by a physical trip to an archive, effectively silencing much of the archive. As Tim Hitchcock observed:

Without serious intent and political will – a determination to digitise the more difficult forms of the non-canonical, the non-Western, the non-elite and the quotidian – the materials that capture the lives and thoughts of the least powerful in society – we will have inadvertently turned a major area of scholarship, in to a fossilised irrelevance.³⁵

The real silence of the archive

For many archival thinkers, the archive consists of texts. It is tempting to blame Derrida with his firm views on texts for this, but, however, Nicholas Royle suggested that in many of Derrida's texts 'the oral, the audible, the acoustic dimension is fundamental'.³⁶ Of course, the emphasis on texts goes back to Jenkinson with his view that records essentially relate to transactions and are, by their nature, textual. As Stanley Griffin notes, in Jamaica, where the oral tradition is vital, the National Archives does not have fully developed archival programmes for audio visual records. As Michael Piggott writes, when archive theorists do write about oral cultures, they like records to be firmly linked to something tangible – ceremonies, or things like rock art or even knotted string.

In this section, we will argue that the most significant silence of the archive is that even those records that originally had a degree of liveness and were intended to be spoken are now seen as dead texts to be read in silence and not as words to be heard. Doing this, we believe affects their validity and distorts our ability to interpret them. We take our cue from performance studies in which the conviction runs deep that to record or document a performance is to destroy or, at the very least, contaminate it. As Peggy Phelan observed, 'performance cannot be saved, recorded, documented, or otherwise participate in the circulation of representations of representations: once it does so, it becomes something other than performance'.³⁷

A similar view is expressed by Stanley Griffin in Chapter 4, where he argues that the essence of the oral traditional form cannot be confined to paper, box and reading room.

As late as the seventeenth century, there was a hierarchy of value of speech, manuscripts and print. This becomes clear from the sermon which Archbishop Laud preached just before he was executed in 1645. Laud wrote out a text of his speech, not to read but as an *aide memoire*. He said that he had not read out his manuscript exactly but had kept close to it. He expressed concern that his words should not be misreported and asked John Hinde to take down a transcript of the sermon as spoken. Consequently, there were probably two manuscript versions – Laud's original text and Hinde's verbatim transcript.

As soon as Laud had been executed, the puritan Henry Burton published an attack on him, establishing the primacy of speech. He argued that Laud could not be said to have preached because he was reading the text verbatim, nor to have prayed because he was reading from his paper.

The sermon was subsequently printed with the title:

The Arch-bishop of Canterburie his speech, or, His funeral sermon preached by himself on the scaffold on Tower-hill on Friday the tenth of January, 1645, upon Hebrews 12, 1, 2 also, the prayers which he used at the same time and place before his execution /all faithfully written by Iohn Hinde, whom the archbishop beseeched that hee would not let any wrong be done him by any phrase in false copies.

However, the printed text was incomplete – it omitted Laud’s complaint about the way he had been treated by Parliament. We know this because a copy in the Bodleian is annotated ‘corrected from the original’. The history of Laud’s sermon illustrates the perilous journey of his words from manuscript back to memory, from memory to speech and from speech to manuscript and then printed text.³⁸ But, as Burton argued, the spoken word had primacy.

Records lie somewhere on this continuum. Some are partial transcripts of spoken words; ancient oral history from a distant past. For example, Holger Schott Syme has demonstrated that witness statements used in trials in England in the sixteenth and early seventeenth centuries were taken down in writing by JPs or their clerks. These statements were not necessarily exact transcripts of what the witness said, but edited versions. He quotes Lord Chief Justice Coke’s aphorism *in lectione non verba sed veritas est amanda* (in reading, it is not words but the truth that is to be loved).³⁹

The statements were then read aloud or ‘performed’ in court by the clerk. Syme quotes many examples of this; for example, at the murder trial of Richard Weston in 1616, the clerk read out ‘the several examinations of divers witnesses taken before the Lord Chief Justice and others’.⁴⁰

Performances of witness statements, depended, in Syme’s words on a ‘personator’ speaking words recognisably not his own in order to produce the imaginary presence of something or someone personated. While vividness was of key importance in this representational effort, it nevertheless had to be tethered to an enduring sense of reality – that the clerk and the witness to whom he lent his voice were not the same.⁴¹

Other records were written texts intended to be spoken out loud. Wills were written – in part at least – to be performed. They were frequently read out by the executor to the relatives of the deceased. The reading of the will is a literary and artistic trope. Shakespeare famously portrayed Mark Anthony’s reading of Julius Caesar’s will. A short story in *Household Words*, by Samuel Sidney tells the story of lawyer Rigors who, late in life, married Kitty Carter, an 18-year-old barmaid. When the lawyer died, his son by a previous marriage attended the reading of the will, only to discover that Kitty had inherited one of the old lawyer’s best estates and an

income for life. According to the narrator, 'They say the look the [new] Squire gave Kitty was awful'.⁴²

Occasionally, readings of wills appear in records. In 1865, James Cathrill and Edwin Dresch were tried at the Old Bailey for forging a will. The case turned on the existence of a second will that Cathrill claimed to have found in a chest of drawers. The reading of the will was described by one of the executors:

I attended the funeral—the persons named in the will were all there—after all came from the funeral they partook of refreshment, and then without moving [from the room in which refreshments were taken], the will was produced and read—Cathrill was present—before the will was read, a question was put to the company generally, asking if they knew of the existence of any other will.⁴³

The image of a family gathered round while a lawyer reads the will was a theme used by a number of eighteenth- and nineteenth-century artists, giving them an opportunity to portray the varied reactions – joy, disappointment, etc. of the relatives, Thomas Rowlandson's version is the most bizarre – the family are gathered round the coffin, dogs are barking and the ghost of the deceased peeps through the door.

We should not make too much of this. Most of the text of wills was highly legalistic and followed the formulae set down by legal writers. However, wills need to be read in the knowledge that they were intended to be spoken out loud and heard by the family. There was always a possibility of surprise, while the occasional personal comment or the gift of personal items – rings, swords, cups, etc. – can be seen as a spoken message from the dead to the living.

Until the era of cheap and universal postal systems and almost universal literacy, letters too could have a spoken, as well as a textual quality. Mail services developed in continental Europe from about 1600, while in England, Wales and Scotland, Charles I allowed his subjects permission to use the royal post for private mail from 1635.⁴⁴

Until then, private citizens had to either rely on the services of individual bearers, friends or even strangers to deliver letters, or they could use carriers. There was an elaborate system of carriers in the late sixteenth and early seventeenth centuries who travelled from provincial towns to London. They normally journeyed on the same day each week and stayed at the same inns in London. Richard Quiney, who visited London on behalf of the town of Stratford on Avon and who wrote the only surviving letter to William Shakespeare stayed at the Bell in Carter Lane, where the Stratford carriers lodged. The rhythm of letter writing was determined by the schedule of the carriers.⁴⁵ But where letters were sent by carrier, contemporaries saw them as having a spoken quality. John Earle wrote in his 1628 *Micro-Cosmographie* that the carrier: 'Is the Vault in Gloster Church that conueyes Whispers at a distance: for hee takes the sound out of your mouth at Yorke and makes it bee heard as farre as London'.⁴⁶

Letters were sometimes read out loud to those who could not read, while those who could not write could use the help of friends or scribes. Abraham Sturley, alderman of Stratford on Avon, wrote letters on behalf of his sister Elizabeth Quiney to her husband Richard in 1598. Equally, letters were shared with a wider circle than the addressee. Sturley was 'made partaker of the contents' of a letter from Richard to Elizabeth.⁴⁷

However, it was the individual bearers who really emphasised the spoken nature of letters in a world in which trust in orality was strong compared to writing.⁴⁸ Some letter bearers simply delivered a letter and awaited a reply. In other cases, the letter served to introduce and authorise the bearer to deliver an oral message. In other cases, the bearer would provide a written or oral message to the sender giving a report on the letter's reading.

Alan Stewart described how the young Francis Bacon who was a member of the household of Sir Amias Paulet, the English ambassador to the French king, was entrusted with carrying letters to the English court. His role was to deliver the letters and also a verbal message to the Lord Treasurer, Lord Burghley. He spent a day walking round finding the people to whom he had to deliver the letters and message. He arrived in London on a Tuesday and the next day, he reported to Paulet that he had delivered the letters but had not yet had an opportunity to deliver his message to Burghley. He was also able to report back that the letters had been well received – he had 'good words' from Burghley and gracious words from the queen.⁴⁹

In some cases, letters did not accurately reflect the speech of those writing and were, in a sense, literary productions. Professor Robert McColl Millar examined some extraordinary letters from two men (Thomas Holden and Richard Taylor) from Lancashire who were transported from England to Australia in the first half of the nineteenth century. The letters are semi-literate, but, surprisingly, they show few traces of a Lancashire dialect. Instead, they show the influence of evangelical Christianity and the bible. *Doth* instead of *does*, which is not a Lancashire usage of that period is probably biblical in origin, while contemporary Lancashire usages, such as *thou* for *you* are not found. They also demonstrate the standard beginnings and endings to letters that were taught at the time. Letters began *Dear X* and ended with a variety of standard phrases such as *till time shall be no more*.⁵⁰

Mediation asserted its own agency and those messengers, clerks and attorneys who read letters, witness statements and wills aloud had the capacity to produce a different effect from that intended by the original writers simply by the way they delivered the text. Ben Jonson the playwright worried about players 'who were too witty in another man's works, and utter, some times, their own malicious meanings under our words'.⁵¹

The whole experience of visiting an archive is designed to induce a spirit of reverence. Documents that are intended to be records of speech and that can best be understood when spoken are required to be read as texts, under notices proclaiming 'Silence' and consequently the performance of the archive is contaminated.

In Chapter 9, Swapan Chakravorty discusses in some detail the issues surrounding the use of oral history as evidence. Clearly, records that are recollections, such as witness statements, need to be treated with a degree of care since they are mediated

both through the memory of the witness and also through the questions asked by the interviewer. However, it is the performative aspect of records such as wills and early letters that were written with the intention that they should be read aloud that needs to be analysed critically.

Archivists have not yet followed the lead of book historians who are interested in reading and oral historians who have realised that aurality offers many benefits over transcripts. They should do so. Anisa Puri, Australian oral historian, said:

As oral historians, we know how essential it is to listen to an interview in order to interpret it. By listening, we observe and interpret meanings that are often lost in an interview transcript or summary. Speech carries meaning—whether it's the quickening of the pace, the softening of a tone, or a pregnant pause. The cadence and emotional qualities of a voice offer important aural clues for us to interpret. Appreciating the importance of aurality extends into how we present oral history in creative and immersive ways too, whether it's via a website, podcast, digital story, art installation, audio walking tour, museum exhibition or heritage interpretation.⁵²

Conclusion

We have described Michel-Rolph Trouillot's analysis of silences in the archive: that they are inherent in the writing of history and in the creation of archives and that silencing archives creates a power to define what is and what is not a serious object of research and therefore of mention.

While we fully accept Trouillot's argument, we have found that the ending of silences does not always have the healing effect that might be expected. We have observed that, despite popular belief, the marginalised are not the only people to suffer from silences. Moreover, the ability to silence has been a weapon used by states since at least Roman times and continues to be used to this day.

What we have discovered is just how visceral and political archival silences can be and that, in highly contested situations, the ending of silences does not necessarily resolve issues. We believe that the digitisation of records may favour scholars in the wealthier north and focus research away from the non-western and non-canonical. The move to digital records will increasingly raise issues as to what is an original and, indeed, what is an authentic record. Finally, we are increasingly aware that silences mean silences. That archival practices have turned records that were intended to be spoken out loud – to be performed – into texts and by so doing have robbed them of much of their meaning.

Notes

- 1 Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995), 26, 90–92. See also, Tamy Guberek and Margaret Hedstrom, 'On or off the record? Detecting patterns of silence about death in Guatemala's National Police Archive', *Archival Science*, 17 (2017), 28–29.

- 2 Trouillot, 99.
- 3 Fred Beard, 'Archiving the archives', *Journal of Historical Research in Marketing*, 10 no. 1 (2018), 86.
- 4 Beard, (2018), 102–104.
- 5 Raymond Nickerson, 'Confirmation bias: A ubiquitous phenomenon in many guises', *Review of General Psychology* 2, no. 2 (1998), 175.
- 6 Nickerson (1998), 196.
- 7 Parul Sehgal, 'Naomi Wolf's career of blunders continues in *Outrages*' (review of Naomi Wolf, *Outrages: Sex, Censorship, and the Criminalization of Love*, Houghton, Mifflin Harcourt, 2019), *New York Times*, 5 June 2019.
- 8 Eric Ketelaar, 'Archives as spaces of memory', *Journal of the Society of Archivists*, 29, no. 1 (2008), 9–27.
- 9 Chien Liu, 'Obama's pivot to Asia and its failed Japan–South Korea historical reconciliation', *East Asia* 35 (2018), 296–297.
- 10 Gabriel Jonsson, 'Can the Japan–Korea dispute on "Comfort Women" be resolved?', *Korea Observer*, 46 no. 3 (Autumn 2015), 1–27.
- 11 Jonsson, 7.
- 12 Carmen Argibay, 'Sexual slavery and the comfort women of World War II', *Berkeley Journal of International Law*, 21 (2003), 377–8.
- 13 Liu, 297.
- 14 Liu, 304.
- 15 Liu, 307.
- 16 Ian Wilson, 'The UNESCO memory of the World Program: Promise postponed', *Archivaria*, 87 (2019), 110.
- 17 Mayumi Yamamoto, 'Heritage and diplomacy: A cultural approach to UNESCO's document registry program in East Asia', *Annual Journal of Cultural Anthropology*, 11 (2016), 12–13.
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- 19 A.J.P. Taylor, *English History, 1914–1945* (Oxford: Clarendon, 1965), 1.
- 20 Simon Fowler, 'Inappropriate expectations', in David Thomas, Valerie and Simon Fowler, *The Silence of the Archive* (London: Facet, 2017), 46.
- 21 Robert McColl Millar, 'The problem of reading dialect in semiliterate letters: The correspondence of the Holden family, 1812–16 and of Richard Taylor, 1840–1851', in Marina Dossena and Gabriella Del Lungo Camiciotti, *Letter Writing in Late Modern Europe* (Amsterdam: John Benjamins Publishing Company, 2012), 164.
- 22 Michèle Barrett and Peter Stallybrass, 'Printing, writing and a family archive: Recording the First World War', *History Workshop Journal*, 75 (2013), 6.
- 23 *Ecclesiasticus* 44:9.
- 24 Arthur Bradley, *Unbearable Life: A Genealogy of Political Erasure* (New York: Columbia, 2019), 21–44.
- 25 Bradley, 2–3.
- 26 Bradley, 89.
- 27 Bradley 91.
- 28 Bradley, 190.
- 29 BBC News, 9 October 2012, *Jimmy Savile's Grave to be Dismantled in Scarborough*, www.bbc.co.uk/news/uk-england-york-north-yorkshire-19,889,974
- 30 Margreta de Grazia and Peter Stallybrass, 'The materiality of the Shakespearean text', *Shakespeare Quarterly*, 44, no. 3 (1993), 257–258.
- 31 Amanda Bevan and David Foster, 'Shakespeare's original will: A re-reading, and a reflection on interdisciplinary research within archives', *Archives*, 51 (2016), 8–34.
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- 33 Lara Putnam, 'The transnational and the text-searchable: Digitized sources and the shadows they cast', *American Historical Review*, 121 (2016), 379.

- 34 Putnam, 395–6.
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- 36 Nicholas Royle, *The Uncanny* (Manchester: Manchester University Press, 2003), 64.
- 37 Joy Palacios, 'Archival liveness: The paper archive in the digital age', *Performance Matters* 1. Nos. 1–2 (2015), 62.
- 38 Donald McKenzie, *Making Meaning: 'Printers of the Mind' and Other Essays* (Amherst: University of Massachusetts Press, 2002), 243–244.
- 39 Holger Schott Syme, *Theatre and Testimony in Shakespeare's England: A Culture of Mediation* (Cambridge: Cambridge University Press, 2012), 5.
- 40 Syme, 59.
- 41 Syme, 129, 131.
- 42 Samuel Sidney, 'The Beechgrove Family', *Household Words* (27 October 1855), 289–296.
- 43 Old Bailey Sessions Papers, 12 June 1865, www.oldbaileyonline.org/browse.jsp?div=18650612-631.
- 44 Alan Stewart, *Shakespeare's Letters* (Oxford University Press, 2008), 10.
- 45 Stewart, 125–128.
- 46 Stewart, 122. The reference is to the famous Whispering Gallery in Gloucester Cathedral, which enables a whisper to be heard on the other side of the gallery from which the speaker is standing.
- 47 Stewart, 121–122.
- 48 Alison Wiggins, *Bess of Hardwick's Letters: Language, Materiality and Early Modern English Epistolary Culture* (London: Routledge, 2017), 148.
- 49 Stewart, 198–199.
- 50 Millar, 166–167.
- 51 Syme, 134.
- 52 Anisa Puri, Aurality and the opening of oral archives, OUP Blog, 28 October 2016, <https://blog.oup.com/2016/10/oral-history-aurality/>.

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2

WHAT ARE SILENCES?

The Australian example

Michael Piggott

It is said that ‘silences haunt every archives’; even the word ‘spectral’ has been used. And in *Refiguring the archive* the editors declared ‘The archive – all archive – every archive – is figured’. So one would need to be omniscient and conceited to argue that archival silences associated with an individual society are exceptional. Nevertheless, some societies do share common influences such as culture and colonialism. Australia, like Canada, South Africa and New Zealand, has historical connections with Great Britain. Separate from this shared distinction is the reality of indigenous Australia, which flourished ‘53,000 years before one of the most ancient cities of the so-called civilised world, Jericho in Palestine, was founded’ – and around the time when, apparently, the beginning of genuine recordkeeping replaced the silent world of ‘prehistory’.¹

What follows is intended to illustrate archival silences using historical themes from the Australian context – despite the challenges of the concept itself and the daunting timespan of humans’ presence here. My themes arise primarily from our indigenous, colonial (particularly convict) and recent history and from the exploration that preceded it. Some silences are benign (archival arrangements) and some deliberate (Patrick White’s letters). One theme links directly to a core theoretical issue about what constitutes a record. Another arises from Australia’s contemporary policy towards asylum seekers arriving by sea. All, however, are anchored to distinctive features of Australia and its history and people.

Cook and indigenous Australians

European inkling of the existence of a large southern continent entered the exploration records of the Dutch East Indies in 1606 with confirmed sightings and land-fall by Willem Janszoon in the *Duyfken*, while primacy has also been argued in favour of the Portuguese, Spanish, French and Chinese. However, what matters for

present purposes is the ‘discovery’ in 1770 of the east coast of what was then known as ‘New Holland’ by English navigator James Cook (1728–1779), his claiming possession on behalf of the British Crown and the repercussions.

After his first voyage of exploration (1768–1771), Cook sailed twice more into the Pacific, the last resulting in his death in Hawaii in 1779. All three voyages had scientific and mapping agendas. The first, co-sponsored with the Admiralty by the Royal Society, aimed (aside from the ‘secret instructions’ to confirm there was indeed a continent in the southern hemisphere) to observe the transit of Venus from Tahiti and assist a team of botanists and artists led by Joseph (later Sir Joseph) Banks to collect and document flora and fauna and study Pacific islander cultures. On that first voyage, Cook surveyed and named numerous features of the east coast of ‘Australia’, including Botany Bay and Port Jackson (later, Sydney).

In 1788, Britain established a penal colony at Sydney Cove, Port Jackson. During the nineteenth century other colonies were established, and later still granted self-government. On seeking to federate in the late 1890s, these colonies were granted independence to form modern-day Australia in 1901 while remaining within the (then) British Empire. As a result, and despite the fact that William Dampier was the first Englishman to set foot on the continent, it was Cook who has been revered as an antipodean Columbus. Here, anniversaries of his birth and exploits in 1770 were pretexts for commemoration, and he was also eulogised in school texts, statues, plaques, place names, re-enactments and *Endeavour* replicas. Indeed, his name and that of his ships have been commemorated around the world and, thinking of space shuttles, beyond.

Ostensibly, the archival silences in the Cook 1770 *Endeavour* story are more understandable than historians’ past selective treatment of Australian history.² This holds even when, from among the extensive officially warranted documentation the voyage generated, we focus just on the commander’s holograph journal. In the journal Cook was at times circumspect, at times silent, at times deliberately misleading.³ And indigenous Australians were accorded minimal agency in official records despite instructions to Cook to ‘cultivate a Friendship and Alliance’ with them and to only take possession of land ‘with the Consent of the Natives’.⁴

What then of public access to the journal, even with these gaps? From Batavia, and at the end of the voyage, edited copies of the journal made by Cook’s clerk were forwarded to the Admiralty and a version, without Cook’s input, was quickly published, while a century-long inaccessibility of the actual journal ensured even Cook’s authentic contemporary voice was silent. The journal was kept aside from his wife’s destruction of their personal papers and, after passing through several descendants, was purchased in 1865 by the industrialist and politician Henry Bolckow. Apart from an occasional display (for instance, at the Sixth International Geographical Congress, London, 1895), it lay undisturbed in his, and later, his descendants’ library at Marton Hall, Middlesbrough. Eventually, it was purchased by the Australian government at a Sotheby’s auction in 1923, beginning its slow crescendo towards accessibility.

The journal was then transferred to the nascent National Library of Australia, initially part of the new Parliament's Library, inevitable improving avenues to its contents. It was lent for display at the Mitchell Library, Sydney, between 1923 and 1927, featured during the first Moomba Festival in Melbourne in 1954, and shown to Queen Elizabeth II during a Cook bicentennial visit to Australia in 1970. In the 1950s scholarly transcript editions began to appear (1955), then there was microfilm (1970s), a CD-ROM (1999), an online transcript (2004) and finally a digitized facsimile (2005).⁵ As for the journal's standing, the unrestrained marketing superlatives have included: 'the nation's most significant historical document', 'one of the nation's most potent historical documents', and 'of extraordinary importance in the history of the British colonisation of Australia'. Further confirmation came with its inclusion in 2001 in both the Australian and International registers of UNESCO's Memory of the World programs.⁶

What did indigenous communities think of the *Endeavour* and its crew as they sailed up the east coast? There were numerous sightings throughout, and two intense interactions when the ship spent eight days in April–May 1770 exploring Botany Bay south of present-day Sydney and six weeks in June–July 1770 being repaired at present-day Cooktown in Cape York Peninsula, north Queensland. These encounters included ritualized indifference, trade, attempts at communication, demonstration of weaponry and inevitable misunderstandings.

Generalising about how such events are remembered or recorded, curator and historian Philip Jones wrote: 'Europeans kept a range of written records, either official or private, documenting these events. Aboriginal people have preserved oral accounts of first contacts with Europeans.'⁷ The *Endeavour* also had on board talented artists, while both sides left physical evidence, some (e.g. jettisoned cannons, spears) more tied to the year 1770 than others (middens), yet, nevertheless, illustrating detail in the written records.

To adapt Alan Atkinson, words *about* Cook passed from the warm breath of eyewitnesses to the cold storage of indigenous communities' memories – the Gweagal and Kameygal people at Botany Bay and the Guugu Yimithirr people at Cooktown. Their understandings of Cook also remained inaccessible and thus silent to others (some argue, irrevocably)⁸ until used in speeches and newspapers intermittently in the nineteenth century and more frequently from the mid-twentieth century by writers such as Roland Robinson and scholars such as Deborah Rose Bird, Maria Nugent and Mark McKenna.⁹

Storytellers' archives – silenced by definition

As a silencing force, colonisation has few equals. In the Caribbean for example, the consequences of Spanish French British and Dutch expansions there in the seventeenth and eighteenth centuries included enslavement and indentureship for some and decimation for the indigenous populations. In eighteenth and nineteenth century Australia – indeed, well into the twentieth – there was a similar impact on communities within which oral traditions cultural practices and languages had

flourished for millennia. Disease, frontier violence, loss of lands, welfare, missionaryes, discrimination and assimilationist policies all undermined the living archive.¹⁰

In the years immediately following Federation in 1901, the new Australian Parliament began considering who would be eligible to vote. In April 1902, King O'Malley, a member of the House of Representatives from Tasmania, interjected during debate on the Commonwealth Franchise Bill that 'An aboriginal is not as intelligent as a Maori. There is no scientific evidence that he is a human being at all'.¹¹ Definitions matter, sometimes deeply as in the alternatives 'offshore processing centre' or 'prison' and 'terrorist' or 'freedom fighter'. Definitions specify who is included and who is silently 'out-of-scope'. In archival legislation and indeed in archival science discourse, a key threshold question asks: what is a record? Again, to help make the point we return to explorer James Cook, RN, FRS.

HMB *Endeavour* arrived at the east coast of 'New Holland' in April 1770 via Cape Horn, the Pacific and New Zealand. At Tahiti, Cook and Banks befriended a priest and navigator known as Tupaia.¹² He agreed to accompany them and acted as something of a cultural intermediary in subsequent interactions with Maori and indigenous Australians, only to die from dysentery – as did seven of the *Endeavour's* crew – at Batavia. Tupaia's knowledge of islands and languages across the Pacific 'bordered on the prodigious' as Molony put it. Cook and Banks were staggered to see Tupaia 'read' the winds, sun, stars and the sea's changing surface – without charts, sextants and chronometers – as the *Endeavour* sailed 2400 km south and then west to New Zealand. Such knowledge is not an historical curiosity. It was and remains part of what Wade Davis called:

a vast archive of knowledge and expertise, a catalogue of the imagination, an oral and written language composed of the memories of countless elders and healers, warriors, farmers, fishermen, midwives, poets, and saints – in short, the artistic, intellectual, and spiritual expression of the full complexity and diversity of the human experience.¹³

Busy with day-to-day worries and *the* challenge of the age, preserving digital records (*and* information *and* data, many insist), archivists struggle to contemplate an older non-analogue 'record'. This is what van Toorn called embedded and emplaced knowledge, one 'stored in people's minds' and, when cultural protocols allow 'transmitted from the mouths of the older generation to the ears of the young', one complemented by other representations such as sand drawings, song, dance and body scars.¹⁴ In Australia, historians of indigenous-settler relations have been much exercised by similar issues, the debate often deteriorating into unedifying disputes about frontier violence, specifically over evidence of perpetrator identity and exact numbers killed.¹⁵ Cultural protocols strictly limiting access to knowledge further complicate matters, as seen in the bitterly contested Hindmarsh Island Bridge *cause célèbre* of the mid-1990s. Women within one local indigenous community argued building the bridge was a desecration but explaining the specific reasons was culturally forbidden; other indigenous disputed this. The issue was acerbated

by whistleblowing, gender, ‘dispossessed whites’, competing legalities and political agendas.¹⁶

For law courts, historians and ‘middle Australia’, corroboration of oral knowledge by written and archaeological evidence is valued. When, on rare occasions, archival theorists discuss recordkeeping in societies where oral traditions are dominant, there is a feeling of reassurance when stories are complemented by song or ceremony, or even better tangible things such as rock art or – something of a favourite example of the exotic ‘other’ – knotted strings (*quipu*).

Archival thinkers such as Luciana Duranti, Laura Millar, Randall Jimerson, Simon Fowler and Geoffrey Yeo have championed conceptions of records and archives that *by definition* exclude what we might call the storytelling view. ‘Groups, indeed whole societies, that operate outside a written culture do not produce archives in the conventional sense’ wrote Fowler in 2017. Yeo likewise: ‘textual (and perhaps visual) records remain central to most understandings of archival work’.¹⁷ Cleverly, he also deployed Kenyan scholar Ali Mazrui to argue that societies for whom the past is always present do not need to be intellectually dependent on the idea of a record representing a time-fixed occurrence. As if following Yeo (2018), in a 2018 review of *Indigenous Archives* Gretchen Stotle noted that ‘An archive is a Western concept’ and that its authors showed the concept of an Indigenous archive can completely ignore ‘the paradigm of the Western archive’. And yet *Indigenous Archives*’ contributors also explored how it ‘fits into, challenges, redefines’.¹⁸

Until redefinition replaces defining-out, fixed settler ontologies remain, paying lip service to cultural inclusiveness, acknowledging that a society’s prevailing needs, culture and technologies shape recordkeeping practices, and assuming a binary understanding that confines non-written forms to silent ‘pre-history’. Indigenous and other archivists working under ‘minority reports’ and ‘archival multiverse’ banners beg to differ, just as have anthropologists like New Zealander Anne Salmond.¹⁹ Oral cultures flourish today, integrating written and digital practices, and, of course, knowledge systems incorporate recordkeeping systems, as Diane Bell showed in her ethnographic study of Ngarrindjeri culture, Nonie Sharp showed documenting the seafaring peoples of Cape York Peninsula and the Torres Strait Islands, Margo Neale and Lynne Kelly showed explaining the Seven Sisters Songline, and John Bradley showed in his account of the Yanyuwa community of Borroloola in the Gulf of Carpentaria.²⁰

Controlling the convict record

Cook’s reports of Botany Bay and hints about Port Jackson and the advocacy of his most important *Endeavour* passenger, Joseph Banks, contributed to Britain’s decision to establish a penal colony at Sydney Cove in 1788. Prison congestion was a key factor, but there were also strategic and other reasons. During the nineteenth century other colonies were established at Hobart, Brisbane, Melbourne, Adelaide and Perth and there were also over a dozen islands of secondary punishment. By the time transportation ceased – in New South Wales in the early 1840s, Van Diemen’s Land

in the early 1850s and Western Australia in the late 1860s – approximately 160,000 English, Welsh, Scots, Irish and others (including from other British colonies) had been sentenced to antipodean exile.²¹

In a famous observation about the silencing effects of social structure, Galbraith wrote ‘In so as a man could keep clear of the king, his history escapes the records’. Not so our convicts! Most were sentenced to seven years’ transportation and could not afford to return home. They took advantage of an ‘assignment’ employment system of graduated return to freedom and many established families and enjoyed a relatively successful life. Reynolds described the 72,000 sent to Van Diemen’s Land as ‘richly and uniquely recorded by a small army of clerks and other officials’.²² In other colonies the details varied, but, generally, in Britain these included court, Home Office and shipping documentation, complemented in Australia by all manner of prison and convict department records and personal papers such as tickets of leave and certificates of freedom, and enriched again when convicts were sent on to places of secondary punishment.²³

For the descendants of freeborn and convict alike, Australia’s origins were an embarrassing ‘stain’ to be denied within families and kept out of official histories and anniversaries. In places like convict-free South Australia, they were a claim to superiority.²⁴

Even so, the ironies are considerable. In eighteenth- and nineteenth-century England there are comparatively few records created about the individual rural and urban poor who kept clear of the law. In Australia, so detailed was the recordkeeping that for once phrases like carceral archipelago and technologies of surveillance are justified. By contrast, the individual convict’s voice is barely audible yet can be recovered from traces like tattoos, love tokens and the rare surviving letter, as Frost and Maxwell-Stewart have shown.²⁵ Finally, not everyone in colonial penitentiaries was covered by the extensive biographical and physical detail recorded about the convicts. As individuals, Chinese, Indian, Indigenous and other non-Europeans were ‘recorded less fully and with less accuracy than white inmates’ – even their scars attracted only perfunctory note. Thus, for Katherine Roscoe, ‘In the archive, the bodies of people of colour were erased’.²⁶

Until the 1970s, when finding a convict in the family tree was celebrated, such facts were repudiated by silence, relocating elsewhere, living respectably, inventing back stories and adopting new names. Such social and civic stratagems did not include wholesale records destruction as many alleged. A few cases of removal by individuals to mask their past are known, however, and there was some trade in documents by collectors and souvenir hunters. To this day, large-scale destruction to help ‘cleanse the stain’ is believed to have occurred. Of course, this seems to make sense. As former National Archivist George Nichols wrote, ‘I have no doubt that had there been a call for the destruction of the convict records on public bonfires, the event would have been well attended’.²⁷

When transportation ceased, neglect, though it did not guarantee protection, helped ensure almost all of the two largest concentrations of Australian documentation, in New South Wales and Tasmania, survived to the mid-twentieth century

when proper archival arrangements and scholarly and family history interest finally ensured their preservation and availability. The only actual destructions were in New South Wales in 1863 and 1870, where transportation had ceased in 1840. Investigating the background in 2006, government archivist Christine Shergold concluded that the NSW colonial government did what all governments do, i.e. disposed of materials 'which are felt, rightly or wrongly, to be no longer required for administrative or evidential purposes', adding 'in the nineteenth century scant, if any, consideration was given to the value of official records for the research requirements of future generations'. But there was also misuse of the information, prompted by what an Inspector General of Police recalled in 1880 as 'curious or improper motives'.²⁸ So vast quantities of convict records survived if mute, like Cook's journal, through inaccessibility. Almost another century was to pass before public access rules allowed unfettered use for family research inquiries, though a little earlier for the scholars.²⁹

To this happy ending, there is a coda. In the late 1870s, a magnificent building designed by the Colonial Architect James Barnet and called the Garden Palace was erected in a corner of the Royal Botanic Gardens, Sydney. Beyond its intended purpose – the International Exhibition of 1879–1880 – this antipodean Crystal Palace was repurposed for exhibitions, concerts, offices and storage of artefacts artworks and records. About a dozen government departments were involved. Early on the morning of 22 September 1882 the building burnt down. Little was salvaged; almost all government records, including the colony's 1881 population census returns (and returns for five previous censuses), were destroyed. A coronial inquest could not decide the cause. That the destroyed artefacts included ethnographical materials such as indigenous objects and remains was little known, even at the time.³⁰

For almost a century after the colonies federated to form Australia in 1901, suspicion lingered that the 'convict stain' explained the fire. For example, it was blamed preceding the 1986 and 1991 national population censuses in *Sydney Morning Herald* editorials. In 2002 Stephen Mutch, who campaigned to retain name-identified census forms, thought this concern 'may' have been a factor in past destructions, while historian Babette Smith wrote in 2009, without substantiation, 'from 1841 Australia's [censuses] were always destroyed to placate convict descendants'.³¹ In fact, after the 1905 Census and Statistics Act no clear imperative existed to retain or destroy past census returns. In 1971 however, destruction became the default position following politicians' panicked response to heightened privacy concerns complemented by statisticians' fear that this would compromise data integrity.³²

To those who see any deliberate records destruction as silencing, the loss of Australia's population census returns for an entire century is nothing short of industrial-scale cultural cleansing. One opponent of destruction likened press photos of the forms being destroyed, released in the 1990s by the Australian Bureau of Statistics to reassure the public that they were keeping their word about privacy, to farmers stretching wedge-tailed eagles they had shot along barbed wire fences. Such emotional responses are blind to a more systemic and insidious denial embedded in the 1901 Australian constitution, section 127, stating that 'In reckoning the

numbers of the people of the Commonwealth, or of a State or other part of the Commonwealth, aboriginal natives should not be counted'. As it happens, from the very first census in 1911 some data was collected, and eventually section 127 abolished at a referendum in 1967.³³

The inevitable limits of Australia's First World War record

We have not quite finished with the convicts. 'Australia began life as a jail' wrote historian John Hirst in setting up one of his orthodoxy challenging chapters. To an equally renowned though younger historian, Mark McKenna, 'Anzac Cove, not Sydney Cove, was where the right kind of Australian blood had been spilt'. Both statements have a point. Developed from six former British colonies, the newly and peacefully federated nation of Australia was only 14 years old when, 14,000 km away, war broke out in Europe. In world terms, our participation was minor. Essentially a war between alliances of empires, even so 'thanks to imperialism's global stretch' it 'sucked into its maw millions of people around the world'. From a population of five million, Australia lost over 60,000 killed and 156,000 wounded gassed or captured – the highest percentage death rate of any empire force.³⁴ The cost in lives, the bodily family and community trauma, and the battles in which its 'down payment' was made came to be seen as signifying the true birth of a nation. A nation tested in war; allegiance paid in honourable blood. And in the process, a final redeeming Australia of its shameful convict past.³⁵

At the centre of the debate that followed the 1914–1919 war was what mode of commemoration, particularly at the national level, would appropriately give meaning to the suffering, as Hobart and Perth in the late 1920s and Melbourne, Sydney and other state capitals in the 1930s had already established cenotaphs and shrines.³⁶ In 1925 Parliament, yet to move from Melbourne to the nascent national capital, passed the Australian War Memorial Act. The building was finally opened in Canberra in 1941. Essentially a memorial museum, from the beginning it included an archival role inherited from the Australian War Records Section formed in 1917 and focused on documenting the battlefield, preserving the 'sacred records' testifying to noble deeds. In the 1920s and 1930s there was also a master list of war dead to compile and provision of sources for the official history. Its collecting vision excluded the indigenous-settler 'frontier wars' and exhibited little interest in covering the home front, anti-conscription protests and the broader social and political context.

The mischief here is not obvious. An enormous quantity of archival records was accumulated by the Memorial – units' records of all services, personal letters and diaries, the work of official war correspondents, war cameramen and war artists and the papers of military and civilian wartime leaders. These were complemented by relevant collections developed by national and state libraries and archives – some not established until well after the war. As a result, even themes like venereal disease and misbehaviour among Australia's soldiers were well covered. For the 'bad characters' there was 'overwhelming documentation' according to Peter Stanley. The

Australian Imperial Force ‘was one of the most thoroughly documented forces in history. Individual court-martial or personnel files alone added up to many thousands, and the researcher risks drowning in these records’.³⁷

Looking again, the structural imbalance is obvious, dominated by a specialist organisation with a ‘roll of honour’ mindset narrowly focussed on the battlefield. Even here there are deliberate gaps, with shell shock, for example, commonly denied in many ways including under reporting and false recordkeeping.³⁸ It has become the sacred epicentre of the Anglo–Australian *volk* notwithstanding Australia’s ethnic diversity. Despite appropriate indigenous alternatives, it has become the obligatory first stop for visiting monarchs and presidents. National sports teams, too, before departing overseas to do battle. Spending on commemorating the First World War centenary, and on the War Memorial in particular, was excessive and disproportionate, in stark contrast to the dozens of generalist archives (and archives departments in generalist libraries and museums) struggling daily to cover Australian history in all its myriad aspects including periods when the nation was at war.³⁹

Lost somewhere among these two Pareto axes are individuals and topics no one cares enough about to properly document. Numerous collections of letters from soldiers at the front to loved ones at home have been preserved, and almost none from home to the front. There is minimal interest in the military administration in German New Guinea during 1914–1921, the experiences of the 5000 plus Australians who worked in British war industries, the 6000 plus German Australians deported after the war, and the hundreds of teenagers put in solitary confinement for refusing to register for military training after 1911. And to mention again indigenous Australians, it was only in the 1990s that the Memorial began to document their First World War service.

Digitization priorities exacerbate this bias. At the War Memorial, a digital ‘top ten’ including Roll of Honour cards, unit war diaries and unit embarkation rolls have been scanned and made accessible online at the National Archives, so have the Army Militia attestation files and servicemen and women’s personnel dossiers. Such records attract use and funding and recall Prescott and Hughes’ 2018 comment ‘There is a risk that digitization programs, by focusing on making “treasures” more widely available, will reinforce existing cultural stereotypes and canonicities’. The Memorial’s archives include many thousands of registry files of administrative headquarters branches and depots; at current rates of processing they will not be completely listed for another 15–20 years, let alone digitized. Ease of use leads to repeat use, and barriers beget neglect. Digital dualism loses its parity. The analogue archive grows silent. For all intents and purposes, the answer to ‘if it hasn’t been digitized does it even exist?’ is: ‘No’.⁴⁰

Patrick White’ self-silencing and the fruits of disobedience

Encroaching silence is one thing, deliberate destruction another. When a physical document is gone, it is gone ... as Patrick White assumed and intended. White (1912–1990) was Australia’s first winner of a Nobel Prize for literature and described

by David Marr, his biographer, as 'the most prodigious literary imagination in the history of this nation'.⁴¹ His output as a novelist playwright short story writer and poet, and role as a public intellectual and activist meant a large and growing collection of papers. On the other hand, it was common knowledge that he was someone who retained neither drafts of writing nor letters he received. And his correspondents were implored to destroy their letters from him. Several times in his life there were major incinerations of papers. Also, he had made his lifelong partner, Manoly Lascaris, promise to burn anything remaining after his death, and his will was similarly explicit.

Inevitably, White attracted interest from libraries that collected literary manuscripts. In April 1977, the Director-General of the National Library of Australia made his move. In a now famous rebuff, White replied:

I can't let you have my 'papers' because I don't keep any. My MSS are destroyed as soon as the books are printed. I put very little into notebooks, don't keep friends' letters as I urge them not to keep mine, and anything unfinished when I die is to be burnt. The final versions of my books are what I want people to see and if there is anything of importance in me, it will be in those.

If you like, the reader emerges from the death of the author's papers. Literary theory aside, this was all very Jenkinsonian. There was no business need to keep drafts after publication or keep copies of out letters (White had a formidable memory in any case), and the letters he sent were often full of gossip prompting explicit requests about confidentiality. The few copies he kept 'as evidence of his reasons' were of bitter dismissals of former friends'.⁴²

Motives underlying destruction are rarely simple, and perhaps understandably it is those of writers as creators of archives who have attracted most scholarly interest.⁴³ Yet as Richard Brown showed in his superb case study of an Italian tax official's murder, many social and cultural factors are in play even with a single event. The human factor and gender are in there somewhere too. When White was shown Katherine Mansfield's papers on a visit to New Zealand in 1961, he described her as 'a good example of the letter-writer traduced', her letters lingering on 'to accuse her as a monster of sensibility and egotism'. His distrust of literary scholars and biographers grew.⁴⁴ Marr regarded the burning of most of the papers in White and Lascaris' custody up to 1964 just before moving houses as a 'most thorough purging of his past, an act of renewal by fire'. There was a conflicted attitude to notoriety and autobiography too though he published several memoirs, in effect an 'oscillation between repudiating literary celebrity and desiring recognition', which was 'made still more complicated by his homosexuality'.⁴⁵

In his final years, another human factor emerged. White found a writer (David Marr) he trusted to present him with honesty and insight; 'privacy was not now the issue; the biography was'. He 'knew biographies fed on letters'⁴⁶ and through Marr asked his correspondents to allow access and authorised copying – hoping they had disobeyed his request to destroy. Most had kept them, and over 2000 copies were

secured for the biography. Lascaris, who survived White by 13 years, also ignored directions to destroy and so did White's literary agent Barbara Mobbs. When the National Library finally acquired her papers and those from the household after Lascaris died, they joined dozens of other collections it had acquired rich in White letters. Now libraries around the world have collections that include his letters, while others remain in private hands.⁴⁷

The silencing reality of established arrangements

A person may intend to prevent access to their past, or at least a version of it, but success requires others to join the conspiracy. Patrick White destroyed much, yet his surviving distributed archive was created by a partner, literary agent and network of disobedient correspondents and collecting librarians who shared a belief about his and its significance.

No such single mind has ever directed the documentation of Australian society; no national cultural policy has ever guided federal state and local government cultural heritage programs. Attempts to establish a peak body representing archives libraries museums and galleries have enjoyed little success, the most recent effort, begun in 2015, limited to prioritising digital access to existing collections. In fact, it took the entire twentieth century to see all six states, both territories and the commonwealth pass legislation controlling the preservation of even government records. If there was a priority, initially it was the copying and publication of archives in Great Britain relevant to colonial administration, and documenting Australia's participation in the First World War. In parallel, the leading collectors and public libraries preserved manuscripts of pioneers and explorers and controlled, until legislation led to their independence, government archives as well.⁴⁸

What this uneven pattern reveals at work, as in any society, is a kind of organic documentation imperative. As Nesmith put it:

Socio-economic conditions, social assumptions, values, ideas, and aspirations shape and are shaped by ... [people's] views and recording and archiving behaviour. Social circumstances shape what information may be known, what may be recorded, and what may be not, and how it may be recorded, such as in the medium chosen.

Whatever we call this – societal provenance, a discourse, archival mentality, archival consciousness, archiving, archiving, or deeper still a 'system of statements' – it undoubtedly conditions the production management and use of records. It defines what can be, and shapes what will be documented but also what is forgotten. In a sense, the results are benign silences but should never be overlooked or accepted.⁴⁹

This shaping mechanism has consequences. For example, in Australia both at the state and federal levels a governance culture evolved, which, when needing to respond to such pressures as scandals, intractable social issues and demands for reform, responds by establishing public inquiries taskforces Royal Commissions

and reviews. One estimate of the numbers established by colonies, states and the Commonwealth from the mid-1800s to 1990 puts it at a staggering 3650. If anything, their use has proliferated since then, royal commissions becoming the 'new normal'. Now, as a matter of course, their reports cite the numerous previous inquiries into the same issue. The documentation created and revealed, however, and increasingly when commissions aim at exposing injustices the voices heard, extensive and significant.⁵⁰

A second example is the preservation of business archives. In the 1950s and 1960s scholarly interest in Australian business history and the creation of business archives councils in Sydney and Melbourne helped encourage the formation of collecting programs in several universities, the commissioning of corporate histories and the formalising of archives units within a number of banking, mining and other companies. This early momentum has not been sustained. Nothing other than self-interest and taxation and corporations law compel businesses to value recordkeeping or regard commissioned histories as reinforcing marketing, while the university-based archives that once specialised in their preservation now struggle for funds as the interest of historians and other potential users declines.⁵¹

A third example is best understood if we stay a moment longer with business archives. In Australia, unlike for example in Scandinavian countries, the business sector is poorly documented.⁵² Nevertheless, to those business archives that are preserved we can add the documentary by-products of inquiries (including Royal Commissions),⁵³ liquidations and businesses placed in administration as well as the government archives and libraries collections, which include long runs of newspapers.

And, however limited, there is a degree of professional focus (a special interest group in the ASA, the occasional article in the professional literature). At least then *business* aligns with an acknowledged sector of society. Similarly, most social groups with a common history, interest or cause enjoy a natural standing in society.⁵⁴ All directly or indirectly give rise to documentation and, as the decades pass and a sense of history develops, an incentive to preserve it. The same lens reveals a particular set of arrangements for national cultural institutions funded and legislated for by government: those with generic remits (national gallery, national portrait gallery, national library, national archives) would be taken for granted internationally, while others (Aboriginal and Torres Strait Islanders, war) link more directly to Australia's history and culture. More selective still are programs that document significant themes such as women and science and individuals such as prime minister Bob Hawke and composer and performer Percy Grainger.⁵⁵

Anything *not* covered by these sectors, communities, biographical collections, special themes and national institutions, must fend for itself. In archival terms it is silenced. Terry Cook's macro appraisal model deploying structure (records creators) and function (e.g. education) identified a similar concern, namely the need 'to remember the people who slip through the cracks of society'.⁵⁶ His solution was to document an inclusive image of society by first identifying key points of citizen-state interaction then targeting the key functions and structures for preservation.

In Australia, there is no nationally coordinated macro-appraisal strategy and large cross-jurisdictional societal themes – such as the phenomenon loosely termed ‘the Bush’ – with no natural constituency to sustain or champion their documentation are, in truth, no one’s concern.⁵⁷

A silencing detention system

The setting for our final theme, more urgent and contested if as large and complex as ‘the Bush’, concerns Australia’s contemporary policies and attitudes towards refugees. It overlaps with the bigger historical phenomenon of post-Second World War immigration and the developing multicultural nature of its society. The so-called ‘White Australia policy’ ended in 1966; in 1992, the rules covering the processing of people arriving without a valid visa were tightened. Since then, under successive governments on both sides of the political spectrum, rules have tightened further. As well, detention centres operated on the Australian mainland and Indian Ocean territory of Christmas Island were enhanced between 2001 and 2007 and from 2012 via arrangements with Papua New Guinea and the Pacific island nation of Nauru. In parallel, debate on issues such as population size, ‘border protection’ and ‘people smuggling’ and policy towards asylum seekers arriving by sea from South East Asia has sharpened.

Inevitably, the archival record was implicated. One infamous case was the 2001 so-called ‘Children Overboard’ affair. It involved the misrepresentation of actions of refugees for political advantage by the then Howard government during the November 2001 federal election campaign in some ways anticipating the UK Prime Minister Tony Blair’s justification for joining the Iraqi war in 2003. Operational details including easily misinterpreted handwritten notes of communications and incident photographs circulated without captions were exploited to allege that asylum seekers on board the leaky fishing boat *Olong* attempting to sail from Indonesia to Christmas Island had thrown children overboard in a ploy to force rescue by the Australian Navy and ultimately secure asylum in Australia. A subsequent series of parliamentary and media analyses showed among other factors poor recordkeeping and tightly controlled access to information had enabled lies to go unchallenged until no longer politically inconvenient. As a result, the voices of both Navy personnel and refugees were silenced and the latter’s reputations trashed.⁵⁸

Another form of silencing concerned refugees who, when their claims for asylum were denied and they refused to return home (often fearing renewed persecution), have been detained indefinitely. Records *about* them, of course, multiplied, and at the detention centres updated constantly. Australian border protection, immigration intelligence and coronial agencies, outsourced security and logistics service providers and a variety of others providing legal medical human rights and other advocacy supporters have all added to the collective panopticon archive. Where detainees have self-harmed, committed suicide, been attacked or murdered, or died due to lack of proper medical treatment, yet further documentation has accrued. As

they do tenfold when individual mistreatment prompts sufficient media and political attention to demand inquiry and legal redress.⁵⁹

Records of detainees is an entirely different matter. Often arriving with few possessions, minimal if any identity documentation and no means of communication, their challenges have been compounded through lack of opportunities to record or communicate their stories or complaints. A high-profile exception has been the Kurdish Iranian journalist Behrouz Boochani, who was in offshore detention for six years, for most of the time at East Lorengau, on Papua New Guinea's Manus Island. After being moved to its capital, Port Moresby, in late 2019 he was granted a one-month visa to visit New Zealand and in mid-2020 allowed to stay indefinitely with refugee status. He found ways to produce work and provide interviews, and in 2018, after five years using a series of mobile phones sending one text message at a time, published a powerful memoir *No Friend but the Mountains*. A work of considerable literary force and compelling analysis, it likens the Australian offshore detention centres to a kyriarchal system, a concept drawn from feminist theory greatly expanding patriarchy referring to structures of hierarchy and domination including roles that specify how prisoners should behave.⁶⁰

Boochani and a few others had found ways to text and post to sites like Facebook. More generally, with the episodic removal of smartphones from detention centres by authorities, and the various obstructions to journalistic access, the process of documenting, verifying and publicizing the experience of detention becomes once again shrouded in silence and secrecy.⁶¹

How then, are experiences of the people in detention, already on arrival having few if any papers, to be captured and preserved? Some who experienced detention have subsequently returned to their original homeland; some have been resettled in Australia or third countries such as New Zealand Canada and the United States of America. The rest remain in limbo, never technically having been in Australia. In cultural heritage terms, what is their natural Australian 'sector'? Given detainees' ethnic religious and gender diversity, which community archives might acknowledge a connection with them? Which Australian archives library or museum will regard them as a priority, or indeed even, as Klaus Neumann has asked, see them as legitimately falling within relevant collecting policies?⁶²

Conclusion

The preceding half dozen or so themes hardly begin to cover the potential of the 'archival silences' lens, even applied just to Australian settings. Among other meanings, we saw silence as self-censoring and lack of access (Cook's journal), exclusion via definition (indigenous 'story-telling' archives), privacy motivated destruction (White's letters and drafts), lack of interest and overwhelming smothering interest (records of business and war) and the silencing of asylum-seeking detainees through the denial of communications technology.

What then, of gaps, distortions, omissions, erasures and all the other near synonyms, and of intergenerational silences starting to be researched by Ashley

Barnwell?⁶³ What of the growing aggressive official use here of expanded security powers in handling ‘right to information’ cases and instances involving presumed positive silencing where the ‘right to forget’ means expungement of criminal and other records. There remains, too, the rich potential to directly explore commonalities evident in the contrasting cultural settings, institutions and documentary forms addressed in other chapters in this volume. Songlines, for example, part of the indigenous Australian archive barely acknowledged in Western archival discourse, have their parallels in the cultures of the Haya, Inuit and Native Americans. We very much hope this first look at Australian archival silences is not the last.

Notes

- 1 My opening quotes are from Carolyn Hamilton Verne Harris and Graeme Reid, ‘Introduction’ in Carolyn Hamilton et al., eds. *Refiguring the Archive* (Dordrecht, The Netherlands: Kluwer Academic Publishers, 2002), 7, Rodney Carter, ‘Of things said and unsaid: Power, archival silences, and power in silence’, *Archivaria* 61 (Spring 2006): 215–233 (217) and Jacques Derrida, *Archive Fever* (Chicago: University of Chicago Press, 1998), 84. For Indigenous Australia’s great antiquity, see John Molony, *Captain James Cook. Claiming the Great South Land* (Redland Bay, Qld: Connor Court Publishing, 2016), 136. Any number of essays in *Australian Archaeology* and *Journal of Island and Coastal Archaeology* are also relevant, as most certainly is Billy Griffiths and Lynette Russell, ‘What were we told: Responses to 65,000 years of Aboriginal history’, *Aboriginal History* 42 (2018): 31–53. I hesitate to write ‘the oldest living culture’; as Griffiths has argued, it implies a false sense of timelessness and unchanging way of life while archaeology and Indigenous lore testify to great changes as well as continuity. See Billy Griffiths, *Deep Time Dreaming. Uncovering Ancient Australia* (Carlton, Vic.: Black Inc., 2018).
- 2 Historians’ inattention to Indigenous Australian experience was famously described by anthropologist W.E.H. Stanner as ‘the great Australian silence’. See his Boyer Lectures published as *After the Dreaming* (Sydney: Australian Broadcasting Commission, 1969), 18–29. Equally famously, from the 1970s Henry Reynolds among others worked to remedy the silence as he explained in *Why Weren’t We Told? A Personal Search for the Truth about Our History* (Ringwood, Vic.: Penguin, 1999).
- 3 Margaret Cameron-Ash argues Cook’s charts and journal entries were deliberately obtuse to mislead geo-political rivals such as the French. See *Lying for the Admiralty* (Dural Delivery Centre, NSW: Rosenberg, 2018).
- 4 See www.foundingdocs.gov.au/item-did-34-aid-3-pid-34.html (12 January 2020).
- 5 From the vast literature on Cook and extensive even just on the first voyage, my sources include Greg Denning, *Readings/Writings* (Melbourne: Melbourne University Press, 1998), esp. ‘*Endeavour and Hokule’a*’, 100–119; Ray Parkin, *H.M. Bark Endeavour. Her Place in Australian History* (Melbourne: The Miegunyah Press, 1997); Greg Denning, ‘MS1 Cook, J. Holograph Journal’, in Peter Cochrane, ed., *Remarkable Occurrences. The National Library of Australia’s First 100 Years. 1901–2001* (Canberra: National Library of Australia, 2001), 1–19; Chris Healy, *From the Ruins of Colonialism. History as Social Memory* (Cambridge: Cambridge University Press, 1997), ch. 1; and John Molony, *op cit*.
- 6 See *National Treasures from Australia’s Great Libraries* (Canberra: National Library of Australia, 2005), 16, John Thompson, *Documents That Shaped Australia. Records of a Nation’s Heritage* (Sydney: Pier 9, 2010) and *Treasures from the World’s Great Libraries* (Canberra: National Library of Australia, 2001), 82.
- 7 Philip Jones, *Ochre and Rust. Artefacts and Encounters on Australian Frontiers* (Kent Town, S. Aust.: Wakefield Press, 2007), 3.
- 8 Inga Clendinnen described ‘the sacred world’ of indigenous Australians at first contact as ‘the world of mind and spirit, none of it written but stored in landscape, artefact,

- dance and story' as 'closed to us outsiders'. See *Dancing with Strangers* (Melbourne: Text Publishing, 2003), 5. Stanner thought similarly; see Robert Manne, *W.E.H. Stanner: The Dreaming & Other Essays* (Collingwood, Vic.: Black Inc. Agenda, 2009), 95.
- 9 Alan Atkinson, *The Europeans in Australia. A History*. Volume One (Oxford: Oxford University Press, 1998), 19; Maria Nugent, *Botany Bay: Where Histories Meet* (Crows Nest, NSW: Allen & Unwin, 2005); Deborah Bird Rose, *Dingo Makes Us Human. Life and Land in an Australian Aboriginal Culture* (Cambridge: Cambridge University Press, 2000); and Mark McKenna, *From the Edge. Australia's Lost Histories* (Melbourne: The Miegunyah Press, 2016), esp. ch. 4. See also Peter Veth Peter Sutton and Margo Neale, eds., *Strangers on the Shore. Early coastal contacts in Australia* (Canberra: National Museum of Australia Press, 2008); Chris Healy, *From the Ruins of Colonialism. History as Social Memory* (Cambridge: Cambridge University Press, 1997), ch. 2; Maria Nugent, *Captain Cook Was Here* (Cambridge: Cambridge University Press, 2009).
 - 10 See the editors' introduction to Jeannette A. Bastian John A. Aarons and Stanley H. Griffin, eds, *Decolonizing the Caribbean Record: An Archives Reader* (Sacramento, CA: Litwin Books, 2008), 1–7. The Australian literature on dispossession is extensive, modern scholarship beginning with C. D. Rowley's *The Destruction of Aboriginal Society* (Canberra: Australian National University Press, 1970). Some argue more than dispossession was involved, c.f. A. Dirk Moses, ed., *Genocide and Settler Society. Frontier Violence and Stolen Indigenous Children in Australian History* (New York: Berghahn Books, 2004). There is also a large body of research exploring indigenous agency, survival, resistance and cooperation, e.g. Shino Konishi, Maria Nugent and Tiffany Shellam, eds, *Indigenous intermediaries. New Perspectives on Exploration Archives* (Canberra: ANU Press, 2015) and Robert Kenny, *The Lamb Enters the Dreaming. Nathanael Pepper & the Ruptured World* (Carlton North, VIC: Scribe, 2007).
 - 11 See Australian Parliament. *Hansard* at <https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id:%22hansard80/hansardr80/1902-04-23/0063%22> (13 January 2020).
 - 12 See Joan Druett, 'Tupaia', *The Encyclopedia of New Zealand*, 2017 at <https://teara.govt.nz/en/biographies/6t2/tupaia> (13 January 2020).
 - 13 Wade Davis, *The Wayfinders. Why Ancient Wisdom Matters in the Modern World* (Perth: UWA Publishing, 2010) 34. For the 'prodigious' quote, see also Molony, *op cit.*, 48.
 - 14 See Penny van Toorn, 'Indigenous texts and narratives' in Elizabeth Webby, ed., *The Cambridge Companion to Australian Literature* (Cambridge: Cambridge University Press, 2000), 19–49 (19).
 - 15 Two examples from the large and at times bitterly debated 'culture wars' literature are Keith Windschuttle, 'Doctored evidence and invented incidents in Aboriginal historiography', and David Roberts, 'The Bells Falls massacre and oral tradition' in Bain Attwood and S.G. Foster, eds, *Frontier Conflict. The Australian Experience, National Museum of Australia* (Canberra: National Museum of Australia, 2003), 99–112 and 150–157. Also useful are Bain Attwood and Fiona Magowan, eds, *Telling Stories. Indigenous History and Memory in Australia and New Zealand* (Wellington: Bridget Williams Books, 2001), *passim*, and Bain Attwood, *Telling the Truth about Aboriginal History* (Crows Nest, NSW: Allen & Unwin, 2005), esp. ch. 9.
 - 16 For three contrasting understandings of the controversy, see Chris Kenny, *Women's Business* (Potts Point, NSW: Duffy & Snellgrove, 1996); Diane Bell, *Ngarrindjeri Wurruwarrin. A World That Is, Was, and Will Be* (North Melbourne, VIC: Spinifex, 1998); and Ken Gelder and Jane Jacobs, 'Promiscuous sacred sites; reflections on secrecy and scepticism in the Hindmarsh Island Affair', *Australian Humanities Review* 6 (June–July 1997) <http://australianhumanitiesreview.org/1997/06/01/issue-6-june-1997/> (13 January 2020).
 - 17 See Simon Fowler's chapter 'Enforced silences' in David Thomas, Simon Fowler and Valerie Johnson, *The Silence of the Archive* (London: Facet, 2017), esp. 3. Geoffrey Yeo's thinking appears in 'Record(s)' and Randall Jimerson's in 'Archives and Memory' in Luciana Duranti and Patricia Franks, eds, *Encyclopedia of Archival Science* (Lanham,

- Maryland: Rowman & Littlefield, 2015), 315–319 and 99–101; the Yeo quote is at 317 and his fully articulated ideas in *Records, Information and Data* (London: Facet Publishing, 2018). Duranti's classical views have been repeated many times, not least in the Preface of the Encyclopedia, *ibid.* ix. Laura Millar's ideas are presented in *Archives. Principles and Practices* (London: Facet, 2010), 3, and in *A Matter of Facts. The Value of Evidence in an Information Age* (Chicago: ALA, 2019), esp. ch. 4.
- 18 Stotle, a Nimi'ipuu (Nez Perce) American Indian, reviewed Darren Jorgensen and Ian McLean, eds, *Indigenous Archives: The Making and Unmaking of Aboriginal Art* (Crawley, WA: UWA Publishing, 2017) in *Aboriginal History* 42 (2018), 199–201; quote, 199. In her chapter for *Indigenous Archives*, Margo Neale also contrasts indigenous archives as different from 'the Western archive' (289) and, of course, this is inevitable given the still dominant strict Western definition of archives.
 - 19 See Daniel Rosenblatt's review of Salmond's *Tears of Rangī. Experiments across worlds in 'Other ways of being'*, *TLS*, 13 December 2019, p. 32, and for contrast, a 2018 Auckland Writers Festival interview at <https://vimeo.com/271780170>.
 - 20 Archivists advocating inclusive understandings of archives include Anne Gilliland, Kelvin White and Shannon Faulkhead (see Anne Gilliland Sue McKemmish and Andrew Lau, eds., *Research in the Archival Multiverse* Melbourne: Monash University Publishing, 2017); Kimberly Anderson (see 'The Footprint and the Stepping Foot: Archival Records, Evidence, and Time', *Archival Science* 13, no. 4 (2013), 349–71); and the speakers Joanna Sassoon and Toby Burrows brought together for their guest edited double issue of *Archival Science* 'Minority Reports', *Archival Science* 9, nos. 1–2 (June 2009). My own thinking is in 'Acknowledging Indigenous recordkeeping', *Archives and Societal Provenance. Australian Essays* (Oxford: Chandos Publishing, 2012), 251–270. As for the scholars, see Diane Bell, *op cit*; Nonie Sharp, *Saltwater People. The Waves of Memory* (Crows Nest, NSW: Allen & Unwin, 2002); John Bradley, *Singing Saltwater Country. Journey to the Songlines of Carpentaria* (Crows Nest, NSW: Allen & Unwin, 2002); Margo Neale and Lynne Kelly, *Songlines. The Power and Promise* (Pt Melbourne, Vic: Thames & Hudson Australia, 2020).
 - 21 For basic details of convict Australia aimed at family historians, see www.digitalpanopticon.org/Convicts_and_the_Colonisation_of_Australia_1788-1868 and www.nla.gov.au/research-guides/convicts (13 January 2020). For historical overviews, see Marian Quartly's entries 'Convict history' and 'Convicts' in *The Oxford Companion to Australian History* (Oxford: OUP, 1999) and Babette Smith, *Australia's Birthstain* (Crows Nest, NSW: Allen & Unwin, 2009); while for a dated and cannibalism sodomy and flogging version yet still insightful, there is none better than Robert Hughes, *The Fatal Shore* (London: Collins Harvill, 1987).
 - 22 Henry Reynolds, *A History of Tasmania* (Cambridge: Cambridge University Press, 2012), 137. For the king avoiding man, see V.H. Galbraith, *An Introduction to the Use of the Public Records* (Oxford: Oxford University Press, 1934), 4.
 - 23 The colonies' convict records were added to the UNESCO Memory of the World International Register in 2007; for a summary description, see Jennifer Jerome, 'Crime and punishment', in Roslyn Russell and Anne-Marie Condé, eds, *The Australian Register. Memory of the World Program* (Deakin, ACT: UNESCO Australian Memory of the World Committee, 2015), 28–33. For an example of the 'secondary punishment' richness, see David Roberts, 'Colonial gulag: The populating of the Port Macquarie penal settlement, 1821–1832', *History Australia* 14, no. 4 (2017), 588–606.
 - 24 On the culture of silence after transportation ended, see Christine Kenneally, *The Invisible History of the Human Race* (Melbourne: Black Inc., 2014), ch. 5, Alison Alexander, *Tasmania's Convicts* (Crows Nest, NSW: Allen & Unwin, 2014, and Babette Smith, *passim*.
 - 25 See Lucy Frost and Hamish Maxwell-Steward, eds., *Chain Letters. Narrating Convict Lives* (Melbourne: Melbourne University Press, 2001), esp. their Introduction, 1–5 and ch. 14, pp. 201–209. By contrast, using official documentation *about* convicts, Maxwell-Stewart (with co-author Susan Hood) demonstrate how easy it is to compile 500–700-word

- biographies; see *Pack of Thieves. 52 Port Arthur Lives* (Port Arthur, Tas.: Port Arthur Historic Site Management Authority, 2001).
- 26 Katherine Roscoe, 'Is digital crime history too white? Representation in Australian Archives', *History Workshop*, 26 August 2019 at www.historyworkshop.org.uk/is-digital-crime-history-too-white-representation-in-australian-archives/ (13 January 2020).
 - 27 George Nichols, 'Early attempts at managing Tasmania's historic records 1918–1924', paper presented to an archives history forum at the joint conference of Australian Society of Archivists and the Archives and Records Association of New Zealand, Wellington, October 2005, 8. Copy in author's possession.
 - 28 Shergold's key finding allocating a very minor role to destruction to prevent misuse of evidence of a convict past was completely misread by Clare Anderson; see *Subaltern Lives: Biographies of Colonialism in the Indian Ocean World, 1790–1920* (Cambridge: Cambridge University Press, 2012), 34.
 - 29 See Lucy Frost, 'The Politics of Writing Convict Lives: Academic Research, State Archives and Family History', *Life Writing* 8 (March 2011), 19–33; Robyn Eastley, 'Using the records of the Tasmanian Convict Department', *Tasmanian Historical Studies* 9 (2004), 139–142; and Peter Tyler, *State Records New South Wales, 1788 to 2011* (Sydney: Desert Pea Press, 2011), 57 and 64.
 - 30 On the Indigenous artefacts' losses brought to public consciousness in 2016 by Wiradjuri/Kamilaroi artist Jonathan Jones, see <http://kaldorartprojects.org.au/project-32-jonathan-jones> (13 January 2020); on the fire, see State Records NSW www.records.nsw.gov.au/archives/magazine/galleries/garden-palace-fire (13 January 2020); and on the records destroyed, Peter Orlovich, 'The Destruction of Public Records in the Garden Palace Fire of 1882', in W. Boyd Rayward, ed., *Australian Library History in Context* (Sydney: University of New South Wales School of Librarianship, 1988), 85–98.
 - 31 The *Herald* editorials are cited in Ian Castles, 'Privacy and access to census records', in Steve Stuckey and Kathryn Dan, eds., *Privacy versus Access* (Canberra: Australian Society of Archivists ACT Branch, 1991), 67; see also Stephen Mutch, 'Public policy revolt: Saving the 2001 Australian census', *Archives and Manuscripts* 30 (November 2002), 28; and Smith, *op cit.*, 55–56.
 - 32 See Terrence Hull, 'The Strange History and Problematic Future of the Australian Census', *Journal of Population Research* 24 (May 2007), 1–22 and Australian Parliament Standing Committee on Constitutional and Legal Affairs, *Saving our Census and Preserving our History*, 1998, ch. 2.
 - 33 For expanded development of these points and the wedge tailed eagle reference, see 'Saving the statistics, destroying the census', ch. 9 of my *Archives and Societal Provenance*; see also Parliament of Australia Parliamentary Library, *The 1967 Referendum – history and myths*, Research Brief, 2 May 2007 at https://parlinfo.aph.gov.au/parlInfo/download/library/prspub/JTZM6/upload_binary/jtzm62.pdf (13 January 2020).
 - 34 See John Hirst, *Sense & Nonsense in Australian History* (Melbourne: Black Inc. Agenda, 2009), 107 and Mark McKenna, 'Anzac Day: How did it become Australia's National Day?', in Marilyn Lake and Henry Reynolds, eds, *What's Wrong with Anzac? The Militarisation of Australian History* (Sydney: New South, 2010), 121. Sydney Cove alludes to the penal colony at Port Jackson; Anzac Cove references the landing on 25 April 1915 of elements of the Australian and New Zealand Army Corps (hence 'Anzac Day' and the 'Anzac legend'), part of the 1915 Gallipoli campaign. On Australia's disproportionate role, see Joan Beaumont, *Broken Nation. Australians in the Great War* (Crow's Nest, NSW: Allen & Unwin, 2013), 488–489; and for statistics, see Australian War Memorial at www.awm.gov.au/articles/atwar/first-world-war (13 January 2020).
 - 35 On the war's convict aspect, see Alistair Thomson, *Anzac Memories; Living with the Legend* (Clayton, Vic: Monash University Publishing, 2013), ch. 2., and Tom Griffiths, *Hunters and Collectors. The Antiquarian Imagination in Australia* (Melbourne: Cambridge University Press, 1996), 115–118.

- 36 K. S. Inglis, *Sacred Places. War Memorials in the Australian Landscape* (Melbourne: Melbourne University Press, 2008), ch. 7.
- 37 See Raden Dunbar, *The Secrets of the Anzacs. The untold story of venereal disease in the Australian Army, 1914–1919* (Melbourne: Scribe, 2014) and Peter Stanley, *Bad Characters. Sex, Crime, Mutiny, Murder and the Australian Imperial Force* (Sydney: Pier 9, 2010), 250.
- 38 See Jay Winter, 'Shell shock, Gallipoli and the generation of silence', ch. 12 in Alexandre Dessingué and Jay Winter, eds, *Beyond Memory: Silence and the Aesthetics of Remembrance* (Abingdon Oxon UK: Routledge, 2016).
- 39 Spending on the centenary was monitored during 2015–2019 by a group of concerned historians and others (see <http://honesthistory.net.au/wp/category/centenary-watch/>, 12 January 2020) and has been set in context by Carolyn Holbrook and Kier Reeves, eds, *The Great War. Aftermath and Commemoration* (Sydney: UNSW Press, 2019).
- 40 See Robyn van Dyk, 'ANZAC connections: Delivering and connecting real content and data online', *Australian Library Journal* 64, no. 1 (2015), 40–47; Andrew Prescott and Lorna Hughes, 'Why do we digitize; the case for slow digitization', *Archive Journal*, September 2018 at www.archivejournal.net/essays/why-do-we-digitize-the-case-for-slow-digitization/ (13 January 2020); and Michael Piggott, 'Archives and the Australian Great War centenary: Retrospect and prospect', *Archives and Manuscripts*, 48, no. 2 (2020), 109–122.
- 41 David Marr, 'Patrick White. The final chapter' in his *My Country. Stories, Essays & Speeches* (Carlton, Vic: Black Inc., 2018), 423–446 (425). More generally, see David Marr, *Patrick White. A Life* (Milsons Point, NSW: Vintage, 1992).
- 42 See David Marr, ed., *Patrick White Letters* (Milsons Point, NSW: Random House, 1994); letter to Chandler 493; evidence of reasons, 624. White's attitude was not uncommon; see for instance Stefan Collini on T.S. Elliot's policy on letters, 'No posthumous privacy', *TLS*, 10 May 2019, 3–5.
- 43 Instances of the extensive Australian literature including mention of silences/destruction are Carole Ferrier, 'Women of letters and the uses of memory', in Maryanne Dever, ed. *Wallflowers and Witches. Women and Culture in Australia 1910–1945* (Brisbane: University of Queensland Press, 1994), 71–90; Drusilla Modjeska, *Exiles at Home. Australian Women Writers 1925–1945* (Sydney: A&R Classics, 2001); Katie Holmes, *Spaces in her day. Australian Women's Diaries 1920s–1930s* (St Leonards, NSW: Allen & Unwin, 1995); Maryanne Dever Sally Newman and Ann Vickery, *The Intimate Archive. Journeys through Private Papers* (Canberra: National Library of Australia, 2009); and Katherine Biber, *In Crime's Archive. The Cultural Afterlife of Evidence* (Abingdon, Oxon: Routledge, 2019), esp. ch. 6 on the Lindy Chamberlain papers.
- 44 *Patrick White Letters*, 185.
- 45 See Richard Brown, 'Death of a Renaissance record-keeper: The murder of Tomasso da Tortona in Ferrara, 1385', *Archivaria* 44, Fall (1997), 1–43; Marr, *Patrick White. A Life*, 441; and for the oscillation quote, see Guy Davidson, 'Displaying the monster: Patrick White, sexuality, celebrity', *Australian Literary Studies* 25, no. 1 (2010), 1–18 (1). Other studies of motives behind the destruction and refusal to destroy papers include Ian Hamilton, *Keepers of the Flame. Literary Estates and the Rise of Biography* (London: Pimlico, 1992). In Kafka's case, a kind of self-loathing seems to have been a factor behind his instructions to his literary executor Max Brod; see Benjamin Balint, *Kafka's Last Trial. The Case of a Literary Legacy* (London: Picador, 2018), ch. 8.
- 46 Marr, *Patrick White Letters*, 624.
- 47 On various aspects of this new material, see Marr, 'Patrick White. The final chapter'; Penelope Hanley, *Creative Lives. Personal Papers of Australian Writers and Artists* (Canberra: National Library of Australia, 2009), ch. 12; Marie-Louise Ayres, "'My MSS are destroyed ...". The Patrick White Collection', *National Library of Australia News*, March 2007, 3–6; and Margaret Harris and Elizabeth Webby, 'The evidence of the archive', in Ian Henderson and Anouk Lang, eds. *Patrick White beyond the Grave. New Critical Perspectives* (London: Anthem Press, 2015), 17–34.

- 48 The best synthesis of the collecting mindset remains Griffiths' (1996) study *Hunters and Collectors*, *op cit*. For a description of archival arrangements in the mid-1970s, see R.C. Sharman, 'Archives and Research', in Harrison Bryan and Gordon Greenwood, eds, *Design for Diversity. Library Services for Higher Education and Research in Australia* (St Lucia, Qld: University of Queensland Press, 1977), 204–240. No such essay exists today. The quickest way to gain an overview of at least the spread of archival collections is to consult the Australian Society of Archivists' (n.d.) *Directory of Archives in Australia* at <https://directory.archivists.org.au/> (13 January 2020).
- 49 See Tom Nesmith, 'The concept of societal provenance and records of nineteenth-century Aboriginal-European relations in Western Canada: Implications for archival theory and practice', *Archival Science* 6 (2006), 351–360 at 352. See also Eric Ketelaar, 'Archivalisation and archiving', *Archives and Manuscripts* 27 (May 1999), 54–61 and Eric Ketelaar, 'Prolegomena to a history of Dutch archives' (2014) at https://pure.uva.nl/ws/files/2181409/156667_ketelaar_prolegomena.pdf (13 January 2020).
- 50 For data to 1990, see D.H. Borchardt, *Commissions of Inquiry in Australia. A Brief Survey* (Melbourne: La Trobe University Press, 1991). See also Australian Law Reform Commission, Discussion Paper 75, *Royal Commissions and Inquiries* at www.alrc.gov.au/inquiry/royal-commissions-and-official-inquiries/ (13 January 2020). As for the depressing spectacle of inquiries citing previous reports, see for example Royal Commission into Aged Care Quality and Safety, *A History of Aged Care Reviews*, Background Paper 8, October 2019, at <https://agedcare.royalcommission.gov.au/publications/Documents/background-paper-8.pdf> (13 January 2020).
- 51 Sharman surveys the business archives scene to the mid-1970s, *ibid.*, 225–8; for a view from 2004, see Michael Piggott and Sigrid McCausland, 'The Australian business archives scene: comments and comparisons', *Business Archives Principles and Practice* 87 (May 2004), 1–15. On trends in archival based business history and commissioned histories, see David Merrett, 'Wither business history? Memory, message and meaning', 14th Annual ANU Archives Lecture at <http://archives.anu.edu.au/events/2015-professor-david-merrett-whither-business-history-memory-message-and-meaning> (13 January 2020).
- 52 A sense of common Scandinavian philosophy of public-private sector understandings, at least at the turn of the last century, is described in Henrik Fode and Jørgen Fink, 'Business archives in Scandinavia', *Archives and Manuscripts* 27, no. 2 (November 1999), 54–67.
- 53 One of the far-reaching business inquiries was the so-called 'WA Inc' Royal Commission; see https://en.wikipedia.org/wiki/WA_Inc (13 January 2020).
- 54 Regarding locality for example, there are over 1000 members of the Federation of Australian Historical Societies, most focussed on a town, region suburb city or state; see www.history.org.au/ (13 January 2020).
- 55 The Australian Women's Archives Project locates collections and encourages their preservation (see www.womenaustralia.info/awap.html) while the Australia's 23rd prime minister, Bob Hawke, is one of about a dozen dedicated collections focussed on prime ministers. The Grainger Museum is at the University of Melbourne. The non-generic national cultural institutions are the Australian War Memorial, the Australian Institute for Aboriginal and Torres Strait Islander Studies, the Australian National Maritime Museum and the Museum of Australian Democracy.
- 56 Terry Cook, 'Mind over matter: Towards a new theory of archival appraisal', in Barbara L. Craig, ed., *The Archival Imagination. Essays in Honour of Hugh A. Taylor* (Ottawa: Association of Canadian Archivists, 1992), 50.
- 57 'The Bush' and its many approximations (e.g. the Outback, 'rural and regional Australia', the country) has a complicated and continuing hold on the Australian psyche. Two recent insightful depictions are Gabrielle Chan, *Rusted Off. Why Country Australia Is Fed Up* (North Sydney, NSW: Penguin Random House Australia, 2018) and Don Watson, *The Bush. Travels in the Heart of Australia* (Melbourne: Hamish Hamilton, 2014). My initial thoughts on this challenge were 'Louis Jules Matras, his lost mongrel retriever, &

- documenting the bush in 2017', in *Whole Histories; Keeping the stories alive* (Yass, NSW: Yass & District Historical Society, 2017), 79–87.
- 58 The key parliamentary inquiry was a 2002 Senate Select Committee on a Certain Maritime Incident; see www.aph.gov.au/Parliamentary_Business/Committees/Senate/Former_Committees/maritimeincident/report/indexwhile contemporary accounts include Patrick Weller, *Don't Tell the Prime Minister* (Melbourne: Scribe Publications, 2002) and David Marr and Marian Wilkinson, *Dark Victory* (Crow's Nest, NSW: Allen & Unwin, 2002). Lastly, Sue McKemmish has used 'Children overboard' to illustrate records continuum concepts in 'Traces', her opening chapter in Sue McKemmish et al., eds, *Archives: Recordkeeping in Society* (Wagga Wagga, NSW: Centre for Information Studies, Charles Sturt University, 2005).
- 59 One tragic instance of unlawful detention even before the current much more restrictive regime involved Cornelia Rau, whose case has now led to a drama miniseries. See https://en.wikipedia.org/wiki/Cornelia_Rau (2 April 2020) and George Newhouse, 'Stateless review: Remember a time when we were outraged', *The Conversation*, 16 March 2020; see <https://theconversation.com/stateless-review-remembering-a-time-when-we-were-outraged-132967> (2 April 2020).
- 60 See Behrouz Boochani, *No Friend but the Mountains; Writing from Manus prison*. Trans. Omid Tofighian (Sydney: Pan Macmillan Australia, 2018); 'kyriachy' is mentioned throughout. A glimpse of the system at work is provided by the so-called Nauru Files, over 2000 leaked incident reports of the detention centre staff between 2013 and 2015; see www.theguardian.com/australia-news/ng-interactive/2016/aug/10/the-nauru-files-the-lives-of-asylum-seekers-in-detention-detailed-in-a-unique-database-interactive. The 2017 report of the Australian Parliament's Senate Standing Committee into Constitutional and Legal Affairs into 'Serious allegations of abuse, self-harm and neglect of asylum seekers in relation to the Nauru Regional Processing Centre, and any like allegations in relation to the Manus Regional Processing Centre' drew heavily on these files as well as public hearings and over 60 submissions. The report is at www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/NauruandManusRPCs/Report (13 January 2020). Because the government of the day did not control the Senate and thus the inquiry, it produced a minority report defending the off-shore centres and labelled the inquiry 'a politically-motivated public-relations stunt'.
- 61 Maria Rae Rosa Holman and Amy Nethery, 'Self-represented witnessing: The use of social media by asylum seekers in Australia's offshore immigration detention centres', *Media, Culture & Society* 40, no. 4 (May 2018), 479–95 (492).
- 62 See Behrouz Boochani, 'The gay, bisexual and transgender men on Manus are forced into silence', *The Guardian Australia*, 16 May 2018 at www.theguardian.com/commentisfree/2018/may/16/the-gay-transgender-and-bisexual-men-on-manus-are-forced-into-silence (13 January 2020) and Klaus Neumann, 'In Search of "Australia and the Australian people": the National Library of Australia and the Representation of Cultural and Linguistic Diversity', ch. 19 in Kate Darian-Smith and Paula Hamilton, eds, *Remembering Migration. Oral Histories and Heritage in Australia* (Cham, Switzerland: Palgrave Macmillan, 2019), 285–299.
- 63 See <https://findanexpert.unimelb.edu.au/profile/708324-ashley-barnwell>

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3

SILENT CONTEMPORARY RECORDS

Access to the archive of the Special Investigation Commission in Iceland, 2010–2019

Eiríkur G. Guðmundsson

This chapter addresses the issues of access to the archive of The Special Investigation Commission (SIC). The SIC was commissioned by the Icelandic parliament to investigate the financial crisis and collapse of Iceland's major banks in October 2008.¹ The commission worked from January 2009 and delivered its report to the parliament in April 2010 and transferred its archive to the National Archives of Iceland (NAI) in June that year. After the SIC had done their job, the commission was dissolved. The NAI then became responsible for the SIC archive. The author of this article was at that time responsible for e-archiving in the NAI and later as director general (2011–2019) had the overall responsibility for giving or denying access to the SIC archive.²

The background

To set the scene and put things into perspective, it is necessary to lay out some facts about Iceland and some information on the economic environment leading to the financial crisis in 2008 in Iceland and the collapse of the biggest banks.

A small nation on a large island

Iceland is an island in the North Atlantic Ocean. It is 103,000 km² in size with a population of about 360,000 people, making it the most sparsely populated sovereign state in Europe.³ Iceland is the second-largest island in Europe after Great Britain, which in size is 209,000 km² and has a population of about 64 million people. For further comparison, Denmark is 43,000 km² with a population of 5.8 million (2020).⁴ Iceland has rich fishery grounds and a lot of geothermal energy. After World War II, Iceland gradually became a modern society with high living

standards and high life expectancy.⁵ It is a state where democracy and equal rights are respected. In the Global Gender Gap Report 2020, it is stated that Iceland is ‘the most gender-equal country in the world for the 11th time in a row.’⁶ Average annual wages in Iceland have been among the highest in the world (2017–2018).⁷

Big ambitions

The Icelandic nation is tiny as was its economy, which was to a high degree controlled by the government. In the late 1990s and early 2000s, the banking system was deregulated and privatized. ‘The banks passed into the hands of individuals with little experience in modern banking, which then proceeded to take advantage of ample capital in international markets to fuel a high degree of leverage and exponential growth.’⁸ The new bank owners had big ambitions to succeed on the international stage, capital was available to lend, but the bankers lacked experience and there was a lack of appropriate banking regulations in Iceland.⁹

In 2007 and 2008, there were troubling signs in the global economy. Following the bankruptcy of the American bank Lehman Brothers in September 2008, there was an international financial crisis, which hit the Icelandic economy extremely hard, harder than most other countries. The country’s three biggest banks, which were far too big, could no longer fund themselves when liquidity became scarce. The combined outstanding bonds of these banks when they collapsed amounted roughly to 35 billion euros.¹⁰

Facing national bankruptcy

To prevent a national bankruptcy and save the national economy, the Icelandic government took over the three biggest banks in early October 2008. This was done by passing a special law, often called the *Emergency Act*, which came into force on 7 October 2008.¹¹ This act authorised the government to take specific measures when extreme circumstances rule the financial market. The act allowed the government to finance, take over financial companies or establish new ones. The aim was to prevent the bankruptcy of the banking system (and thereby saving the national economy), and rebuild trust of the public in the financial system.

Despite this, the crisis resulted in huge financial losses. The economic consequences were enormous for the country, businesses and its inhabitants in the weeks and months to come. Thousands of people lost their savings, and many got into debt. The Icelandic currency (króna) weakened against other currencies (a pound sterling (£) cost 44% more in Icelandic currency (króna) in the end of September 2008 than at the beginning of the year). This led to higher prices of imported goods and a rise in inflation. Unemployment increased. Salaries were reduced. Mortgages rose and many homeowners defaulted on their mortgages especially when the cost of loans based on foreign currency increased dramatically.¹²

The Emergency Act October 2008 and the fall of the banks

As mentioned above, to prevent a national bankruptcy the Icelandic parliament passed an Emergency Act on 6 October 2008.

After the Emergency Act was passed the three major banks, Glitnir Bank hf., Kaupthing Bank hf. and Landsbanki Íslands hf., were consequently, taken over.¹³ However, this could not prevent an economic collapse.

This collapse was the greatest in Icelandic history before the economic crisis due to the Covid-19 pandemic in 2020, the scale of which is as yet unknown. To put things into perspective, the combined bankruptcy of the three Icelandic banks would rank as the third largest bankruptcy in US history. Only the bankruptcies of Lehman Brothers and Washington Mutual were bigger.¹⁴

The Icelandic government was isolated, had no credibility and was forced to negotiate (November 2008) with The International Monetary Fund (IMF) and became the first Western nation to enter an IMF program in 30 years.¹⁵

The Pots and Pans Revolution

This situation caused great public anger and immediately after the events in early October 2008, heavy protests broke out in the streets of Reykjavík, Iceland's capital city. These lasted for months. The public felt let down by the government and bankers. People gathered banging pots and pans. They demanded that the government should resign, there should be a new parliamentary election and that the Chairman of the Board of Directors of the Central Bank and the director of the Financial Supervisory Authority should resign.¹⁶ They wanted a new constitution and an investigation into how it could have happened and who was responsible. The protests escalated and the police used tear gas and clubs to contain the crowds. Many were arrested. Iceland had never seen such protests before. It has been called the Pots and Pans Revolution. The protests produced results. In January 2009, the government stepped down and a few days later (1 February) a new left-wing minority government took over.¹⁷ This promised new elections in the spring.¹⁸ Before that, and getting closer to the main objective of this chapter, the parliament decided that an investigation was needed. In late December 2008, the SIC was put together to investigate how and why the financial system in Iceland collapsed.

The Special Investigation Commission (SIC) and its findings

A Special Investigation Commission (SIC) was established by Act No. 142/2008 of the Icelandic Parliament (Althingi), on 17 December 2008,¹⁹ a little over two months after the fall of the banks. It was to investigate and seek the truth about the events and causes leading to the collapse of the Icelandic banks, and related events.

The law gave the SIC extensive powers to collect information. They questioned bankers, politicians, employees of banks, financial institutions, corporations, public institutions and private persons. The SIC also collected large volumes of written information, both digital and on paper. It gathered information on financial affairs

from a number of people, financial institutions and corporations, as well as information on ownership, relations, business deals etc. No one could refuse to answer their questions; no privacy rules could be applied before the commission. The SIC was obligated to report to the state prosecutor if it suspected any illegal activity. The SIC had considerable staff and worked efficiently and delivered their report to the parliament after 15 months, on 12 April 2010. The report is over 2000 pages in nine volumes.²⁰ It is detailed and well documented but in some cases the SIC used sources that were not documented and therefore not in their archive and in some instances the necessary references were not in place in the report. This can be inconvenient for the employees of the NAI when looking for documents asked for in requests for access.

Findings – what was the truth?

What was the truth about the events and causes leading to the collapse of the Icelandic banks, and related events? The answers are thoroughly outlined in the nine volumes of the SIC report. The answers are many and complex. Here only the main issues are described based on the English-language material the commission put on its website in connection with the press conference on 12 April 2010.²¹



FIGURE 3.1 The Iceland Special Investigation Commission report published in April 2010. More than 2000 pages in nine volumes. Source: Eiríkur G. Guðmundsson

Too rapid growth

According to the SIC report, the collapse of Glitnir Bank hf., Kaupthing Bank hf. and Landsbanki Íslands hf. was first and foremost due to their rapid expansion, largely in international markets. The growth was beyond the capacity of their infrastructure, management and controls. Among the weaknesses was that the largest owners of the banks had abnormally easy access to credit at the banks and were among the largest debtors. In similar fashion it is apparent that the Financial Supervisory Authority (Fjármálaeftirlitið: FME), did not grow at the same rate as the banks, and did not monitor them properly.²²

The Central Bank of Iceland (Seðlabanki Íslands: CBI) did not, or was not able, to counteract the effects of the expansion of the financial system. It was late in increasing interest rates or taking steps towards monetary tightening. It repeatedly called for budgetary restraint measures by the government, but such measures were not introduced.²³

The growth of their balance sheets of the three banks was startling. At the turn of the century, the assets of the banks amounted to just over one year's gross domestic product of Iceland. At the end of 2007, the three big banks had become international banks with total assets amounting to nine-gross domestic product of Iceland.²⁴

Negligence by politicians, bankers and auditors

The SIC believed that the parliament and the government lacked both the power and the courage to set reasonable limits to the financial system. Instead, the system was kept going since it was impossible to risk its collapse.²⁵ It is of interest to know that the Organisation for Economic Cooperation and Development (OECD) and the International Monetary Fund (IMF) had repeatedly pointed out that the fiscal policy of Iceland was not restrictive enough during the economic upswing.²⁶

The SIC was of the opinion that the Prime Minister, the Minister of Finance, and the Minister of Business Affairs, showed negligence during the time leading up to the collapse of the Icelandic banks, by not responding appropriately to the dangerous situation in the Icelandic economy caused by the deteriorating situation of the banks. The Director General of the FME and the Governors of the CBI also showed negligence.²⁷

The same applies to the auditors who did not perform their duties adequately when auditing the financial statements of the financial corporations for 2007 and the semi-annual statements for 2008.²⁸ The SIC estimated that when the assets of the three big banks were adjusted (revalued) in November 2008, the write-down was of IKR 7337 billion or about 60% of the values in the banks' financial statements a few months earlier. That amount corresponded to the five-year GDP of Iceland in 2008.²⁹

It was also clear that the managers and the owners of the banks did not pursue healthy and normal business practices, often prioritizing their own interests. They took advantage of large amounts of available capital in international markets, and

the banks became too big and lost a lot of money when liquidity failed, and loans were due to be repaid and could not be renewed. Consequently, they failed.³⁰

Lack of record management

One of the findings that is of archival interest, was a serious lack of proper record management in governmental offices, like keeping e-mails, minutes, notations and recording oral communications.³¹ The need for more detailed and specific rules on record keeping was established.

The fall of the Icelandic banks was a huge economic blow and a mental shock for the nation. It is also clear that the information gathered by the SIC is potentially of great importance, including much extremely sensitive data. It may possibly have great value, for example, in relation to insurance in the financial system. Ironically, the fact is that the Commission did not manage to file and register their archive properly in accordance with the Public Archives Act of Iceland.³² A huge task awaited the NAI to arrange the digital data from the SIC.

The archive of the commission

The act on the Special Investigation Commission (No. 142/2008) states that all files and documents made or acquired during the investigation shall be transferred to the National Archives.³³ And so, the commission delivered their archive to NAI in the weeks after the report was published in April 2020. Soon afterwards, the commission was dissolved.

The archive of the Commission is about 10 metres of shelves of paper documents and about 90 GB of digital data. Amongst the documents are 147 interviews of individuals. These are both written statements and audio and video recordings. Many of them have extremely sensitive information as they are personal answers to the SIC questions of individuals in the top layer of the financial sector, such as the directors of the banks.

Amongst the digital data were nine different, quite complex Excel databases. One kept information on bank transactions. Another had information on firms and individuals and their connections and cross-connections to name two examples.

Besides the databases, there were huge numbers of digital documents from the many individual drives of the people working for the commission for which there was no registry.

Organizing the archive

The paper part of the SIC archive had been organised and registered properly, but the digital part had not. The NAI got extra funding for that task. To sort the digital part, a computer specialist and an archivist were hired. They worked on finding and categorizing digital documents on various drives and on the complex project to make a searchable database out of the nine large Excel files that were delivered.

This was time-consuming but necessary for the NAI, to be able to assess requests for access. In short, the archive of the Commission was, in the scope of the National Archives of Iceland, vast and complicated to manage.

A complete catalogue or register over the SIC archive has not yet been finished and no register has been published. Only a summary of documents on paper and a short description of the digital part has been delivered in connection to request for access.

A new role for the National Archives

After the SIC Commission was dissolved the record creator was no longer available to take care of the documents and make decisions regarding access to them. The National Archives took that role on. This arrangement is counter to the main principle that state agencies keep their records and give access to them for 30 years. After that, the National Archives gets the documents and takes care of everything. There were two main challenges in taking over the archives of the commission. First, taking the digital files and cataloguing and preserving them, and secondly and more troublesome was handling the requests for access.

Outsourced legal consulting

It was evident from the beginning, when the NAI received the SIC archive that the archive could not deal with inquiries and requests for access without legal help. Finding a qualified lawyer was among the first important things to do to prepare the NAI for answering inquiries and guiding the public, journalists, lawyers and others that could have interest in this unusual archive.

When the SIC archive came to the NAI, the NAI had no lawyer on the staff and the archivists had little experience and legal insight in answering complicated requests for access in an archive like the SIC archive, which was brand new and hot. The NAI needed to have good and constant access to profound knowledge of the relevant laws. An agreement on consulting was made with a lawyer specialized in the law on access. Later, a lawyer was hired part time to work on location with the other staff working with the SIC archive for a period (2014–2017) when the workload responding to large and complex inquiries was most intensive. The outside legal consultant was still the main adviser on most legal issues. Legal advice was much needed in the legal debates that were a part of almost all the access requests to the SIC archive.

The first advice from the legal consultant was that the archive should be extremely careful when handling the requests for access. Making a mistake in giving access and not taking fully into account the interests of the persons that gave information and safeguarding the interests of persons or bodies/entities who have legal protection, could mean the NAI would be sued for compensation.

The legal advisor worked out a draft of guidelines or a direction on the access to information in the SIC archive in November 2010 and January 2011. These guidelines could be used by the archive and sent to interested parties.³⁴

Access to official information

Access to official information in Iceland is prescribed in the Information Act and the Public Archives Act.³⁵ The Icelandic Information Act applies to information less than 30 years old and is therefore the main law on access to the commission's archive, as far as it goes. The Information Act holds general principles on access such as that people have the right to access information about themselves. The access to the SIC archive turned out to be much more complicated than first expected by the NAI. It turned out that the general principles on access could be challenged by other law and circumstances that the archive was not accustomed to handling.

Inquires and requests of access to the SIC archive

Inquiries and requests to access data in the SIC archive have been the most complicated and most demanding tasks the NAI has dealt with in its entire history since 1882. According to the National Archives records, between 14 May 2010 and 4 October 2019, 55 written (letter or e-mail) inquiries regarding the SIC archive were received (Figure 3.2). They can be divided into general inquiries about the archive and how to access it, and requests to access certain data in the archive.

Besides the 55 original inquiries are 19 requests that are automatically addressed to the NAI because of appeals to the Governmental Information Committee (GIC) (Figure 3.2), bringing the total number of access requests to 74. The requests from the GIC will not be discussed in relation to the issue of who wants access. They are an automated part of the appeals process that will be discussed along with the verdicts of the GIC. But first let us look at the rules on access to the SIC archive.

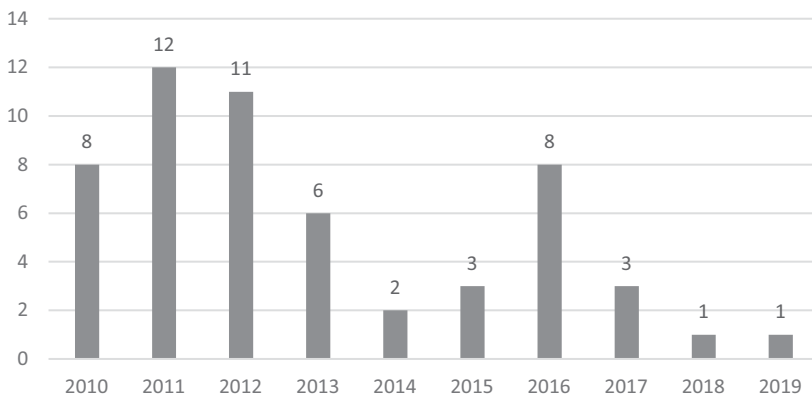


FIGURE 3.2 Number of inquiries to the Iceland Special Investigation Commission archive 2010–2019 by year. Source: *Yfirlit yfir fyrirspurnir til Þjóðskjalasafns Íslands um skjalasafn Rannsóknarnefndar Alþingis (RNA) og beiðnir um aðgang að því 2010–2019* (August 2020), The NAI archive. Case No. 2006335.

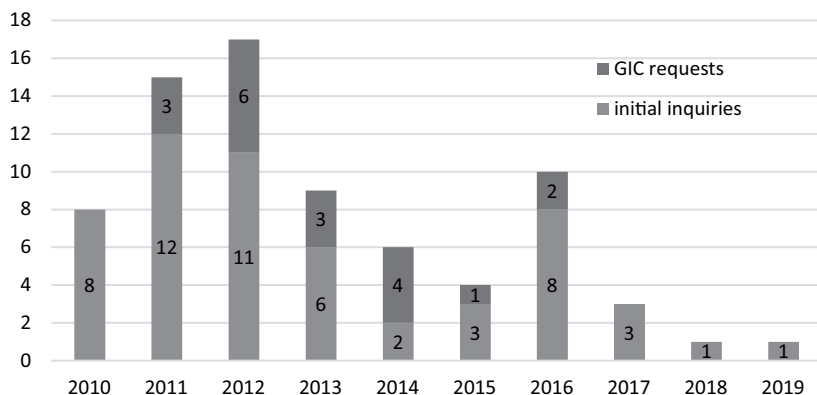


FIGURE 3.3 Number of inquiries to the Iceland Special Investigation Commission archive 2010–2019, with the GIC requests added, by year. Source: *Yfirlit yfir fyrirspurnir til Þjóðskjalasafns Íslands um skjalasafn Rannsóknarnefndar Alþingis (RNA) og beiðnir um aðgang að því 2010–2019*. (An overview of the inquiries to the SIC archive) (August 2020), The NAI archive. Case No. 2006335. *Yfirlit yfir kærur og úrskurði Úrskurðarnefndar um upplýsingamál (ÚNU) vegna synjana Þjóðskjalasafns á aðgangi að gögnum Rannsóknarnefndar Alþingis (RNA) 2011–2017*. (August 2020), The NAI archive. Case No. 2006335.

Laws and rules on access to the SIC archive

The Information Act No. 140/2012 applies to access to RNA archives (and an older version (No. 50/1996) of the same Act before that). According to Article 9, public access is prohibited to information concerning any of an individual's private or financial affairs that would be reasonable or appropriate to keep secret, unless the person concerned gives consent. The same restrictions cover access to material that concerns any important financial or commercial interests of businesses or other legal entities.³⁶ Requests for access to data are assessed and processed in accordance with this. The rights or interests of the person requiring access and the interests of the individual or entity the information is about are evaluated as possible.

The Information Act is a general law, but other acts may also restrict access to information in the SIC archive. That is, for example, the case with Act No. 161/2002 on Financial Undertakings, Act No. 87/1998 on Official Supervision of Financial Activities, and Act No. 36/2001 on the Central Bank of Iceland.³⁷ As a legal rule, special articles of these Acts override the articles of the Information Act, which means that if records and information are covered by these particular articles, they prevail, and the general principles of the Information Act do not apply to the requested information. Access is granted or refused based on these law and assessments. Access by researchers is stipulated in the Act on the SIC (Act No. 142/2008, Article 18), which sets out certain conditions that need to be fulfilled (see Researchers).

The nature of the inquiries to the SIC archive

The nature of the 55 inquiries to the SIC archive fall into three categories (Table 3.1). The first category is requests for information about the structure, content and the rules of access to the archive. The other two categories are requests for data. These comprise requests by individuals for access to information from or about themselves and requests for access to information about other persons or legal entities. The last reason is the most frequent, comprising 59% of all inquiries. As far as can be identified, 19 inquiries are because of lawsuits. It must be mentioned that the employees of NAI sometimes had meetings with an inquirer in relation to a formal inquiry. They also had phone calls and answered questions about the SIC archive and how to access it. Those meetings and calls are not represented in the numbers here.

TABLE 3.1 Nature of the inquiries to the Iceland Special Investigation Commission archive, 2010–2019

	<i>Number</i>
Questions about the archive and rules of access	10
Request to access data from or about yourself or from your self	13
Request to access data about others	33
In all	56*

* One inquiry is both about the rules of access and access to information and is counted twice.

Source: *Yfirlit yfir fyrirspurnir til Þjóðskjalasafns Íslands um skjalasafn Rannsóknarnefndar Alþingis (RNA) og beiðnir um aðgang að því 2010–2019*. (An overview of the inquiries to the National Archives of Iceland on access to the SIC archive 2010–2019) (August 2020), The NAI archive. Case No. 2006335.

The nature of the answers of the NAI

How were these inquiries answered (Table 3.2)? Most of the inquiries were answered positively. In all, 21 out of 46 requests for access to data were granted either in full or in part (46%). Usually a copy (printed or digital) of the data was given to the party given. Most cases of access granted were when individuals asked to access information from or about themselves (nine times). Most often (six times) people have asked for the statement they gave to the SIC. Also, access has been given to the parliamentary prosecutor (four times), to parliamentary investigative committees (three times) and to a resolution committee (two times). The rights of individuals and public investigative bodies like a prosecutor and investigative committees, are strong.

The second biggest category are the 20 denials (two in part), in all cases for access to information about others. As far as can be identified, nine of these 20 denials are denials to requests from insurance companies and their partners because of lawsuits.

The third biggest category of answers were replies to inquiries about the structure, content, and the rules of access to the SIC archive, in all 11. Mostly to journalists

TABLE 3.2 Overview of how the NAI resolved inquiries to the Special Investigation Commission archive, 2010–2019

<i>Types of answers/responses</i>	<i>Number</i>
Access granted	21
Access denied	20
Replies about the SIC archive and access to it	11
Inquiry withdrawn	3
Information (in whole) not found	2
In all	57*

* Answers are more than inquiries (55) because two answers fall in two categories and are counted twice. Source: *Yfirlit yfir fyrirspurnir til Þjóðskjalasafns Íslands um skjalasafn Rannsóknarnefndar Alþingis (RNA) og beiðnir um aðgang að því 2010–2019*. (An overview of the inquiries to the National Archives of Iceland on access to the SIC archive 2010–2019) (August 2020), The NAI archive. Case No. 2006335.

(four times) and researchers (three times). In one case a researcher asked for data but got an answer about the rule of access and then did not act any further.

Handling a request on access

All requests for access must be answered objectively in accordance with the law as soon as possible. The time frame is between 7 and 20 days. This was most often impossible because of how big and complicated the requests were. In such cases, the NAI reported that the usual timeframe could not be met, and the request would be responded to as soon as possible; sometimes a new time limit was set. Big requests (with many questions) were usually partially answered (up to six times) to speed up the process. On the whole, it could take months and sometimes more than a year to answer a request.

The procedure was in two phases: First, the specially trained employees had to search for the data in accordance with the requests of the enquirer. Sometimes the SIC didn't have or didn't gather the information in question, and consequently it was not to be found in the archive. Second, an assessment of the information in question needed to be made.

The assessment is in three parts:

1. First, it needs assessing whether the inquirer has the right, according to the applicable laws, taking into account the interest of the body the information is about, to access to the requested files. To do this the files need to be read.
2. Second, the risk of potential harm to the interests mentioned in the documents, if access is granted to that information, is assessed, also whether a partial access could be granted.
3. Third, the request needs to be processed and a copy of the files need to be made according to the law.

This work was time-consuming and required both a great deal of archival expertise and profound knowledge of the legal framework that governs access to such archives. It varied whether the request was for clearly defined files or if it was a question of many data connected to a decision, a case, or activities of an entity over a period. The former types of requests are obviously easier to process.

Who wants access?

From 14 May 2010 to 4 October 2019, the NAI received 55 separate inquiries regarding data in the SIC archive. The inquirers can be identified as banks, private persons, insurance companies, investigation committees, journalists, prosecutors, researchers, resolution committees and unidentified (Table 3.3).

The reason for a double number of the insurance companies in Table 3.3 is that in the inquiries and in the verdicts of the SIC the law firms often refer to their clients as law firm or firms and sometimes names are not mentioned or only few of a bigger group are mentioned.³⁸ In the court cases precise identification is needed and 40 international insurance companies can be found.³⁹ In three requests either or both directors of fallen banks and former members of a bank board are co-requesters.⁴⁰ They are not included in Table 3.3.

The unidentified group is needed because in two instances law firms did not specify who their client was. The interest in access is greater in the private sector. The public entities, prosecutors and investigative commissions of the parliament made only nine inquiries in all; the requests from the Governmental Information Committee are excluded (see later).

The groups that submitted six requests or more will be discussed here, i.e. the nature of inquiries and what answers were given. The bank and resolution committees have similar interests and submitted inquiries to the National Archives that were similar to those of the insurance companies. They wanted to access information on the activities and finances of the banks before they fell in October 2008.

Private persons

The private persons are individuals that according to the information they gave the NAI do not have a specific interest other than self-interest in the information in the SIC archive. In all, 12 persons submitted 13 inquiries. Nine individuals asked for copies of documents concerning themselves. Among them, six asked for their statements made when they were questioned by the SIC. By Icelandic law (the Information Act) individuals have the right to access information on themselves. Therefore these nine requests were granted. In three cases individuals asked for access to private statements that other persons gave before the SIC. Access was denied because the information was too sensitive. In one case an artist asked for a drawing of the cross ownership of firms. The access is open because no one can be identified in the diagram. In one case the information asked for could not be found.

TABLE 3.3 Overview of groups of inquirers and their inquiries to the Iceland Special Investigation Commission archive, 2010–2019

<i>Groups of inquirers</i>	<i>Number in each group</i>	<i>Number of inquiries</i>	<i>Number of inquiries about the archive and rules of access</i>	<i>Number of requests for access of data</i>	<i>Number of requests for own data</i>	<i>Number of requests for data about others</i>
1. Banks	3	3	1	2	–	2
2. Private persons	12	13	–	13	9	4
3. Insurance companies	8 (41)	13	2	11	–	11
4. Investigation committees	3	3	–	3	1	2
5. Journalists ⁽¹⁾	6	6	4	3	–	3
6. Prosecutors	2	6	1	5	–	5
7. Researchers	5	6	2	4	–	4
8. Resolution committees	2	3	–	3	3	–
9. Unidentified	2	2	–	2	–	2
Total	43 (84)	55	10	46	13	33

(1) One journalist asked in one request about the rules of access and to access certain data that is why number of inquiries are 7 and not 6.

Source: Yfirlit yfir fyrirspurnir til Þjóðskjalasafns Íslands um skjalasafni Rannsóknarnefndar Alþingis (RNA) og beiðnir um aðgang að því 2010–2019. (An overview of the inquiries to the SIC archive 2010–2019) (August 2020), The NAI archive. Case No. 2006335.

Researchers

Five individuals were identified as researchers, including postgraduate and PhD students. They submitted six inquiries about the SIC archive.

In four cases they asked for access to certain information, like the databases of SIC and statements of individuals. In one case access was granted because the information was of a general nature. A request for access to statements from individuals and other sensitive material was denied. One request was to access information that is not in the SIC archive, and access to the databases was answered with guidelines on access that is possible for a researcher. That ended the case. Two researchers asked about the SIC archive and access to it. And after sending them explanations on the rules and conditions for access, the NAI did not hear from them again.

As already noted, the rules for access by researchers is described in the Act No. 142/2008, Article 18, but the access is conditional or restricted in several ways. The simple version is: first, a researcher must send in a detailed application with objectives and plan of the research project. The application then undergoes an evaluation and if access is granted, the data, such as that in the nine databases of the SIC, has to be supplied without personal identification (pseudonym or anonym) if it is possible to do so. The costs of processing the data, from being the person identifiable, is to be paid by the researcher or the person responsible for the research project.⁴¹ These restrictions have hitherto prevented researchers from sending in a full-scale application on a research project.

Journalists

The media have not had much interest in the SIC archive. Probably because there is ample information in the detailed and revealing SIC report and later a lot of newsworthy information was available in connection to the lawsuits and court cases.⁴² In all, six journalists have asked about the archive. Three of them, from different media, asked about what the access rules were and how much interest there has been in the SIC archive, how many have asked for access, what is closed for the public and how the NAI was coping with the requests. All journalists received appropriate answers to their questions. One requested access to a statement of an individual and was refused. Another one asked for access to some statements but withdrew when he was guided to be more specific and informed about rules that applied about access to sensitive information. A third journalist got access to a document with general information with no restrictions.

Prosecutors

In September 2010, the Icelandic Parliament decided to initiate proceedings against the former Prime Minister for violations suggested by the SIC, as the Prime Minister prior to the financial crisis in 2008.⁴³ A parliamentary prosecutor was appointed to run the case.⁴⁴

In order to build the case, the prosecutor made five requests for access to documents from the SIC archive from November 2010 to March 2011. In all, 212 items were requested, which took about 170 hours to identify and retrieve. Common items requested were a letter, a report, a statement, and minutes of a meeting. A few requests were for all available minutes of a meeting from a board or another entity. The prosecutor has the authority to access a wide range of information, but the NAI is obliged to consider each request for access and evaluate the nature and level of sensitivity of the information, and then weigh the interests of those that gave the information against the interests of the inquirer. After an evaluation, the NAI granted access and delivered copies of the vast majority of the documents asked for, but refused to give access to interviews (statements) of individuals conducted by the SIC where people could not claim any confidentiality. On the same grounds the archive refused to deliver copies of Geir H. Haarde's e-mail communications and some telephone transcriptions.⁴⁵ However, the ruling of the Reykjavik district court required The National Archives to also hand over these documents.⁴⁶ In 2012, Geir H. Haarde was eventually found guilty of gross negligence in having failed to hold cabinet meetings on important matters, but was acquitted of other charges.⁴⁷ This was the first time that an Icelandic government minister was charged and convicted for negligence in official duties.⁴⁸

Besides the parliamentary prosecutor, the special prosecutor put forward an inquiry about the content of the SIC archive, especially about the databases and other digital data but did not ask for access.⁴⁹

Insurance companies

Besides the requests from the parliamentary prosecutor, the inquiries from insurance companies were the most intensive. The insurance companies were in all cases represented by the same two Icelandic law firms. And they sent the NAI 13 inquiries on behalf of the insurance companies (three together with bank employees). Nine of the 13 were made by a group of international insurance companies and four by the same domestic insurance company.

Eleven of the inquiries were requests for access and eight from a number of international insurance companies. Most of them were divided into many different questions. Four of them included over 200 different categories or list of questions. The most extensive request is 27 pages long and contains 315 items or questions. The inquiries could be something like: Give us access to all documents and other data that the SIC had acquired about a certain bank, all statements of managers and other employees, all e-mail correspondence and other written communications between certain persons or parties, all minutes from the board and committees, loan contracts, letters etc.⁵⁰ And then a list or lists with further specifications were added.

The insurance companies were defendants in lawsuits in the courts of Iceland and wanted information for their defence. They wanted information related to the fallen banks and their former employees, directors and others. They wanted data regarding the banks decisions before 2008 as they had a financial interest in finding

out if any decisions were taken, or information given or not given, that could nullify the contracts the insurance companies had with the banks, like special insurances for the directors of the banks. Much was at stake because the plaintiffs could ask for billions of Icelandic króna in compensation.⁵¹

All the requests on access from the insurance companies were refused because of how sensitive the data in question was. It could regard private or financial affairs of individuals or businesses, which would be reasonable or appropriate to keep secret (Information Act No. 140/2012, Article 9) or the information could be protected by articles of confidentiality (like Act on Financial Undertakings, No. 161/2002, Article 58) to name two important arguments.⁵² In many cases, the insurance companies appealed the denials of access.

The Governmental Information Committee

According to the Icelandic Information Act, denials of access to public information can be appealed to the Governmental Information Committee (GIC), an independent body within the Prime Minister's office. Its verdicts cannot be appealed to any other governmental authority.⁵³ In order to fulfil their obligations and examine the appeals against denials of access, the GIC requested access to the information in question. In relation to the SIC archive this has happened 19 times in the period 2011–2016 (Figure 3.2). The NAI has thus had to deliver copies (paper or digital) of all documents (data) to which access was denied, so the committee could scrutinise the decisions of the NAI. This meant gathering and copying a lot of data, and writing the legal arguments for the denials, which is complicated work and time-consuming. No other single body has asked more often to access the SIC archive and it was always granted. The requests of the GIC can be distinguish from others since they are automatically initiated when the NAI denies someone access and that denial is appealed. As already mentioned, the NAI sometimes answered large requests in part. One request thus could result in several denials and appeals.

The 19 appeals originated from seven requests. Seventeen of the appeals were made by insurance companies. Fourteen of them were made by a group of international insurance companies and three by a domestic insurance company. Besides those, one individual and one bank appealed.⁵⁴

Verdicts of the Governmental Information Committee

Of the 19 appeals to the GIC, one was withdrawn at a late stage and in 12 cases the decision of the NAI was confirmed fully, on all parts of the denials. In three cases the decisions were confirmed on all but one item, that is the NAI was instructed to give access to one file or document out of some or many. For instance, Brit Insurance Limited, Great Lakes Reinsurance Plc., Chubb Insurance Company of Europe SE, Aspen Insurance UK Limited and others got access to one document out of four appealed, in a verdict passed in September 2016. The initial request to the NAI was in November 2011.⁵⁵ In one case a denial was partly confirmed, and a part was to

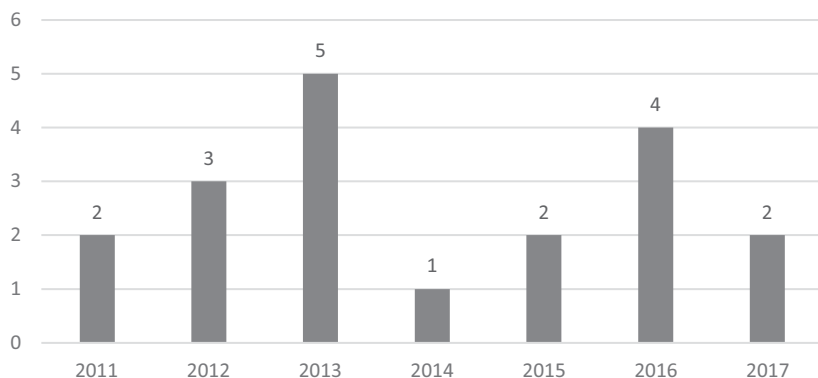


FIGURE 3.4 Number of verdicts of the Iceland Governmental Information Committee on appeals to denials for access to the SIC archive, 2011: 2017. Source: ‘Úrskurðir kæruneftndar um upplýsingamál’ (Verdicts of The Governmental Information Committee), [www.stjornarradid.is/gogn/urskurdir-og-alit-/](http://www.stjornarradid.is/gogn/urskurdir-og-alit/) (22 June 2020). *Yfirlit yfir kærur ogúrskurði Úrskurðarneftndar um upplýsingamál (UNU) vegna synjana Þjóðskjalsafns á aðgangi að gögnum Rannsóknarneftndar Alþingis (RNA) 2011–2017.* (August 2020), The NAI archive. Case No. 2006335.

be reconsidered by the NAI. And finally, in two instances and partly in the third, the NAI had denied access because the request was too open or unspecified, so it could not be answered. In these cases, the GIC requested the NAI to reconsider because it meant that part of the requests could be assessed.⁵⁶ The GIC made 43 verdicts in 2013 and five of them were verdicts to appeals of NAI denials or 11% of all verdicts that year.⁵⁷

Court cases

In three instances access to the SIC archive was put to the courts of Iceland. The first stage is the Reykjavík district court. The first case, mentioned before, was when the parliamentary prosecutor got a court order to access data that the NAI had denied access to. In this case the NAI did not appeal the verdict. The other cases were appealed to the Supreme Court of Iceland. In both cases, the Supreme Court ruled in the favour of the NAI, that is denials for certain information were confirmed. It is of interest to note that both cases were related to lawsuits where banks, former bank directors and insurance companies were fighting against each other. The defendants wanted information from the SIC archive to use in their defence.

In the first case to be appealed the Supreme Court confirmed (3 June 2014) the verdict of the Reykjavík district court (verdict No. 329/2014). The district court had decided that the NAI had rightfully denied the SPB bank (SPB hf.) access to eight statements from individuals. The Supreme Court approved this verdict; it would have been unlawful of the NAI to deliver the statements. It was confirmed

that articles on confidentiality in the Act No. 36/2001 on the Central Bank of Iceland override the Articles on access of the Information Act.⁵⁸

The second case was when the NAI appealed a verdict, from 4 January 2017, of the Reykjavík district court. The district court had decided that the NAI was to give access to four specified documents to a group of 25 entities, among them some big international insurance companies. The group of 25 were defending themselves in a case the new Landsbanki ehf. Bank, had filed against them to get compensation payments because of how the old (fallen) bank had managed its money in October 2008. The Supreme Court, on 13 March 2017, overturned the verdict of the district court in favour of the NAI, which then did not have to deliver the documents in question (verdict No. 64/2017).⁵⁹ The Supreme Court decided that the employees of NAI could not (based on the Act on private affairs Act No. 91/1991) be called to court and to bear witness on the documents in question since they had no experience of them when they came into being. Also, the documents could be seen as working documents (based on the Information Act No. 140/2012).

It was a great relief for the employees of the NAI to be acquitted in this case by the highest court. This case shows the interests at hand and who the NAI were up against.

Conclusions

It is safe to say receiving the archive from the Special Investigation Commission (SIC) in 2010 was a difficult task for the National Archives of Iceland (NAI). Without a doubt, this archive is the most complicated the NAI has ever received, both in terms of arranging the records and handling questions of access. The documents are recent and contain extremely sensitive information, such as the finances of individuals and companies. Also, in this SIC investigation, confidentiality terms or clauses did not apply. Therefore, the SIC archive contains a lot of confidential information. Because of this, the National Archives have had, through a complex and costly process, to evaluate whether to grant or deny access, always bearing in mind the rights of the inquirer and the rights of the person or entity the information is about, and considering all relevant law. The NAI was in an unprecedented situation as a keeper of this unique archive.

The SIC archive has been in considerable demand by those who were involved in the struggle people and businesses had in resolving the various situations, differences and accusations in the aftermath of the crisis in 2008. The parliamentary prosecutor, other investigative commissions of the Icelandic Parliament and a resolution committee of one of the fallen banks have all got access, in one case after a court order. No other single body has asked more often to access the SIC archive than the Governmental Information Committee (GIC), and always got the access. It is safe to say that the insurance companies, mostly international, have, as defendants in lawsuits, fought hardest for access to the SIC archive both by appealing the denials of the NAI to the GIC and the courts. A relief for the employees of the NAI,

confirming the quality of their work, was the positive outcome in the verdicts of the GIC and the Supreme Court of Iceland.

In all cases when insurance companies have requested access, the NAI has denied access and when denials have been appealed to the GIC the denials have overwhelmingly been confirmed. In the two instances that the Supreme Court has given verdict on access to the SIC archive, it has confirmed the decisions of the NAI. In other words, the NAI managed these cases rightfully (by the law).

Researchers have not yet made a real attempt to get access and use the data for research purposes. The general public has access to information about themselves but limited or no access to other data. Private persons who have gained access are mostly individuals who can access information concerning themselves.

The decade that has passed since the SIC archive came into the custody of the National Archives of Iceland has been challenging and, in many respects, difficult. However, for the employees working with the archive and for the National Archives on the whole, it has been a satisfying time with many practical experiences gained. It has been reassuring and rewarding that almost all the decisions made regarding access, that have been contested, have been confirmed by the GIC and the Supreme Court.

This chapter demonstrates some of the issues that can arise with contemporary or near contemporary records. The Special Investigations Commissions archive is a remarkable archive, and because it is very recent and with highly sensitive material it will, according to current law, continue to be rather silent for the next 70 years or so.

Notes

- 1 'Lög um rannsókn á aðdraganda og orsökum falls íslensku bankanna 2008 og tengdra atburða' nr. 142, 17. 122,008, (Act No. 142/2008, 17 December 2008), www.althingi.is/lagas/136a/2008142.html (22 June 2020).
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- 4 www.worldatlas.com/articles/the-largest-islands-of-europe-by-area.html (22 June 2020); www.dst.dk/da/Statistik/emner/befolkning-og-valg/befolkning-og-befolkningsfremskrivning/folketal: www.ukpopulation.org/: https://stats.oecd.org/Index.aspx?DataSetCode=PDB_LV (22 June 2020).
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- 10 Guðrún Johnsen, *Bringing Down the Banking System. Lessons from Iceland* (Hampshire: Palgrave Macmillan, 2014), 177. This book is a concise narrative of the rise of the Icelandic banking system and its fall in 2008, widely based on the SIC report.
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- 12 Stefán Ólafsson and Arnaldur Sölvi Kristjánsson, *Áhrif fjármálahrinsins á lífskjör þjóðarinnar. Skýrsla I: Umfang kreppunnar og afkoma ólíkra tekjuhópa*. Þjóðmálastofnun Háskóla Íslands (April 2012), www.stjornarradid.is/media/velferdarraduneyti-media/media/rit-og-skyrslur2012/Skyrsla_I-Umfang_kreppunnar_og-afkoma_olikra_tekjuhopa--Lokaut_gafa.pdf (15 July 2020). 4–8.
- 13 *The Financial Supervisory Authority Annual Report 2009*, 5, 10–11, <https://en.fme.is/media/utgefifid-efni/FME-Annual-Report-2009.pdf> (15 July 2020).
- 14 Jared Bibler, *Hversu stórt var fall íslensku bankanna á heimsmælilikvarða? Nokkrar tölur*. Fréttir (News 12 March 2010), www.fme.is/media/frettir/12.03.2010.Hlutfall-JEB.pdf (10 August 2020)).
- 15 Jón Gunnar Bernburg, *Economic Crisis and Mass Protest. The Pots and Pans Revolution in Iceland* (London and New York: Routledge, 2016), 36–37. It should be noted that the economic recovery in Iceland after the crisis in 2008 was quick. For example, the fiscal deficit was reduced from 13.5% of GDP in 2008 to 3.4% in 2012. See, Guðrún Johnsen, *Bringing Down the Banking System*, 196.
- 16 Jón Gunnar Bernburg, *Economic Crisis and Mass Protest*, 80.
- 17 Jón Gunnar Bernburg, *Economic Crisis and Mass Protest*, 57.
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- 26 Special Investigation Commission (SIC), ‘Chapter 21’ (12 April 2010), 23.
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4

NOISES IN THE ARCHIVES

Acknowledging the present yet silenced presence in Caribbean archival memory*

Stanley H. Griffin

Jamaica has a rich history of recordkeeping and archival practice. Starting in 1659, the Island Secretary's Office (ISO) was established as the administrative and record-keeping arm of the colonial government. By 1879, the ISO was dismantled with recordkeeping functions transferred to the Island Records Office (IRO) as formalized by the Records Office Act, 1897. By the 1950s, an Archives section was formalized within the IRO, with a Government Archivist appointed in 1955, the first such appointment in then British West Indies. The first purpose-built repository in the region was opened in 1962, and by 1982, an Archives Act was proclaimed. Within these hallowed walls are the memories of oppressor and oppressed. The records detail the workings and profits of a sugar plantation economy, the arduous labour of the enslaved Africans and indentured labourers from India, long after the annihilation of the Indigenous Taino populations. With Jamaica attaining its independence from Great Britain in 1962, the records of colonial administration became the archival heritage of a new nation. The prejudices and injustices documented within the holdings mirrored that of the white ruling minority of colonisers and planter classes. Thus, the records silenced the large majority of the island's population of formerly enslaved African descendants and Indian contract workers, whose narratives and memory practices are rooted in oral traditions. These documentary silences, however, are neither quiescent nor inconspicuous. On the contrary, from the language used, gaps in voice as well as perceptions stated, one will indeed notice

* This work builds on the previously published work on the community archival work of the Rastafari Coral Gardens Benevolent Society, which focuses on that particular community's need to represent themselves in documentation. This chapter is based on previously uninvestigated questions: What (government) records on the Rastafari community are at the Jamaica Archives? What are these records saying about the community, and what unrequited questions can be deduced from these files?

that there are noises emanating from the Jamaican archives. These noises are vital to understanding the multiple features of Jamaican life and identity that cannot be ignored as the nation develops. This chapter uses Carolyn Cooper's influential work, *Noises in the Blood: Orality, Gender and the 'Vulgar' Body of Jamaican Popular Culture*, to analyse the archives about Jamaica's Rastafari and the need to respond to the noises in the Jamaican archives.

Noises in the blood: an allegory of a society

In 1993, Carolyn Cooper, a noted Jamaican author and literary scholar, published a ground-breaking text, *Noises in The Blood: Orality, Gender and the 'Vulgar' Body of Jamaican Popular Culture*. This work, comprising nine essays, examined Jamaica's popular cultural expressions and orality as valid sources of Jamaican epistemological knowledge, that are not found in other Eurocentric or otherwise written sources. Cooper asserts,

The oral tradition in Jamaica is conceived as a broad repertoire of themes and cultural practices, as well as a more narrow taxonomy of verbal techniques ... [which] includes diverse cultural beliefs/practices such as religion—obeah, myal, ettu, revival, kumina, spirit-possession; entertainment/socialization practices—children's games, story-telling rituals, tea-meetings and social dance, for example.¹

Within these expressions are historical narratives, ways of documenting and communicating information as well as modes of preserving vital community histories. From the various ways of expressing and articulating within the varied domains listed are linguistic idioms and tropes that are not easily transferable into written forms or official language terms. Cooper notes,

The verbal techniques include the compressed allusiveness of proverb, the enigmatic indirection of riddle and the antiphonal repetitions of oral narration which recur as set in linguistic formulations in folk-tale, legend, song-text and performance poetry. Jamaican, the preferred language of orality, assumes the burdens of the social stigmatization to which the practitioners of Afrocentric ideology in Jamaica are continually subjected.²

Thus, in order to access the full richness of Jamaican heritage and narratives, one must be knowledgeable and mindful of the breadth and depth of Jamaican culture.

Cooper discusses the deep inner conflict Jamaica, as a post-colonial society, faces at the core of its societal being. There is the contention between its multi-layered cultural self and its historical self. The former is rooted in the various cultures that were part of the 'cultural equipage' that came over from Africa, Europe, East Asia as well as the legacies of the indigenous presence.³ The historical self refers to the persona crafted by the hegemony of colonialism. The seeming preference for European tastes, while negating the enduring presence of the cultural self, evokes, what the

pioneering Caribbean psychiatrist Fredrick W. Hickling defines as, a self-debilitating madness, which is the plight, and greatest challenge, of every colonial. Hickling observes,

The process of 'owning our madness' is the course whereby non-white human beings fight to negate the delusional notions of the European psychosis [of superiority] at the level of daily living and existence. The oppressed peoples of the world must establish the validity of their indigenous cultural and belief systems that have been systematically suppressed by the European psychosis over several centuries.⁴

In so doing, it is the cultural self that would eventually drive the movements towards self-autonomy and independence. Michael G. Smith, a noted Caribbean economist, argues that cultural difference was a key characteristic and instigator for nationalist movements against colonial rule and imperial dominance. Thus culture becomes a significant tool in resistance movements and new forms of governance. Smith writes,

As colonial peoples move to freedom, the connections between their culture and nationalism are important but various. Questions of cultural unity and distinctiveness typically emerge within contexts of nationalist action seeking autonomy ... Cultural distinctiveness has great values for nationalist movements. For a people emerging from tutelage, cultural distinctiveness may be used to justify demands for independence. Cultural homogeneity may also be used to promote political unity. For these reasons, nationalists often employ an ideology of culture to legitimate their movement—its methods and aims.⁵

This difference was also exhibited in the formats used to create, document and preserve societal memory. While the colonial establishment wrote their reports, diary journals and jotted observations as notes, the marginalized masses sang songs and chants, danced, told stories and held community gatherings. The creativity of the gifted singer, musician, dancer, storyteller, and community leader is central to the creation, dissemination and preservation of information, as is the scribe with ink and paper. For this reason, an ideological dispute arises between various forms of knowledge and expressions of memory. The written word, while documenting and recording, was used to oppress and suppress the masses. When given the official recognition that textual records received over oral traditions, the memory imbued in the documentary heritage is conflicted, partial to the controlling minority, discriminatory of the racial and cultural majority.

It is this politics of memory that characterizes a postcolonial state, in which knowledge is defined by the hegemony – expressed in Eurocentric forms and formats, while that of the other is referred to as noise. Cooper asserts,

In its use of the Jamaicanism ‘a knowledge’ ... points to the cultural relativism of knowledge as quantifiable commodity. One’s culture’s ‘knowledge’ is another’s noise.⁶

In other words, the voice and records of the authority is depicted as knowledge, the voice and memory of the marginalized is adjudged noise. Socio-linguist Mervyn Alleyne affirms this view in his reflection on Caribbean historiography, arguing that both the oral and written sources should be texts worthy of the usual academic rigor.

These two traditions [i.e. oral and written] represent different ways in which knowledge is accumulated and stored and is then transmitted through the generations. The duality (or dichotomy) has important implications for Caribbean historiography ... The other history, based on written documentation as the principle source of historical knowledge, has ignored the lives and institutions of ‘ordinary people’. Written documents were produced by the literate elite minorities of Caribbean societies, in many cases not native to, or even resident in, the region. They, thus inevitably reflect the interests, perspectives, and biases, of that minority segment of Caribbean society.⁷

The oral tradition is the source for accessing, interpreting and retelling the details and perceptions of the majorities. Both sources are needed to corroborate each other, especially since the written perpetuates its hegemonic authority in silencing the oral.

Memory politics determine the appraisal of forms and formats, where one form takes precedence in the societal hierarchy of remembrances over the other and is selected for long-term retention. The written report, etched on paper, protected in archival space, is preserved and made available. The essence of the oral traditional form cannot be confined to paper, box and reading room. Historian Elsa Goveia posits these expressions were deliberately and systematically denigrated since these customs were associated with African traditions.

The influence of Africa could be traced, not only in their cooking and folklore ... but also in their cultural features which were more peculiar to the [enslaved]—in their dress, their speech and songs, their music and dancing, in their respect for age, and in the survival of religious beliefs and ceremonies, magical rites and herbal lore of African origin.⁸

Accordingly, as Carolyn Cooper rightly argues, the performance of the traditions best captures, preserves and exhibits the full nuanced details of the art form. Making reference to the ground-breaking works of Jamaican literary greats, Louise Bennett, Mikey Smith and Jean Binta Breeze, Cooper states,

Explicitly performance texts, these poems, though composed with clear reference to both oral and scribal literary traditions, are actualized in contexts of more-than-verbal production. Though the poem (as script) may be available

in print, the performance itself cannot be printed. Audiovisual technology, rather than printed word, best records the total theatre that is performance poetry.⁹

As a consequence, especially given the lack of fully developed archival programmes for audiovisual records in Jamaica, there is ‘a dialectical relationship between oral and scribal discourse’, wherein the written text (about Jamaica) negates and silences the oral memory of Jamaicans. Thus while the Jamaica Archives is prepared to receive and preserve paper records, with its bindery and paper preservation unit, the institution is lacking the capacity to give archival care and protection to audiovisual materials, i.e. the main conduit to preserving the intangible cultural heritage of the society.¹⁰

The silencing of the oral memory by official records does not quell the noise that emanates from the ‘body’ of written records. Cooper explains the title of her work by comparing the text and language of the marginalized to the body and blood of a person. She notes:

The metonymy of bone and blood embodies the text, the marrow of literary tradition assuming a particularized cultural character. The artist as griot [i.e. storyteller] transmits a body of knowledge that is the accreted wisdom of generations. The emotive trope of blood and bone connotes what may be constructed as ‘racist’ assumptions about biologically-determined culture, if the label is applied by the alienating Other. Assumed by the in-group, this figure of speech denotes a genealogy of ideas, a blood-line of beliefs and practices that are transmitted in the body, in oral discourse.¹¹

This analogy fits well with the common description of records as ‘the life blood of an organization or person’.¹² As the main purveyor and conveyor of activity throughout an organization, records are the source of, and transmit, information throughout the entity. The vitality of the institution, as it is with a human being, is dependent on the healthiness of its records – i.e. the blood. Consequently, a disorder in the blood will affect the health status of the body,¹³ any distortions of a people’s collective memory affects the vibrancy of the society. Therefore, the idea of noises residing and stemming from the blood is not far-fetched, as the repressed and silenced in the archival records will agitate and haunt until full recognition and acknowledgement of its informational and enduring values are secured. These noises demand the attention of both archivist and researcher alike.

The examination of the written text exposes many unanswered questions, which can only be resolved by exploring oral traditions. In acknowledging the ways in which archival memory is constructed, archivist Verne Harris notes that archival documents are “just a sliver of a window into the past”.¹⁴ He maintains that documents state elements of the event, relationship or transaction, but not the full narrative. Thus, what is documented, appraised and approved for access in the archive is configured by the creator, archivist and archival entity, i.e. all decision-making

stakeholders in the determination of documentary heritage. This is in addition to the researcher – who imposes their interpretive views on the records. The documented word may be crafted to suit audiences, safeguard protagonists and certify standpoints. On the other hand, oral tradition ‘conveys a strong aura of cultural authenticity’,¹⁵ that reflects collective understandings, recollections and evidences. The oral narrative, whether derived from oral tradition or oral history recordings, is a valid source for complementing written text, even though – like the record – the oral is yet another ‘archival sliver’. French West Indian poet and philosopher Eduard Glissant posits that memory influences the creative ‘and sharing processes of narratives, especially in relation to Caribbean literature’, Glissant notes:

Memory in our works is not a calendar memory; our experience of time does not keep company with the rhythms of month and year alone; it is aggravated by the void, the final sentence of the Plantation; our generations are caught within an extended family in which our root stocks have diffused and everyone has two names, and official one and an essential one—the nickname given by his community. And when in the end it all began to shift, or rather collapse, when the unstoppable evolution had emptied the enclosure of people to reassemble them in the margins of cities, what remained, what still remains, is the dark side of this impossible memory, which has a louder voice and one that carries farther than any chronicle or census.¹⁶

Historical narratives are based on memory and are performed in oral traditional practices. Memory is a key component for the development of a community’s cultural self. The memory of early beginnings, lifestyles, socio-cultural norms and rhythms, linguistic expressions, etc. form part of the stories that communities ‘tell themselves about themselves’. Narratives serve as a connecting link that transcends contemporary socio-political issues that divide communities, with its focus on common historical struggles and triumphs. Harris contends this is the priceless contribution of oral tradition to archival work. ‘It is the oral, rather than documentary evidence, that carries the story. The archival record, both oral and documentary, is but a sliver of social memory.’¹⁷ Yet, when both written and oral texts are used in tandem, they offer greater slivers of societal past than when accessed separately. Cooper’s influential work was written to analyse Jamaica’s social and cultural dynamics, and will be used to consider Jamaica’s archival infrastructure, with particular reference to the Rastafari of Jamaica.

Documenting Rastafari

The official records of Rastafari,¹⁸ held at the Jamaica Archives and Records Department, is an ideal illustration of this dichotomy. Rastafari is a folk religion that emerged in Jamaica during the 1930s, a time of much unrest amongst the working classes in the British West Indies, and evolved into a movement with diverse factions.¹⁹ Rastafari is a set of religious beliefs based on the Bible and the reverence of

Haile Selassie I of Ethiopia. Rastafarians hold strong Afro-centric worldviews and this is reflected in the lifestyle of adherents. They believe that Africa, and in particular Ethiopia, is the home of all black men and that particular continental space is central to their concept of Heaven. Rastafari is also a social movement whose philosophies have largely been developed by, and appeal to, the oppressed Jamaican working poor. Rastafari was influenced by the teachings of Alexander Bedward and Marcus Garvey, which gave the movement some of its early direction. Bedward was a Jamaican spiritualist and played a leadership role in Jamaican Revivalist spirituality and expressions in the early twentieth century.²⁰ Garvey was central to the rise of Afro-centrism, black pride and movements towards economic self-governance within the colonial West Indies, Latin America and the United States.²¹ In fact, many of the adherents of the Rastafarian worldview were also members of the Universal Negro Improvement Association – Garvey's worldwide movement, which valued and promulgated universal African consciousness and Ethiopia as its symbol of black pride and resilience. Garvey's writings are held as sacred texts and form part of core philosophies of the movement and his verses are often quoted and referenced during meetings called Reasonings.

Leonard Howell (16 June 1898–25 February 1981) was one of the early preachers and activists of the Rastafari movement. Known as one of the 'First Rasta', Howell (as he will be referred to in the colonial records) was seen as a central figure to the religion and its Pan-African movement. Thus, the societal agitation against, and the colonial suppression of, Rastafari was centred at Howell. Having lived in Panama and New York, Howell undoubtedly was influenced by Marcus Garvey's teachings and philosophy. His preaching reinterpreted Christian beliefs and racial politics to affirm Blackness, Africa and socio-economic empowerment—in essence the combination of traditional Jamaican spirituality and Garvey's teachings. Historian Daive Dunkley noted that, 'Howell was persecuted by the colonial government that saw his influence as a destabilizing force, and by local nationalists, who viewed him as a serious contender for the loyalties of the majority of Jamaicans who were of Africa decent'.²² Charged with sedition, for his messages that disavowed the British Crown for that of the divinity of Emperor Haile Selassie I, Howell was imprisoned and sentenced to the Lunatic Asylum, because

he had been offering blacks an alternative to British rule, one that was based on the religious notion of a black Messiah who was 'King of Kings and Lord of Lords of Ethiopia', sent to redeem 'all who believe in the power of the true and living God'.²³

Howell's writings and increased following by the rural poor was a cause for concern by the colonial authority. Moreover, his leadership of a self-reliant commune at the Pinnacle site, an isolated site in the hills of St Catherine, was also a cause of societal trepidation and colonial suppression (which will all be revealed in the discussions of the archival records in this chapter). Nevertheless, Howell (and the other early

Rastafari pioneers) established a faith and practice that survived the horrors of societal repression and is thriving in various ways today.

Rastafari is a framework of beliefs that drew from African retentions and heritage, contemporary Afro-centric ideals and ideologies, as well as Judeo-Christian beliefs. It incorporates both African and Christian religious traditions. Rastafari wanted to replace European values, worldviews and concepts of God with an Afro-centric worldview that had a black God at the centre of its cosmos. In doing so, they did not totally reject Christianity and the Bible. Instead, Rastas reinterpreted the Bible from an Afro-centric perspective and identified with orthodox Christian traditions that had roots in Africa. The coronation of Emperor Haile Selassie, formerly known as Ras Tafari of Ethiopia in 1930, provided a rare opportunity for a worldwide broadcast of a view of Africa that was not contemptuous or negative. The coronation, with the influence of Garveyism, validated Rastafari as this Afro-centric movement with its own theology, worldview and lifestyle that ran counter to the white colonial hegemonic discourse. Haile Selassie was recognised as God Incarnate. Africa was seen as the Promised Land and the destination for repatriation.

In the worldview of Rastafari, Africans are the true chosen people of God and the original Israelites. They had been forcibly taken into exile in the west, also known as Babylon, via the oppressive transatlantic slave trade. Rastafarians argued that only Africans, due to their constant persecution, satisfied the biblical conditions for God's chosen people. This validates their emphasis on the doctrine of black supremacy over white oligarchy. Thus, Garvey was seen as a prophet similar to John the Baptist, second only to Haile Selassie. Since blacks were exiled to the Caribbean, enslaved, and still suffering the consequences of 'Babylon system of oppression', there is no redemption possible for Rastafarians in, or for, Jamaica. Repatriation was the only restitution for their marginalized state. By being repatriated to Africa and Ethiopia in particular, the lives of the Rasta will improve and the economic and socio-political state of the African nations will be enhanced. The Rastafari theme of liberation from Babylonian captivity in the West and return to Africa is a remnant of early Afro-Caribbean folklore. The belief is that the captive spirit returns to Africa upon death; however, for Rastafarians this return to Africa is ideally a physical phenomenon. This is expressed in story, song and religious metaphor. Additionally, marijuana was added to their religious practices as a sacrament and they used biblical references to substantiate this practice.

Rastafari emerged as a space for resistance to the oppressive hegemony of post-emancipation society, which was divided and ruled according to race, class and wealth. The black masses were subjugated by race, their occupations relegated them to the lowest class, and they had little access to material or financial wealth. For a people still grappling with the disenfranchisement rooted in racism, enslavement and socio-economic poverty, religious beliefs and practices that allowed them to exercise their cultural retentions and expressions proved vital. Rastafari offered not only religious hope, but more importantly, a counter-discourse that instilled racial pride, socio-political hope and spaces for cultural practices. Thus, the Rastafarian movement is, in very loose terms, a community. It may be argued that it is the

cultural expressions, i.e. the articulation of the faith's livy,²⁴ that defines the community, rather than geographical, religious-adherence or even formal involvement in an organizational structure. The oral tradition is central to Rastafarians for the passing of knowledge, faith and interpretations among its membership. As part of their reasoning, Rastafarians share orally the tenets of their faith and the experiences of their community, whether in meditative thought, one-on-one conversation, or in group discursive interactions.²⁵ The oral tradition, such as stories, conversations, music and songs, is central to Rastafari. Art, drum rhythms, hairstyles (especially locs), colour, dress, and reggae music bear testament to the philosophies, beliefs and experiences of the community. Thus, when the Rastafari community, in particular those residing in the western side of the island, decided on documenting their memory through the work of the Coral Gardens Rastafari Benevolent Society, they emphasized oral traditions in the development of their community archives.²⁶

Archival records on Rastafari

The records at the Jamaica Archives concerning Rastafari are primarily cabinet submissions, reports, orders and correspondence between ministers, and prime ministers, with Rastafari representatives, academics and others such as the Commissioner of Police. Cabinet submissions are documents that a minister or ministers present to Cabinet, which is the executive branch of government in keeping with the Westminster parliamentary custom, to obtain its agreement to a course of action. Cabinet generally makes a decision on the proposals within the submission, and the decisions are published as a Cabinet Minute. For the purposes of this chapter, cabinet submissions were the focus of the archival research and the reviewed files and documents are listed in the attached works cited.²⁷ Having surveyed the records, three observations were noted: First, the Rastafari adherents were seen by colonial governor and political administrators as delinquents to be suppressed. Second, the tone of the correspondence concerning Rastafari was very discriminatory, and, finally, the records negated the agency of the Rastafari community. Thus, one is left with the perception that the Rastafari were criminal people, determined to disrupt and overthrow law and order in the society and with the clampdown on key proponents, the movement would be subdued.

The documentation begins in the 1930s with the rise of Howell and the early activities and crusading of the pioneering converts. It is very clear that this emerging religious and social movement was seen as a problem and threat to colonial order and sensibilities and must be quelled at the earliest opportunity.²⁸ However, what is not clear are the exact actions, utterances or even allegations against the early Rastafari adherents. These deafening silences are compelling noises in need of responses. According to the file, 'Sedition in St Thomas', the Inspector-General, wrote a minute paper to the Colonial Secretary in December 1939. He noted, that having discussed the concern of Howell and the other Rastafari preaching in the parochial town of Morant Bay,

I am firmly of the opinion that some sort of legal action should be taken against the man Howell before it is too late, for I have known serious trouble emanate from similar preachings before now due to delayed public prosecution.²⁹

The response of the colonial government must be targeted at the perceived leadership of the movement and must be swift. Thus, in 1939, the Governor issued an order that banned the meetings of Rastafari.³⁰ However, even this initiative met little success as the alleged activities against Howell and the early Rastafari were not stipulated in the relevant legislative recourses. In the February 1940 minute to the Colonial Secretary, the Attorney General was seeking clarification regarding the use of the Regulation 25 (2) of the Jamaica Defence Regulations, which is the same as 39E (2) of the English regulations, as it relates to restricting Howell's meetings in St Thomas. He writes,

The Commissioner of Police refers to the 'subversive propaganda' of Howell and his followers. I should like to know exactly what this means, in order to advise whether the term 'subversive' is correctly used in the legal sense, so as to enable us to take action.³¹

The police commissioner, in response to the Attorney General, was adamant that the legislative stipulations be interpreted to control the Rastafari movement.

It seems to me that an Order with regard to any meeting in St Thomas of the Ras Tafari Sect or Ethiopian Salvation Society is essential. It should readily be appreciated if an Order is not made prohibiting the holding of such meetings, there will be nothing to prevent these meetings being held which may unquestionably have serious reactions on the labouring classes in St. Thomas, and every effort should definitely be made to prevent such a condition arising, particularly at the present juncture.³²

Interestingly, the file contains letters from religious leaders, gentlemen from the community all registering complaints against the alleged insurgents, offering evidence of alleged sedition and threat of violence. In a letter dated 31 October 1933, Elder Barclay, of the Church of God, Port Morant, wrote to Inspector of Police Adams, informing the police of a case of wounding involving a Daisy Shaw who was

a member of the Ras Tafari gang defying the British law saying they have their king in Africa ... They are thoroughly against all ministers of the gospel, also churches and white men ... They are receiving money by false pretence claiming themselves ambassadors of their African king.³³

Also of interest is a July 1939 letter to the Colonial Secretary from Mr A. Bustamante, the leader of the Bustamante Industrial Trade Union, whose report included the following,

Serious trouble is brewing at Port Morant in St Thomas. Owing to the mischievousness of a man whose name is Howell, leader of this terrible thing called 'Ras Tafari' ... I think he is the greatest danger that exists in this country today.³⁴

As Prime Minister of the newly independent government of Jamaica, (later Sir) Alexander Bustamante gave the order 'Bring in all Rastas, dead or alive!' in response to the 1963 Good Friday incident in Coral Gardens, which resulted in mass imprisonment and human rights abuses of Rastafari adherents island wide.³⁵

The tone of the records undermines the spirit of the Rastafari community. Throughout the correspondences, Howell and his followers are described as a gang, 'curious religious sect', cult, 'poor and ignorant people who apparently have nothing else to do'.³⁶ These pejorative descriptions would follow the community throughout their history. A good example of this is a 1937 letter to the Governor, written by the officers and members of the Kingston and St Andrew Civic League, seeking the Governor's intervention at the rise of 'A most pernicious and demoralizing cult ... which threatens to create in this Island a most serious and far-reaching state of affairs with very detrimental effects'. They state further that the Rastafari

threatens to resurrect the causes which led up to the unfortunate incident of 1865 by the abominable doctrine of skin for skin and colour for colour being inculcated in the minds of the ignorant and hot-headed masses of this colony who for the most part can be easily driven to any extremes at the present time owing to the evils of unemployment and privation.³⁷

In response, the King of Kings Ethiopian Salvation Society repudiated the claims of pending violence of the magnitude of 1865.

It is a known fact that no human being can rise higher than his mental concept ... We forgive those who are not sufficiently evolved to grapple with teachings which are too high for them. The Kingston and St Andrew Civic League are endeavouring to force human minds to think in a monotonous direction ... God to any man is according to his concept. This being the case we would not denounce but pity anyone who would look down on our 'religious movement' of the 'King of Kings'.³⁸

They further argued that their efforts regarding racial unity among the African descendants in the island was in keeping with nature and the practices of other races and imperialism.

It is self-evident proof that nature intended various species of things to associate as their own kind ... Therefore, the blacks or coloured man, as the white man, has no apology to make if he preaches [racial] solidarity. What Englishman did not feel the onslaught of the Germans in the 1914 to 1918 war? What

African, whether at home or abroad, would not feel the indignity of Italian atrocities in the recent Ethiopian conflict? It is utterly absurd to think that men must be made inmates of the Lunatic Asylum when they are taught to think in terms of themselves ... As British citizens, we are hoping to have such legislation and laws enacted which will be compatible with our finer feelings.³⁹

The response by officers of the King of Kings Ethiopian Salvation Society to Kingston and St Andrew Civic League's missive suggested a far more reasonable manner than that suggested by the other reports, letters and orders. A perusal of the records concerning the community affirm the negative tone that overshadowed the Rastafari's activities, especially their activism for repatriation to Africa.

The records do not adequately reflect the community's efforts to assert their humanity, religious beliefs and socio-political aspirations. Several studies about the Rastafari have been conducted since the 1940s. Sheila Kitzinger, in her anthropological study of the movement in the 1960s, posited that the early members of the movement were marginalised and lived on the fringes of formal society and generally lived in solitude, in camps, referred to as houses, tribes or mansions, based on the varying denominational strands or interpretational emphases of the faith. She described their livelihood as follows,

Many accept no aid offered by welfare agencies and will not attend clinics or hospitals or use the midwifery service. They distrust all social workers, ministers of religion, and others who symbolise for them middle-class affluence, deceit, and the assumption of innate superiority. They join no Jamaican associations—and this includes trade unions. The more able of the Rastafarians are craftsmen—potters, carpenters, tailors, cobblers, woodcarvers, even artists; some are fishermen and a few till the land; a number are ganja⁴⁰ pedlars and healers.⁴¹

The most prominent research project was that conducted by (now eminent professors of the University of the West Indies) Roy Augier, Rex Nettleford and M.G. Smith at the invitation of the Rastafari community in 1960, which was based on the collaborative work done in 1953 by Professor George E. Simpson and the then Institute of Social and Economic Research. The 1960 study focused on their history, organisation and the nature of the movement. Entitled, 'Report on The Rastafari Movement in Kingston, Jamaica', it discussed, inter alia, the doctrines of the movement, the divinity of Ras Tafari, the creed of a Ras Tafari Man, black nationalism, beards and locks, ganja, violence and (attitudes towards) work. The investigators stated in their conclusion,

The general public believes in a stereotype Ras Tafari, who wears a beard, avoids work, steals, smokes ganja, and is liable to sudden violence. This type exists, but it is a minority. The real danger is that if all Ras Tafarians are treated

as if they are like this, more and more will become extremists. What strikes the investigator, on the contrary, is how deeply religious the brethren are. Our meetings with them began and ended with the recitation of psalms and the singing of hymns, and were punctuated by frequent interludes of religious observance. A movement which is so deeply religious need not become the menace to society.⁴²

The Smith, Augier and Nettleford Report also elaborated on the hopes and expectations of Rastafari, which several have now achieved. In addition to listing ‘What Ras Tafari Brethren Want’, the report shares a list of recommendations as agreed upon by both Rastafari and university officials. The list includes,

The general public should recognize that the great majority Ras Tafari brethren are peaceful citizens, willing to do an honest day’s work. The Police should complete their security enquiries rapidly and cease to persecute peaceful Ras Tafari brethren. Press and radio facilities should be accorded to leading members of the movement.⁴³

Need for Rastafari voices

The records highlighted explain the beginnings of stereotypes and prejudices that would plague Rastafari followers throughout the twentieth century, with vestiges of these biases still affecting the community to the present day. Even though Rastafari members have prevailed and can be found in every sphere of societal life, there is a need to balance the perspectives in the repository. There are noises in the Archives that must be considered. The violent experiences of the Rastafari in 1963 that started on Good Friday in Coral Gardens, a quiet rural community on the outskirts of Montego Bay earmarked for the development of hotels and golf courses for tourism, were triggered by the vitriol and systematic targeting that the colonial government established and was enforced by the police force. The records lay out the context for issues that are still contemporary concerns for the Rastafari community, such as respect for their hairstyle⁴⁴ and the Pinnacle land claim (a mountainous area revered by Rastafari as a holy site)⁴⁵ Thus, the community archival efforts of the Rastafari Coral Gardens Benevolent Society are vital for presenting a balanced and tempered representation of Rastafari adherents and experiences in Jamaica. By creating community archival records, the Rastafari brethren have provided substantial evidence of the atrocities suffered at the behest of the state and steps have been made by government to compensate for their losses.⁴⁶ More importantly, the Rastafari community archives affirmed the recordkeeping value of Rastafari culture. Their unique oral traditional expressions have been validated as forms of, and sources for, knowledge of the Rastafari community. Their language, dress, hairstyles, food, rhythms, songs and reasonings have proven capable of detailing and representing the struggles and triumphs of the early pioneers of the movement. Moreover,

by influencing the reggae music genre and other contemporary cultural expressions, Rastafari oral traditions have shown their capacity to represent the voices and concerns of current generations. Finally, the oral traditions have offered details that complement and fill the lacunas in the official records. The noises arising from the records could be responded to by acknowledging oral traditions as complementary knowledge sources. Caribbean archivists must be deliberate in collating, appraising, preserving and making available records in non-traditional formats as part of their institutional programmes. This will require policy reviews, appropriate preservation equipment, personnel, protocols and training. However, it is certain that the archival memory of the masses is not to be found written in black ink on white paper. In fact, the paper-based formats, having been upheld as knowledge, have cast aside the oral traditions, as noise. Thus, as Carolyn Cooper asserts, there will be a continued contestation of detail, sources, memory, and voices, until the noise is reclassified as knowledge. Her description of the text *Noises in the Blood* is apt for this reflection on Jamaica's documentary heritage. She writes,

The word and the beat are the subjects of this study of Jamaican popular culture. In Gilroy's terms, 'language, gesture, bodily significations, desires' constitute the critical corpus—not the metastatic body as mummified museum corpse. Performance poetry, popular song, and autobiographical and biographical narrative are the informing texts. As informer, I invite readers to participate in a 'border clash', a crossing of the conventional boundaries of family; a reconfiguration of the 'ties of blood and fellowship' ... The technology of the word, both oral and scribal—those noises in the blood and the reverberating echoes in the bone—facilitates dialogue within a rehumanised community that includes posses, the informers, the police, the security forces, and even the former owners of the plantation that was, and is, the Americas.⁴⁷

It is time to recognize the noises in the Archives as knowledge.

Conclusion

Carolyn Cooper's reflective work on Jamaican popular culture presents an intriguing frame of reference for analysing the validity of Jamaica's documentary heritage currently held in the custody of the Jamaica Archives. The experiences of a prominent community, that has made Jamaican culture and identity famous, illustrate the clash of documentary cultures that still persists in the society. The 1963 Coral Gardens incident, which resulted in violence meted out to Rastafari brethren and those holding Pan-Africanist beliefs, had its genesis in the events of the 1930s that gave rise to the emergence of Rastafari in colonial Jamaica. Yet, in the post-independent Jamaica, the celebrated freedom from colonialism was still farfetched for some Jamaicans. Moreover, the archival records that have been retained perpetuate colonial prejudices under the guise of archival preservation and national heritage. The noise of the oral traditions is, in fact, the knowledge of the subaltern. The

knowledge of the hegemonic written text is just another perspective from those in authority. For Caribbean archives to be perceived as spaces of, and for access to, authentic memory of their societies, archivists and users must acknowledge the valid present yet silenced noises in their holdings.

Postscript: For too long has the supremacy of the archival document been upheld. Ascribing power and truth to one particular provenance, format, and language held in prominence in a building is to ignore the humanity of the other whose memory and truth are crafted and expressed in a different cultural normative that is lived and living every day. Archival silences shape and impact daily life, by endorsing prejudices, devaluing contributions, and annihilating diversity. The world already celebrates the culture of Rastafari, its food, language, music and its personalities, such as Bob Marley. It is time to validate their communal memory.

Notes

- 1 Carolyn Cooper, *Noises in The Blood: Orality, Gender and the 'Vulgar' Body of Jamaican Popular Culture* (Durham: Duke University Press, 1995), 2.
- 2 Cooper (1995), 2.
- 3 Rex Nettleford, *Caribbean Cultural Identity: The Case of Jamaica* (Kingston: Ian Randle, 2003), 2.
- 4 Frederick W. Hickling, *Owning Our Madness: Facing Reality in Post-Colonial Jamaica* Mona: CARIMESA: University of the West Indies, 2016, 25–26.
- 5 Michael G. Smith, 'West Indian Culture', in O. Nigel Bolland, ed., *The Birth of Caribbean Civilization* (Kingston: Randle, 2004), 364–365.
- 6 Cooper (1995), 3–4.
- 7 Mervyn Alleyne, 'Linguistics and the Oral Tradition', B. Higman, ed. *General History of the Caribbean: Methodology and Historiography of the Caribbean* Volume IV, London: UNESCO Publishing, 1999, 20, 21.
- 8 Elsa Goveia, 'Slave Society in the British Leeward Islands at the End of the Eighteenth Century', in O. Nigel Bolland, ed. *The Birth of Caribbean Civilization* (Kingston and Miami: Ian Randle, 2004), 433.
- 9 Cooper (1995), 4.
- 10 See Carol Francis' interesting review and discussion of audiovisual archives in Jamaica, 'The Costs of Preserving the Audio Visual Heritage of Jamaica', Unpublished MA (Archives and Records Management) dissertation, Mona Campus, University of the West Indies, 2019.
- 11 Cooper (1995), 4.
- 12 See I. Wakeling, 'Preserving the Organization's Life-Blood: Organizational Change and the Role of Records Management in the Charity Sector: A Case Study of The Children's Society', *Records Management Journal* 14, no. 3 (2004), 116–123.
- 13 See 'Blood Disorders: Why Should I Know About Blood Conditions?' www.hematology.org/education/patients/blood-disorders# accessed 12 June 2020.
- 14 Verne Harris, 'The Archival Sliver: A Perspective on the Construction of Social Memory of Archives and the Transition from Apartheid to Democracy', in Carolyn Hamilton, et al., *Refiguring the Archive* (Dordrecht: Kluwer Academic Publishers, 2002), 135.
- 15 John Tosh, *The Pursuit of History: Aims, Methods and New Directions in the Study of History* (London: Routledge, 2015), 255.
- 16 Eduard Glissant, 'Closed Place, Open Word', in O. Bolland, ed., *The Birth of Caribbean Civilisation* (Kingston and Miami: Ian Randle, 2004), 275.
- 17 Verne Harris, 2002, 135.

- 18 Ordinarily, Rastafarianism, as a noun, would refer to the ideologies and practices held by members of the Rastafari faith. However, Rastafarians consider the suffix 'ism' as disrespectful because they negatively interpret the various ideologies and occurrences, undertaken as part of various 'isms and schisms' that consequently afflicted black people. Thus, Rastafari is considered more acceptable as a descriptor by the movement and will be used as such in this work.
- 19 Central to the political agitation were the socio-economic stagnation that plagued West Indian societies since 1838, when legislation on emancipation of the enslaved was finally promulgated. There was no real development of social, political and economic conditions for over a century. See K. Watson and P. Bryan's *Not for Wages Alone: Eyewitness Summaries of the 1938 Labour Rebellion in Jamaica* (Mona: University of the West Indies, 2003) or R. Hart *Rise and Organise: The Birth of the Workers and National Movements in Jamaica (1936–1939)* (London: Karia Press, 1989) for further readings on the Jamaican uprisings.
- 20 Alexander Bedward was a spiritualist and activist, advocating for 'land for the landless, food for the hungry, and jobs for the unemployed. He also asserted the right of all Africans to return to the continent (of Africa), if they so desired, at the expense of the British government which had violently uprooted them from there.' See P. Hylton and Maye Klaus, *The Role of Religion in Caribbean History: From Amerindian Shamanism to Rastafari* (Washington: Billpops Publications, 2002), 214. His preaching and healing services made him very popular with thousands of followers. No doubt, his preaching upset colonial administrators and churchmen. Bedward was deemed a lunatic by colonial authorities and placed in the asylum, where he eventually went insane and died.
- 21 See R. Lewis and P. Bryan, *Garvey: His Work and Impact* (Mona: University of the West Indies, 1988).
- 22 Daive Dunkley, 'Leonard P. Howell's Leadership of the Rastafari Movement and his "Missing Years"', *Caribbean Quarterly* 58, no. 4 (2012), 1.
- 23 Daive Dunkley, 2012, 5.
- 24 'Livivity' refers to the lifestyle of Rastafari, including its spirituality, passivism and cultural normative.
- 25 Rastafarians are known for their own unique linguistic expressions, and as such, definitions will be alluded to in the footnotes. 'Reasoning' refers to such small group gatherings and individual meditations.
- 26 For full discussion on the Rastafari's community archives work see Stanley H. Griffin, 'Putting Up Ah Resistance: Rastafari Records, Struggles and Triumphs', in Jeannette Bastian et al., *Decolonizing the Caribbean Record: An Archives Reader* (Sacramento: Litwin Books, 2018), 475–502.
- 27 By the time this research was conducted, the entire world, including Jamaica, was engulfed in the COVID-19 pandemic, which resulted in a universal lockdown. Gratefully, staff at the Jamaica Archives offered digitisation services, and the perused files were made available. While this affected the depth of the research, no doubt this chapter would not be possible without the remote access provided by Mrs Racquel Stratchan-Innerarity (Chief Archivist), Mrs Marsha Vassell and Ms Kimberly Blackwin, who facilitated this research as expeditiously as possible, and whose efforts are graciously acknowledged.
- 28 See the folios in Jamaica Archives file, 1B/5/79/735: 'Sedition in St. Thomas – sent to the Colonial Secretary from the Inspector General proposing that some sort of legal action be taken against Howell before it is too late'. Dated 28/12/33. C.S.O. Conf. 1130, 'Sedition in St. Thomas' – indicates that Howell, Hinds, Jackson and Shaw were arrested the day before on the charges of sedition. Dated 29/12/33.
- 29 St Thomas is the parish on the south easternside of the island, with a long history of rebellion and agitations led by black men and women, including the famed 1865 Morant Bay Rebellion, which led to over 800 black men and women being killed by colonial militia forces. This triggered the imposition of direct rule from the Colonial Office, a system of governance termed Crown Colony government, as well as the restriction of the franchise

- for voting and membership in the Assembly, which was increasingly being populated by wealthy free coloured and black men. Small social and infrastructural advances were made, such as access to land plots for the masses. However, the fear of the rebellion never dissipated. The insurrection had its genesis in the Native Baptist Church with the sermons of Paul Bogle. See Sarah Winter, 'On the Morant Bay Rebellion in Jamaica and the Governor Eyre-George William Gordon Controversy, 1865-70' (n.d.) *Branch Collective* www.branchcollective.org/?ps_articles=sarah-winter-on-the-morant-bay-rebellion-in-jamaica-and-the-governor-eyre-george-william-gordon-controversy-1865-70 accessed 1 August, 2020
- 30 Jamaica Archives file, 1B/5/79/735: 'An order from the Governor titled "The Jamaica Defence Regulations, 1939, Order (under regulation 25 (2))" prohibiting the holding of a meeting of the Rastafari Sect or Ethiopian Salvation Society.
 - 31 Jamaica Archives file, 1B/5/79/735: From the Attorney General dated 15/2/40 to the Hon. Colonial Secretary. Letter stating that the order could not be made based on certain regulations.
 - 32 Jamaica Archives file, 1B/79/735: From the Commissioner of Police 27/2/40 to the Hon. Colonial Secretary. Letter from the Commissioner disagreeing with the Attorney General re: his opinions on Howell & his meetings.
 - 33 Jamaica Archives file, 1B/5/79/735: From W.E. Barclay to W.C. Adams, dated 31 October 1933. Letter requesting that Adams influence be used in Court in regard to who was presiding over the case so that they could be well informed about Howell & his doings. (Original Copy.)
 - 34 Jamaica Archives file, 1B/5/79/735: From A. Bustamante to Hon. Colonial Secretary, dated 6 July 1939. Letter suggesting that communication in regard to Howell be made to the Inspector of Police in St Thomas.
 - 35 See Stanley H. Griffin, 'Putting Up Ah Resistance', 2018.
 - 36 Jamaica Archives file, 1B/5/79/735: Letter from Detective Inspector of Police to Inspector General re reports of the meetings of L. Howell, 17 June 1933.
 - 37 Jamaica Archives file, 1B/5/77/283: Letter to HE Sir Edward Denham, Governor of Jamaica from Kingston and St Andrew Civic League, 26 January 1937.
 - 38 Jamaica Archives file, 1B/5/77/283: Letter to Governor of Jamaica from King of Kings Ethiopian Salvation Society in response to the January 261,937 letter to the Governor as published in the Daily Gleaner, signed but undated.
 - 39 Jamaica Archives File, 1B/5/77/283: Letter to Governor of Jamaica from King of Kings Ethiopian Salvation Society in response to the January 261,937 letter to the Governor as published in the Daily Gleaner, signed but undated.
 - 40 A colloquial term for marijuana, consumption of which plays an essential part of the Rastafarian worship, the herb is seen as a sacrament, and lifestyle, as the plant is smoked and/or taken as tea.
 - 41 S. Kitzinger, 'The Rastafarian Brethren of Jamaica', in M. Horowitz (ed.), *Peoples and Cultures of the Caribbean: An Anthropological Reader* (New York, 1971), 581.
 - 42 M.G. Smith, Roy Augier and Rex Nettleford, 'The Rastafari Movement in Kingston, Jamaica' University College of the West Indies, Institute of Social and Economic Research, 1960 (7th Reprint, 1988), 29
 - 43 Smith et al., 1960, 38.
 - 44 See 'Rastafarians Mount Protest at Education Ministry', *Jamaica Gleaner* 11 August 2020 <http://jamaica-gleaner.com/article/news/20200811/rastafarians-mount-protest-education-ministry>, accessed 11 August 2020.
 - 45 See 'Public Defender moves to implement Coral Gardens recommendations', *Jamaica Observer*, 11 January 2018, www.jamaicaobserver.com/observer-west/public-defender-moves-to-implement-coral-gardens-recommendations_122170?profile accessed 12 September 2020
 - 46 See Stanley H. Griffin, "Putting Up Ah Resistance, 20, 182.
 - 47 Cooper (1995), xii.

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5

SILENCED AND UNSILENCED MEMORIES

Archival fonds of Brazil's political police, 1964–1985

Renato P. Venancio and Adalson O. Nascimento

Introduction

The present chapter aims at identifying the destination of the archives of the political police amassed during the civil–military dictatorship in Brazil and the use of these archives in rights reparation and in the identification of crimes committed over that period. First, we aim at understanding the phenomenon of the Brazilian dictatorship from 1964 to 1985 in the context of Latin America; once such historical framework is outlined, we aim at the archives of the political police transferred to archival institutions and suggesting the destination of those whose custody was not identified.

Over the second half of the twentieth century, Latin America faced not only dictatorships but also the so-called ‘Truth Commissions’ or ‘National Commissions on the Disappearance of Persons’. As proven records of actions, the archive documents are of paramount importance to such commissions. To a certain extent, they encompass broader contexts and support the use of ‘dictatorship archives’ in rights reparation and liability. When it comes to a broader perspective on this debate, Charles Kecskeméti points out three periods: (1) the 1940s, at the end of World War II, when access to Nazi-Fascist archives revealed appalling violations and crimes that were adjudicated by criminal courts and that led to ethical norms for human rights; (2) the 1970s – with the rise of a new round of debates on the opening of archives of repressive institutions, mainly in Spain, Portugal and Greece at the end of dictatorships. Such historic moments are known for the importance given to access to information laws and legislative regulation of the field; (3) the 1990s – with the fall of communist governments in Eastern Europe, which was followed by a number of actions to promote access to documents from the archives of political police of those countries as well as the rise of human rights campaigns aimed at reparation of political persecution.¹

As one may note, the chronology proposed by Kecskeméti is significantly framed by the events of European history, but it also has links to Latin America, leaving room for both parallelisms and counterarguments. In Brazil, a dictatorship period ended in 1945, followed by amnesty. However, unlike the European experience, it did not include rights reparations and was based mostly on the notions of conciliation and pacification.² The second period holds some similarities. Despite the end of the military dictatorship occurring officially only in 1985 with the election of a new civilian president, the transition of the regime had begun in 1979, with the promulgation of a political amnesty law. It was in this period when an organised movement in defence of human rights arose alongside access to the documents from the archives of the repressive institutions of the dictatorship. From the 1990s, Brazil like several other countries in Latin America, benefitted from the end of the Cold War. The new global context after the collapse of communism left room for intense transference of archives from the military period as well as for fostering public access to them.

In order to understand such contexts, it is vital to provide an overview of Latin America during the implementation of the last and long-lasting Brazilian dictatorial government.

Brazilian dictatorship in the Latin American context

From 1964 to 1985, there were several military coups in a number of countries in Latin America on a par with that in Brazil. Indeed, this period encompasses just a short chronological period in a broader context of intense political instability in the region. As calculated by Lehoucq e Pérez-Liñán, 'Between 1900 and 2006, there were 162 coups d'état in Latin America, which took place in 139 country years'. According to scholars, the most common definition for such 'coups' is a 'successful attempt to overthrow the president executed by the armed forces', which might also encompass the involvement of civil society. Furthermore, such a definition might comprise either 'auto-coups', in which the president asks for army intervention, or coups that occur while another coup is already in place, such as when institutional rules are broken by the government that has been implemented after a military intervention, such as occurred in Brazil in 1969.³

Table 5.1 shows a sample of civil–military coups that occurred in several other Latin American countries during the Brazilian military dictatorship of 1964–1985. It is just a sample and it is worth noting that a number of additional military coups occurred over the continent in previous and subsequent periods. The first aspect to be noted in the table is the variation in the intensity of such coups. There are countries such as Bolivia in which breaking institutional order seems to be the norm. On the other hand, there are countries such as Chile, where there is one single intervention that lasts for several years; in addition, there are intermediate cases, such as Brazil, Argentina and Peru.

However, how could one explain such diversity? In a certain way, the data reveal the existence of phenomena that pervade those countries as well as specific traits

TABLE 5.1 Military coups in Latin America, 1964–1985, by country and year

<i>Countries</i>	<i>Coups</i>
Argentina	1966, 1971, 1976
Bolivia	1964, 1969, 1970, 1971, 1978, 1979, 1980, 1981, 1982
Brazil	1964, 1969
Chile	1973
El Salvador	1979
Ecuador	1972
Guatemala	1982, 1983
Honduras	1972, 1975, 1978, 1980
Panama	1968, 1982, 1984
Paraguay	1989
Peru	1968, 1975
Dominican Republic	1963, 1965
Uruguay	1973

Source: Lehoucq and Pérez-Liñán, 'Breaking Out of the Coup Trap,' 1105–1129.

in each of them. A common pattern revealed by seminal works is the proliferation of coups d'état that occurred in Latin America as well as worldwide. According to literature, from the end of World War II to the late twentieth century, the highest number of interventions occurred worldwide between 1965 and 1969, which was also a period of political instability in Latin America. Such generalised instability stemmed from the Cold War alongside the subsequent polarisation that divided the world into either communist or capitalist countries. From such a bipolar perspective, any movement in favour of autonomy was viewed warily as it was seen as a search for independence from the sphere that the country belonged to. Therefore, Latin America, capitalist countries aligned with the United States, was an arena where the American government fought against communist movements or revolutions as well as against democratic political movements, which they regarded as suspicious due to their nationalist nature. This was the experience of Brazil.⁴

When it comes to the chronological diversity of coups, the specificities of each country are also quite revealing. One of such specificities is the different forms of organisation of the military and the presence or absence of consolidated military leaders. In such a matter, it is worth comparing Bolivia and Chile. Whereas the former experienced a series of subsequent interventions resulting from weak and questionable military leaders, the latter was governed by Pinochet from 1974 to 1990 without opposition from within the military ranks. These contrasts could stem from different types of organisation of military education, just one example of causal correlation. The different chronologies might also suggest the presence of deeper influencing factors, such as different levels of economic development. However, one may note the warning of experts that direct correlation between economic development and the implementation of dictatorships may not be the norm in all circumstances:

Data since the mid-1960s are still generally consistent with such findings, with less 'developed' countries such as Bolivia, Haiti, and Honduras most prone to coups, for example ... although long periods of military rule in countries such as the more 'developed' Brazil (1964), Chile (1973), and Uruguay (1973) tend to call into question such an association, and, above all, its significance.⁵

Another important perspective in terms of differing Latin American historical experiences is the specific political contexts.⁶ Besides the dictatorial civil-military government of 1964-1985, Brazil experienced a previous dictatorship from 1937 to 1945. Although the latter had been heavily supported by part of the army, it was led by civilians and its dictator, Getúlio Vargas, had his political roots in the oligarchies of the State of Rio Grande do Sul. By contrast, in Argentina, military dictatorships occurred much earlier than the three of 1966-1976, namely, in 1930, 1943 and 1955.

Such military interventions, as previously mentioned, go hand in hand with the extreme polarisation of the Cold War, which intensified from 1959 on with the revolution in Cuba and its subsequent Soviet alignment. On the other hand, there are specific political factors inherent to each country that must be taken into account. When it comes to Brazil, various crises occurred over the years prior to 1964. In the Brazilian political system of the time, president and vice-president were elected independently; thus the resignation of a right-wing president in 1961 left room for the nationalist left-wing vice-president João Goulart to take power. In that year, 1961, the army was inclined to orchestrate a coup d'état. It was not a mere attempt – it had already been tried in 1954 – but it was controlled by the nationalist group in the Brazilian army. Nevertheless, the crisis occurring in 1961 was partially resolved by means of a governmental shift to parliamentarianism, which would significantly restrict the power held by the new president. In order to be institutionalised, the new parliament relied on a referendum, which Brazilian voters rejected in 1963, thus allowing Goulart to take over in a presidential regime.⁷ This situation led to a new political crisis that ended up in a civil-military coup on 1 April 1964.⁸

In the military coup of 1964, the members of the Brazilian army did not act alone. This intervention was also supported by rural landlords, who were concerned about the implementation of agrarian reform. In addition to this segment of society, conservative groups from the Catholic Church and the middle class were also actively engaged in the movement, as they feared the 'Communist Threat' disseminated by the press. In fact, this coup favoured the business sector, which advocated for economic development of the country with international capital and, at the same time, expected commensal support from the army in the repression of labour unions in order to constrain their push for higher wages.

Due to its long-lasting nature, the Brazilian military dictatorship should be viewed in different stages. Prior to 1967, some institutional guarantees had been maintained, the National Congress had its autonomy and an opposition party was authorised: 'Movimento Democrático Brasileiro' (MDB). Conversely, the second phase of the dictatorship starts in 1968, with a subsequent suppression of elections: first, presidential, and then gubernatorial and even mayoral races in the state capitals. This situation enhanced extremist political actions with a proliferation of urban

warfare against the dictatorship. In turn, the army adopted extremist actions, promulgating the Institutional Act Number 5, which allowed the National Congress to be closed and suppressed virtually all individual legal rights of habeas corpus.⁹

As shown in Table 5.1, such inclination for suppression of rights and political constraint in Brazil led to a new military coup in 1969. In that year, president General Costa e Silva died before completing his five-year term. The vice-president was Pedro Aleixo, a conservative politician, but a civilian. The death of Costa e Silva, who had been elected by an electoral college composed of military staff, had left room for a civilian to take office. Nevertheless, it did not happen, and a coup occurred in the midst of the political regime, which had resulted from the previous coup. Thus, the vice-president did not take over and a junta comprising three generals assumed power until another, General Emílio Garrastazu Médici, took office.

In the first three years after the coup in 1964, it is worth noting that the repressive actions were mainly aimed at nationalist and moderate political segments. Several senators and congressmen had their mandates abolished and, in the same vein, congressmen from state legislative assemblies, city councillors, as well as trade union leaders and civilian and military public servants faced similar repression. In 1968 and in the following years, guerrilla warfare groups became the new target of the dictatorship while repression spread further to members of the press, intellectuals, and even members of the Catholic Church, who had initially supported the military coup.

Such a wide array of persecution resulted in an increase in the violation of human rights, ranging from torture or murder committed by state agents to dismissal or compulsory retirement of public servants. Such violations of rights and the attribution of responsibility to those involved in the end would be identified in the archival collections by the political amnesty movement.

Rights reparation policy and archives

The coup in 1964 led to a wave of political persecution and, as a consequence, it also left room for resistance movements and defence of democracy. No sooner had the novel political regime been implemented than there were opposing movements that involved the army. Furthermore, in the same year, there were rumours of political amnesty that were later denied. A note was published denying the amnesty in a journal in the city of Rio de Janeiro:

General Costa e Silva denied yesterday that there was any action on the part of the Government intended to grant full or partial amnesty to those arrested in the movement on April 1st. The statement by the Minister of War was made yesterday afternoon, in Laranjeiras, soon after his meeting with the president [General Castelo Branco].¹⁰

In the first phase of the Brazilian civil-military coup, the official discourse referred to a short-term political intervention. However, by 1968 it was blatantly obvious

that the intervention had no end date. International mobilisations against the dictatorship date back to that time and the coup led to a stronger bond between opposition political leaders from Brazil and the United States.¹¹ In spite of such effort, the fight for amnesty [for victims of the regime] was long and would not come without difficulty. The amnesty movement gained strength in 1974 because of the favourable outcome of the legislative elections. Nevertheless, the dictatorship endured and there were moments in which president General Ernesto Geisel stated that under no circumstances was there any room left for political amnesty.¹²

Notwithstanding such clear language, Brazilian society responded. The cause for amnesty would gradually win over an increasing number of opposition politicians, trade union leaders, student movement activists and members of the Brazilian Bar Association, as well as of the Brazilian Press Association. The first formal pro-amnesty association, 'Women's Movement for Amnesty' was founded in 1975. In the three years that followed, several Brazilian 'Committees for Amnesty' were created within a number of Brazilian states and abroad. Moreover, the 'First National Conference for Amnesty' was held in 1975 and it encompassed different Brazilian social movements in favour of 'ample, general and unrestrained amnesty' (for those considered enemies of the regime). By 1979, the campaign was widely supported by the public, even among moderate military sectors. When it reached a level of pressure that the dictatorial government was not able to handle, president General João Batista Figueiredo sent a bill to the Brazilian National Congress. As the bill did not grant amnesty to participants in guerrilla warfare, offenders of 'bloody crimes', it did not live up to the expectations of the opposition; whereas on the other hand, as written, State agents involved in torture and murder would be granted amnesty.¹³

After hot debates and disputes in Congress, the basic form of the Amnesty Law remained; however, the following article was added:

The civilian and military public servants who have been dismissed, had their positions eliminated, been retired, been transferred to reserve, or been reformed are to be returned to work within 120 days after promulgation of this law.¹⁴

This article made way for the first rights reparation; however, evidence proven in court was required, leading to a search for archival documents.

Immediately after the promulgation of the amnesty law, a number of lawsuits were filed to free individuals who had been arrested for participation in guerrilla warfare. While some were granted a pardon from President General João Figueiredo, others had their lawsuits heard by military courts.¹⁵ Meanwhile, the Brasil: Nunca Mais Project (Brazil: Never Again) began amassing documents to block the unfair amnesty of torturers. This project is defined as follows:

Brazil has one of the best archives of authoritarian political trials in the world. During the early 1980s, the Catholic Church's Archdiocese of São Paulo assembled a secret team of lawyers and researchers that checked out and

photocopied 707 cases, involving over 7367 defendants, from the Superior Military Court. [...]

The Archdiocese's archive, entitled *Brasil: Nunca Mais* (Brazil: Never Again) contains over a million pages of documentation on how Brazil's military regime monitored, investigated, arrested, tortured, incarcerated, and prosecuted alleged terrorists, 'subversives,' opponents, and dissidents. For very few other twentieth-century authoritarian regimes do comparable archives exist, and there is certainly no equivalent to *Brasil: Nunca Mais* in the rest of Latin America.¹⁶

Although this quotation refers to 'archives', the documents were copies assembled illegally, and removed from their original contexts. Thus, their use as evidence against State agents who had violated human rights was compromised, while they effectively shed light on the barbaric acts perpetrated against Brazilian citizens who opposed the dictatorial regime.

In effect, the *Brasil: Nunca Mais* Project led to a growing pressure to open the archives. The new Constitution approved in 1988 was a substantial step towards that aim. Indeed, it reaffirmed the previous legislation, granting amnesty to all individuals 'affected by exclusively political motivations'. Furthermore, the new Constitution provided the writ of habeas data, which provided citizens with full access to public documents about themselves.¹⁷ After the promulgation of the Constitution, parliamentary commissions were formed to foster storage in archival institutions, of the documents from the political police which had been made defunct by the new legal institution.¹⁸ Initially, this procedure did not occur without resistance. One may note that a law of 1978 regarded the National Archives as an archival authority but only having authority over semi-current records and the historical archives of Brazilian public administration. In 1991, new legislation extended the authority to the current records, enabling the main Brazilian archival institution to evaluate records that remained in administrative sectors of the political police departments. In the same vein, control was given to state and municipal archives under the aegis of the National Archives.¹⁹

Throughout the 1990s, citizens who had been persecuted or murdered, relatives of such murdered individuals, and members of organised civil movements demanded investigation and compensation be given to these political prisoners or their surviving families. Nevertheless, the recognition of the crimes committed during the dictatorship did not occur in the short term. The political transition that was negotiated and, to a greater extent, controlled by segments that encompassed the military government posed constraints to reparation of human rights violations for a period. However, Brazil's first president to have been persecuted during the dictatorship took office in 1995. Fernando Henrique Cardoso had been exiled in 1964 and when he returned to Brazil, had his position as a sociology professor at Universidade Federal de São Paulo (Federal University of São Paulo) withdrawn in 1968. His election opened the political possibility for the reparations of rights of citizens who had been politically persecuted. During his first year in office, the *Lei dos Desaparecidos* (Missing Persons

Act) was passed, implementing a special commission in charge of identifying missing individuals who had not yet been listed in lawsuits. The commission was also charged with accelerating investigative procedures to locate the remains of victims of the dictatorial regime and assuring the issuance of death certificates for relatives of the missing so that they could seek compensation.²⁰

In 2001, a constitutional amendment finally regulated the right to compensation of citizens persecuted during the dictatorship and 5895 requests for compensation were registered by the Department for Constitutional Affairs (Ministry of Justice).²¹ In 2002, the law establishing the Comissão de Anistia (Amnesty Commission) provided amnesty to individuals persecuted during the dictatorship as well as before and after. The individuals entitled to receive compensation were as follows: those affected by institutional acts; those who had gratifications deducted from their salaries as State agents; those dismissed from public service without just cause; those prevented from practising certain professions; students who had received disciplinary measures without justification; those punished with loss of retirement; those prevented from taking office in the public sector; and even those who were 'compelled to take office without salary' despite having been duly elected to office.²²

In addition, the text of the law of 2002 states that the Amnesty Commission should 'foster due diligence, gather information and documents, hear witnesses, and issue technical opinions in order to instruct lawsuits'. The documents mentioned are archival in nature, consisting of direct evidence, and are therefore considered valid by the Brazilian Court. In this first phase, the records of the political police at the state level are the main sources consulted. Since the 1920s, public security sectors have been created in Brazil. Therefore, the records date back to the period of the so-called 'oligarchic governments'. The archives had remained active over the democratic periods and were expanded during the dictatorship implemented in 1964.²³

In general, the political police departments were called 'Political and Social Order Police Stations' known by the acronym DOPS or DEOPS. These police stations produced documents with varied typologies of documented activities for prevention, control and repression of opponents of the regime. Examples of such documents are inquiries, police investigation reports, incident reports and diligence records, testimonies of inmates and witnesses, as well as letters and documents exchanged between the repressive departments of the Brazilian states and the federal government.²⁴ With regard to the states of São Paulo, Espírito Santo and Pernambuco, the documents were collected from their respective police stations and transferred to archival institutions in 1991; this occurred in Rio de Janeiro and Maranhão in 1992, and in Minas Gerais and Paraná in 1998. The other transferences occurred more recently, such as in the case of Ceará and Goiás, in 2005; or of Paraíba, where lack of public archives resulted in the DOPS fond custody being assumed by a documentation centre at a federal university in 2006. Transferences have also been mediated by universities that did not have the administrative infrastructure to handle the documents and provide access to them, as it happened in the State of Alagoas in 2010, as this service is provided only when the documents are transferred to public archives.²⁵

One may note that there was a long gap between amnesty and the effective availability of access to documents from repressive departments in Brazil, be it due to late institutionalisation of habeas data, ten years after amnesty, or due to the lack of depositing the documents for treatment in public archives. The long period without definite archival destinations as well as treatment of the fonds of the departments of State political police constrained the process of rights reparation and posed a risk of destruction to the documents, either intentionally or due to poor conservation. In the states of Bahia and Minas Gerais, for instance, there have been reports of destruction of such collections, but a remainder of the cache has been saved because it was preserved on microfilms that have been recovered.²⁶

Figure 5.1 presents a means of estimating losses. In the grey states on the map (Alagoas, Ceará, Espírito Santo, Goiás, Maranhão, Minas Gerais, Paraíba, Paraná, Pernambuco, Rio Grande do Norte, Rio Grande do Sul, Rio de Janeiro, São Paulo, and Sergipe) public archives or academic documentation centres have transferred the documents from the DOPS. In turn, the states in white (Acre, Amapá, Amazonas, Bahia, Mato Grosso, Pará, Piauí, Rondônia, Roraima, and Santa Catarina) have not been able to preserve the archival fonds.

To a certain extent, Figure 5.1 reveals different factors of the preservation of state records. The highly industrialised areas with significant urbanisation, namely São Paulo, Rio de Janeiro, Minas Gerais, Paraná, and Rio Grande do Sul preserved their DOPS archives. There was considerable mobilisation from society in such areas, compelling state legislative assemblies to enact laws and decrees enabling preservation.²⁷ Of equal merit is Northeastern Brazil, where similar movements occurred. It is an area with a strong tradition of political confrontation in farmlands that favoured agrarian reform. By contrast, when it comes to preserving these archives, the areas inhabited principally by indigenous people or by individuals relying on extractive activities did not meet with success, such as in the case of Amazonas and Pará in Northern Brazil (Figure 5.1).

As one may have already noted, the political rights reparation in Brazil is complex and ambiguous at times. Studies on other countries may show contexts showing a lack or a complete destruction of documents attesting human rights violation; for example:

[In Chile], unlike what happened in other Latin American countries the archives were, therefore, collected by opponents of the dictatorship and by its victims [...], for example, the archives of DINA [(National Intelligence Management)] or the CNI [Central Nacional de Inteligência (National Intelligence Center)] either do not exist or remain unavailable to the public.²⁸

Thus, in that country, although there were kidnappings, torture and murder, there is poor archival record of such practices so that rights reparation would have to rely on 'alternative documentation' such as testimonies and personal memories to prove the atrocities committed.²⁹ Similarly, in Argentina, few archives of political police

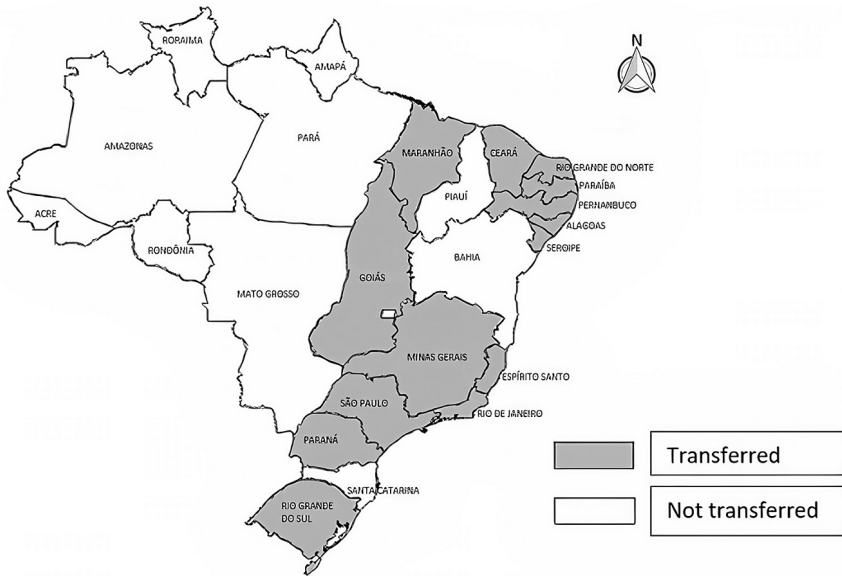


FIGURE 5.1 States where Public Archives and Academic Documentation Centers transferred Political Police (DOPS) fonds. Source: Brasil, ‘Memórias Reveladas,’ last modified 1 January 2020, www.memoriasreveladas.gov.br/

have been found and made available to the public, in spite of the strong declarations of the government against silence and secrecy. The National Argentinian Memory Archive was founded in 2003 and it ‘expresses a clear political intention of “institutionalizing” memories of repression of the Argentinian State’.³⁰ In Brazil, however, there is extensive documentation from regional as well as federal departments of political police, as we will further explain in the next section.

Truth commissions and archives

Rights reparation seems to be just one aspect of transitional justice that pervades post-dictatorial periods. Another aspect may be the identification and punishment of public agents who committed crimes, torturing or murdering citizens under State custody. In order to approach this issue, we draw on documentation from federal political police departments associated with the ‘National System of Information and Counter Information – SINI’, whose operational department was the ‘National Information Service – SNI’, which was implemented in all sectors of federal public administration, be it the ministries and their supplementary departments or the public foundations, autarchies and mixed-capital companies, assuming different roles such as information assistances.³¹

These archives are available at ‘Memórias Reveladas – Centro de Referência das Lutas Políticas no Brasil (1964–1985)’ website (Unveiled Memories – Reference

Center for Political Confrontation in Brazil (1964–1985)), a platform designed in 2005 that foresaw the creation of institutions to preserve ‘information, documents, archives, [and] artistic objects with symbolic value about the violation of Human Rights during the military dictatorship in Brazil’.³²

The impactful initiative of the centre received such acclaim nationwide that it was named as an official Memory of the World by UNESCO.³³ Since the first decree that implemented the Unveiled Memories Project, there have been great expectations placed on the key role played by the National Archives, creating links, and integrating public and private institutions at municipal, state and national levels:

The management of the Unveiled Memories Reference Center was assigned to the National Archives, requiring, for the first time, cooperation between the Union, states, and the Federal District for online integration of archives and public and private institutions, remaining in permanent contact in order to enable the transference of documents of the political police and to foster conditions for their custody, preservation and [public] access.³⁴

In 2009, the Presidency of the Republic Civil Affairs Ministry expanded the scope of the proposal through a decree, proposing not only custody and treatment of archival records of repressive institutions, but also their reformatting through scanning.³⁵ The very same decree proposed legislative changes, aiding the subsequent approval of Brazil’s 2011 Access to Information Law.³⁶ That act removed the constraints on access of scholars to most of the documents from DOPS. A number of archives had limited access to documents containing personal information to protect privacy. Such constraints on access were the subject of hot debates among academics in Brazil in the 1990s and 2000s. As James Green summarised the issue:

How could we work on personal data that are in the millions of documents within the archives of repression? Until today, each state has a distinct interpretation of the law that regulates access to the archives from the political police. Some states provide any person interested in it with open access to the archives of repression, on the condition of signing the terms of use of information from the documents. The file administrators are in charge of registering who consulted the material and when it happened, as well as preserving the documents. Other states interpret the laws on access to information in a different way. The directors of such archives limit the researcher to generic documents from a certain organisation considered subversive, granting no access to any material about an individual without their permission or, if deceased, requiring consent from their closest relative.³⁷

The Access to Information Law brought about significant change to this scenario. The norm stated that ‘information from documents on actions resulting in the

violation of human rights committed by State agents or ordered by public authorities may not be subject to restriction of access'. The law also assured, for the first time:

Restriction of access to information on the private life, or honor and image of a person cannot be invoked with the aim of affecting processes of investigation of irregularities in which the information owner might be involved, as well as actions aimed at recovering relevant historical facts.³⁸

Subsequently, a presidential decree regulated the process, establishing forms of recognition and availability of documents containing personal information considered relevant to history. In 2012 and 2013, the Brazilian National Archives published nine public notices listing archival datasets containing personal information that had open access. The greater part of the documents refer to political police activity in federal jurisdiction during the Brazilian civil–military dictatorship.³⁹

One of the first actions proposed by the National Archives, regarding the Unveiled Memories Project, was bringing the attention of the Civil Affairs Ministry to the Brazilian archival legislation and to an effective practice of public archives that have gathered documents of the political police. For this reason, the Reference Center of the Unveiled Memories Project was founded, aimed at designing policies for access and assistance to the Truth Commission, instead of aiming at the cataloguing of documents.⁴⁰ The commission released a final report in 2014, identifying 377 persons with political-institutional liability or with actions leading to serious violation of human rights.⁴¹

The Unveiled Memories Project consists of a network of 29 institutions that preserve collections from DOPS.⁴² When accessing the federal collection, one may note that transfer occurred late and that there has been some destruction. In order to illustrate this point, we selected institutions that integrated the 'National System of Information and Counter Information' or SINI and, in particular, the Divisions and Ministry Assistance associated to the feared National Service of Information (SNI). In Table 5.2, one can appreciate a similar complex and ambiguous situation observed in the state archives: despite the high number of archival datasets of the intelligence services catalogued by the National Archives, there seems to be some noticeable gaps: Out of the 16 relevant ministries active between 1964 and 1985, ten had their documents transferred; that is, 62.5%. The loss of the remaining documents is not due to the closure of the departments, but rather theft or removal of part of the books or files.

Brazil may be judged to have an extremely slow and incomplete process of rights reparation and punishment of human rights violators. The relationship between the archives and the situation of injustice seems to be both complex and ambiguous. Preservation of archives opened the door for rights reparation and the identification of State agents who had violated human rights, despite the existence of important gaps and document loss. It is the primary impact of such regional and institutional

TABLE 5.2 Transfer of documents from the political police of the Ministries of the Brazilian Federal Executive Power

<i>Ministry</i>	<i>Transfer date</i>	<i>Date range of documents</i>
Justice	1990	1946–1986
External affairs	2007	1966–1985
Health	2007	1964–1990
Agriculture	2008	1952–1993
Education and culture	2008	1963–1991
Mining and energy	2008	1975–1988
Finance	2008	1965–1971
Social security and social assistance	2009	1979–1991
Aeronautics	2010	1964–1985
Navy	2011	1968–1977
Defence	–	–
Transport	–	–
Industry and commerce	–	–
Interior	–	–
Labour	–	–
Communication	–	–

Sources: Brasil, 'Decreto-lei N. 200, de 25 de fevereiro de 1967. Dispõe sobre a organização da Administração Federal, estabelece diretrizes para a Reforma Administrativa e dá outras providências', [www2.camara.leg.br/legin/fed/decllei/1960-1969/decreto-lei-200-25-fevereiro-1967-376033-norma-atualizada-pe.html](http://www2.camara.leg.br/legin/fed/decllei/1960-1969/decreto-lei-200-25-fevereiro-1967-376033-norma-1967-376033-norma-atualizada-pe.html); 'Sistema de Informação do Arquivo Nacional', Arquivo Nacional, last modified 1 January 2020, <http://sian.an.gov.br/sianex/consulta/login.asp>

differences upon the citizens' full exercise of their rights ensured by the Brazilian amnesty legislation.

Final remarks

From 2001 to 2019, out of 66,893 compensation requests sent to the Brazilian Amnesty Commission, 39,782 were accepted.⁴³ Preservation of archives from DOPS played an important role in the reparation of such rights. However, as mentioned throughout this chapter, there has also been a loss of several archival fonds from repressive state and federal institutions. One hypothesis to be further developed regards the impact of such a loss on the 27,112 compensation requests by individuals persecuted during the military dictatorship whose rights reparation applications were rejected. It is also noteworthy that despite the fact that the amnesty for Brazilian political prisoners was declared in 1979, 9000 requests for compensation and reparation are still 'to be analysed' in the Court 41 years later – a delay that might be due to the struggle to recover the relevant documents.

Last but not least, the Brazilian case is an example that shows archival documents as the foundation of accountability, understood here as a synonym for 'transparency, openness, trust, and responsibility', resulting in 'open access to government

records'.⁴⁴ In contrast to this concept is secrecy and 'cover-up', leading to a situation in which the 'state tends to be invisible to civil society' when it does not grant access to records so that liability can be attributed to the decisions of state agents.⁴⁵

The history of the archives from the Brazilian dictatorship is, in this sense, a dilemma between accountability and opacity. In archival studies, far from limiting it to technical procedures, such conflict is a battle for democracy and for a society that works to prevent such human rights violations from happening again.

Notes

- 1 Charles Kecskeméti, 'Les archives de polices politiques. Exposé introductif', in *Archives des dictatures. Enjeux juridiques, archivistiques et institutionnels*, ed. Marie Cornu and Jérôme Fromageau (Paris: l'Harmattan, 2015), 13–21.
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6

UNCOVERING ARCHIVAL SILENCES THROUGH PHOTOGRAPHS AND LISTENING

Envisioning archives as a democratic space

Iyra S. Buenrostro

On 12 May 1974, 20-year-old engineering student Lito Ocampo was arrested in a military round-up in Pangasinan. Together with the other detainees, he endured intimidation and was imprisoned for five years. Prior to Lito's arrest, the late President Ferdinand Marcos signed Proclamation No. 1081 that officially placed the entire Philippines under martial law on 21 September 1972. Marcos assumed all powers of government,¹ and authorised the military to arrest personalities including journalists, political activists and militant students who were explicitly against his administration.² A few years later when Lito was already discharged from prison, he met Rodolfo Benosa in a military camp in Bicutan. Rodolfo, a 33-year-old factory worker and a labour union leader, was arrested in his house in San Jose del Monte, Bulacan, in 1982. At the time of his arrest, torture and imprisonment, martial law was already suspended but Marcos continued to hold absolute authority over the country.

Marcos repudiated allegations of human rights violations committed under his command, and made subversion, rebellion, sedition and other political crimes capital offences in the midst of the increasing anti-Marcos sentiments.³ Civil liberties were evidently missing and so were adequate evidence and accounts of what was going on behind the pompous drapes of Marcos' *Bagong Lipunan* or New Society. There was widespread closure of media outlets, strict control of newspapers, magazines and student publications, and military raids on private residences, printing presses, universities and even libraries.⁴ In this perilous situation, stories of people like Lito and Rodolfo were expectedly absent in the mainstream media – and creating and keeping any documentation that was deemed subversive by the government would have put someone's life in danger at that time. However, Lito clandestinely took photographs of the detainees inside the prison – including Rodolfo. Lito used photographs as evidence that would stand for the victims and their family. His photographs are just a few slivers of the painful realities of this regime, and there

are a great deal of missing records of stories and experiences of people during this era – especially those in the margins. The absence of democracy created silences not only in the lives and consciousness of the people who lived through this time, but more in what would be committed to the collective memory and future perceptions regarding this period. The shift of government and political structures has also caused inexorable silences, as well as the acts of memorialisation wherein not all voices are loud enough to be heard and recognised – and not all silences are the same.

Marcos regime and its silences

As in all societies that experienced authoritarian rule, the Marcos regime has multiple sides and stories, consequently it will not have a singular representation and definite end. The historic EDSA People Power Revolution in 1986 may have publicly ended the Marcos regime and became the link to the transitional democratic government led by Corazon Aquino, but assembling the parts of the previous regime's memory puzzle is still ongoing. There are and will always be missing parts or silences that need to be acknowledged and appropriately addressed. The silences of the Marcos era have come from the regime itself, the succeeding governments that bid to deal with the past violations and the various acts of commemoration that attempt to form the official memory and narratives. In dealing with contested pasts, archivists are urged to embrace their power to interpret records and shape collective memory for the 'good of mankind'.⁵ This memory work is more than building monuments to the past, but is a commitment to democracy and a performance of human rights. Human rights archival records are essential for historical accountability as post-authoritarian governments confront past crimes and end impunity.⁶ The collective and organised effort to address these silences is likewise an act of raising awareness among citizens of their freedom and rights that they must responsibly exercise, value and protect.

Before the declaration of martial law in 1972, the Philippine press was extensively known as one of the freest in Asia.⁷ Thus, the termination of a core foundation of democracy was regarded as a tragedy by those who supported and respected freedom.⁸ Marcos justified martial law as his constitutional response to the 'state of anarchy and lawlessness, chaos and disorder, turmoil and destruction of a magnitude equivalent to an actual war between the forces of our duly constituted government and the New People's Army and their satellite organizations', and to the disturbances 'resulting from the unsettled conflict between certain elements of the Christian and Muslim population of Mindanao and Sulu'.⁹ The Filipinos, especially the upper and middle-class, initially accepted and tolerated the first years of martial rule for its supposed peace and order, and political and economic reforms.¹⁰ But this 'constitutional' response to social and political unrest left the country's economy in a shambles with billions of dollars of foreign debts, the nation's wealth plundered and thousands of human rights abuses.¹¹ Under the Marcos regime between 1972 and 1985, 70,000 people were incarcerated, 35,000 were tortured, 3257 were killed, 737

disappeared – and around 2520 or 77 percent of all victims were ‘salvaged’.¹² The word ‘salvage’ or ‘salvaged’ started to have additional meaning under the regime. Its meaning changed from rescue to bodies that were ‘tortured, mutilated, and dumped on a roadside for public display’ turning this intimidating act into a ‘theater state of terror’.¹³

In this time of fear and uncertainty, words about military abuses and people suddenly disappearing were heard through the grapevine. Without seeing and hearing evidence during this precarious state, the Filipinos conjured in their minds the images of this regime. These fleeting images may be deemed as missing or imagined records, which according to Anne Gilliland and Michelle Caswell, could help counteract the dominant power and act as symbols of the people’s shared grief and hope.¹⁴ With the death of Marcos in 1989, the victims and survivors like Lito and Rodolfo lost their chance to hear the dictator’s statement – or if there would be any expression of remorse and apology from his end. The testimony that could have at least set historical facts straight for the present and future generations seemed to have died with him. Aside from the missing physical evidence of the regime due to repressive protocols, Marcos’ would-be testimony constitutes another form of silence of this era that has an ‘imaginary agency to settle competing versions of history’.¹⁵ These missing records of the regime would have been useful in facilitating collective healing and possible reconciliation between the perpetrators and victims. However, as the living family members of Marcos have regained their political positions and never admitted their past wrongdoings,¹⁶ transitional justice in the country has also remained elusive. The transition from dictatorship to democracy likewise caused particular silences especially to the victims.

After more than four decades, no transgressor was punished and the Philippines is one of the few countries that did not complete the truth commission report.¹⁷ The investigation and recovery of the ill-gotten wealth of the Marcos family and their cronies has not been completely successful.¹⁸ The reparations for the victims were also delayed.¹⁹ With these issues encroaching the present, Randolph David argues that, ‘the termination of the dictatorship was never a clean break. There are discontinuities as well as continuities: some old faces in new roles, some new faces in an unchanged bureaucracy’.²⁰ While many have continued their struggle for justice and healing, many victims are now voiceless – old, sickly, and without a stable source of livelihood.²¹ Democracy was reinstated but the nation’s difficult past besieged by social inequalities continues to haunt the Filipinos.

Another form of silence can be found in the gaps of memory sites as well as the narratives and discussions they evoke. The post-dictatorship years have seen different memorialisation including the publication of books reporting incarceration, lives and struggles of political leaders and details of stories of volunteerism during and after the era of terror.²² But the remembrance of the Marcos regime is not only concentrated on the anti-Marcos narratives. Different commemorative sites were also built in Marcos’ hometown in Ilocos Norte and there are yearly festivities to celebrate his birthday.²³ His preserved remains displayed in his mausoleum for two decades were secretly buried at the *Libingan ng mga Bayani* or Heroes Cemetery on

18 November 2016. Earlier that year, the late dictator's son and namesake, Ferdinand 'Bongbong' Marcos, Jr, ran for the second-highest position of the executive branch of the Philippine government. As if on cue, these two events ignited nostalgia and debates especially in social media. The tension arising from the opposing recollections and views shows the great divide in the public opinion and understanding of the Marcos era. The dominant narratives in national imaginaries are mostly centred on Marcos and the EDSA People Power Revolution that ended his rule.²⁴ It can be seen here that the manipulation of official memory rests on the hands of the powerful, with sufficient agency and voices loud enough to be heard. Whereas, those in the margins 'remain marginalized; they continue to live on the outskirts, on the peripheries, on the fringes of power'.²⁵

With these observed silences, I searched for materials for my doctoral project on collective and individual memories of the Marcos regime. In early 2016, I was introduced to Lito by another photojournalist. Lito showed me some photographs he took in the 1980s as part of his human rights work and advocacy. He used photography as an instrument to counter the prevailing power that created silences during and post-dictatorship. The process of taking or 'creating' photographs incites power over memories. As Susan Sontag puts it, photography is a 'social rite, a defense against anxiety, and a tool of power' where the photographer intervenes documentation and situates himself and the subject in an 'image-world that bids to outlast us all'.²⁶ Besides the photographer's power to create tangible evidence of the past, the photographs' power over memories also lies on the various interpretations, functions and feelings they evoke. With the shifting underlying and perceived meanings in different temporalities, the activation of photographs should be continuously done as Eric Ketelaar writes, 'every interaction, intervention, interrogation, and interpretation by creator, user, and archivist is an activation of the record. The archive is an infinite activation of the record. Each activation leaves fingerprints which are attributes to the archive's infinite meaning'.²⁷ Activating these records from the margins by welcoming more voices and untold stories is one way of embracing the power and responsibility of archivists to create a democratic space. This space allows more nuanced discussions and understanding of the past, and progressive building of a better future.

Listening to the creation of photographs unravels rich stories and historical consciousness, as well as humanistic dimensions of archival theory and practice. Lito's photographs have disclosed one layer of silence and imaginary as they transcended the impossibility of creating evidence during a repressive time. These photographs that are not yet preserved in an archival repository may have achieved their original or primary purpose of documentation, but the other segments of realities captured within the frames remain to be sidelined – leaving questions such as, *Where are the photographs' subjects now? What were their thoughts and feelings then? How do they express and represent their own remembered experiences?* These additional layers of imaginaries are obviously missing and not being actively addressed by the traditional archival practices that are largely focused on data structures and limit the role of archivists in assembling contexts and meanings.²⁸ In activating photographs, the subjects must rightfully be treated as active participants or co-creators of the meaning and context

of records.²⁹ These unheard subjects, including Rodolfo, are some of the many individuals who are ‘delinked from the bourgeois network’ who continue to ‘persist in creating their own history’.³⁰

After a few months of searching and serendipitous encounters, I was lucky enough to meet Rodolfo and his wife, Celing. After hearing their stories, Celing said, ‘*Maraming salamat, anak, sa pakikinig*’ [Thank you very much, my child, for listening]. This made me think further of the many absences and silences that are waiting to be discovered and heard.

Listening to the silences through photographs

In a democratic society, citizens vote and accord power to those who can and must speak for them. However, in political and democratic conversations, they often ignore listening.³¹ While power is fundamentally associated with speaking and voicing one’s authority, what has not been fully explored is the potential of listening as a political, and at the same time, a humanistic act in the performance of democracy and human rights. In embracing the power to mediate records and memories in uncovering silences, archivists can also use their power to listen as an act of bearing witness to the voices that have been previously denied. Photographs, more than being visual evidence, are deeply entangled with listening to oral stories for the articulation of histories.³² As I intently listened to the stories of creation, co-creation and contextualisation of Lito’s photographs, the participants were not treated as ‘containers of information’, but as important and empowered agents who could freely recall and let things be seen and understood in a new light.³³ I was also fully aware that talking about their past and revealing parts of themselves with a stranger could possibly cause anxiety and discomfort. As I was grappling with this ethical issue, I was drawn to Caswell’s persuasive argument on the ethics of looking at violent images in her study of Tuol Sleng mugshots, that we can look at these photographs ‘as long as such looking is properly contextualized’.³⁴ With that, I was more sensitive and tried not to ask a lot of questions to let them freely talk and reflexively situate themselves in the photographs and the contexts within which the photographs operate.

Lito shared his stories as a human rights worker turned part-time photographer. At the time of his arrest in 1974, Lito did not consider himself as an activist but rather a sympathiser. He was only a college student then and courier for his brother’s underground newspaper, *Balita ng Malayang Pilipinas* (BMP or News from Free Philippines). His brother, top-ranking activist and co-founder of the National Democratic Front Philippines (NDFP) Satur Ocampo, started publishing BMP with the help of his wife and other activists. Lito delivered envelopes containing copies of BMP to other members of the underground movement, and some contacts in the government and media. Little did he know that working as a courier would lead him to jail for five years. Satur was also incarcerated in 1976.

Lito was released in 1979 and became a full-time activist helping the families of political detainees. He had seen and experienced the struggles of the imprisoned

activists and workers like Rodolfo. He joined KAPATID (*Kapisanan para sa Pagpapalaya ng mga Bilanggong Pulitikal sa Pilipinas* or Association for the Release and Amnesty of Detainees in the Philippines). They visited relatives and friends in prison, and campaigned for their release. Because the Marcos government publicly refused to admit military violence and unfair treatment of political prisoners, Lito, who simply wanted to work in the background, decided to produce evidence by smuggling in a camera even though he knew it was dangerous. This small camera, a half-frame one that doubled the shooting frame capacity of 35 mm film, was instrumental in his documentation of the life of the political detainees in Camp Bagong Diwa in Bicutan. Lito recounted:

There was an assigned marketer, a wife of another detainee, who bought food and supplies and brought them inside the camp. So I handed the camera to her ... and sometimes rolls of film whenever she would visit. She hid these underneath the vegetables or fruits. I would sometimes hide the film in my underwear, and we also handed some to female visitors ... the guards weren't that strict with females.³⁵

He continued to bring in rolls of films, which he would load into the camera away from view. He would stealthily take photos of the detainees and their activities inside. Once his visit was done, he would bring home the film, and carefully keep the camera inside the camp in Bicutan. He would then use the developed photographs in their mimeographed newsletter *Pahatid Kapatid*, where Lito was a one-man team that did all the production, mimeographing and distribution. His other important task was to release statements of the prisoners. Using the photographs that he secretly took, Lito made a stand and showed the side of the oppressed that was not usually seen and heard. While he was unsure of the actual reach of his photographs because of the difficulty of keeping and sending them to media outlets, he recalled,

I gave those to Joe Burgos³⁶ (WE Forum and Malaya) and Joel Paredes (Malaya) for publication. I was even confronted by [authorities], they were baffled by the photos since they didn't see any cameras brought and used by me or the prisoners in Bicutan. The ones I turned over to Joel Paredes ... [with] the one with 'We are Under Strike'. That came out, even carried by international papers. My shots and work were published internationally ... that was still during the time of sending hard copies by mail. Or I would ask foreigners heading straight for Europe to hand-carry the hard copies.³⁷

In one of his photographs, Rodolfo was the main subject, which provided a glimpse of the political prisoners' condition. It was taken during the prisoners' second week of fasting in 1982. Lito also went on hunger strike for four times when he was still detained. Even his own experiences were translated into the photographs he created. They were demanding not only freedom, but for more humane treatment and

better living conditions inside the prison. Looking at Rodolfo's portrait, the evidence of oppression is there. There may be no evident harassment or brutality, but the message is clear: detention cells are instruments of oppression and the political detainees' pleas deserve to be heard.

The stories of creation of these photographs that include the ways of inscription and transmission comprise a context-rich, reconceptualised provenance and continuous description of their origin.³⁸ The provenance of these photographs adds to a deeper understanding not only of the photographs themselves as tangible evidence, but the social conditions, people and forces that shape their production, circulation and meaning-making. Photographs operate not only as evidence, but also as sites of memory or *lieux de mémoire*. These are where memories and their interpretation take shape because the real events or environments are no longer present.³⁹ As sites of memory, photographs are loaded with meanings and various forms of affect. Affect is an important aspect of social justice work and aims that enables both contestations

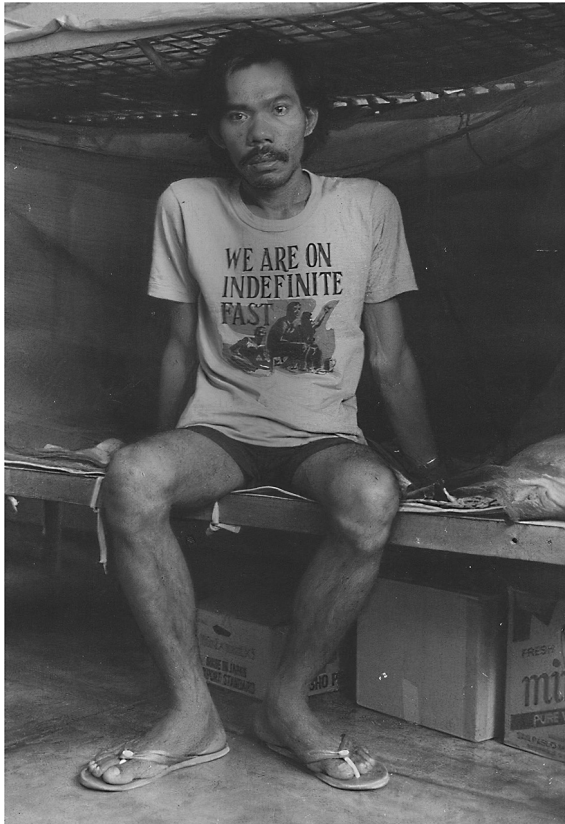


FIGURE 6.1 Rodolfo Benosa, 33 yrs old factory worker, solo breadwinner, married with 4 children. Shown here during their 2nd week of fasting-hunger strike in Bicutan last 1982. (Original caption by Lito Ocampo endorsed on photograph.)

and healing.⁴⁰ As people interact with photographs, life stories are evoked and generated so that the ‘repressed or suppressed memories’ not be completely forgotten or undermined by ‘master memories’ or dominant narratives.⁴¹ Hence, photographs and the stories they unfold help empower those who have been usually neglected.

People looking at photographs would have different affective interactions with them. As Rodolfo and Celina looked at Lito’s photograph, they described both the visible and not visible in the frames. They recalled their life back then – including the interrogation, torture and struggle that Rodolfo went through.

‘This was inside Bicutan’, said Rodolfo.

The t-shirt I was wearing was printed by us, we did that for income, for fund raising. Students bought that shirt, the nuns also sold them. Noel Etabag, another political detainee who was with me in Bicutan, designed that shirt.⁴²

Rodolfo remembered that it was Lito Ocampo who was photographing him and said, ‘This one, that’s where we slept’, explained Rodolfo as he pointed to what appeared to be his bed. Rodolfo continued reminiscing,

Underneath the *tarima* (a low bench or platform) were boxes of our clothes. During this moment, some prisoners covered themselves in blankets. They’re lying down and hungry. We were fasting. Why? So, we would be set free. No charges were filed against us. We wanted all the workers freed. We fasted for some time. We lifted the fast near Christmas time. We ate small portions at night, we shouldn’t die. If we did then the military would win. We wanted the international media and the world to be aware of our plight and that all political prisoners be freed.⁴³

Rodolfo explained the cause of his engagement with the labour group, which was mainly rooted from longstanding labour problems such as unjust compensation and lack of benefits. Rodolfo thought that he was not doing anything subversive or unlawful because he just wanted the workers like him to provide for their families. He used to work in a factory run by Century Container Corporation as a seamer, the final step in sealing off cans. He worked there from 1962 until he was arrested and jailed in 1982. He was a founding member of the factory workers’ independent labour union, separate from that of the company union, which he said was not fully worker-centred. ‘I didn’t just focus on our factory, I also visited other factories [during the union organization]’, narrated Rodolfo.⁴⁴ He also recounted how little he was earning as a factory worker without any benefits. Rodolfo’s wife, Celina, also described how the workers were mistreated,

If they want to remove you they’ll just fire you. If there’s no valid reason they’ll just make up some supposed problems so they can fire you. No SSS,⁴⁵ no overtime pay. They get minimum wage with no overtime pay. The company’s owner was a Chinese businessman.⁴⁶

When trying to remember the exact dates and names, Rodolfo and Celing used historical turning points like the opposition senator Ninoy Aquino's assassination in 1983 and Corazon Aquino's ascendancy to the presidency in 1986 as memory cues. This shows that individual memories tend to be shaped by emotionally charged events, such as personal experiences and significant historical events that are commemorated by the present society.⁴⁷ Celing tried to verify if Rodolfo's photograph was taken before or after Ninoy Aquino's assassination. But what Celing could openly recall was what happened on the night of Rodolfo's arrest in 1982 by the military who were wearing civilian clothes and without any identification. Rodolfo was blindfolded and his hands were bound with wire. She heard that there was also a crackdown on workers' movements in other factory areas like in Novaliches and Valenzuela. She barraged the military with questions, 'Where are you taking him [Rodolfo]? Who should I coordinate with? Who are you? Why don't you have name plates?' Their reply was consistent. No explanation was necessary because it was martial law.⁴⁸

Rodolfo was held in different safe houses. Rodolfo remembered that he was held in Pasay, either at the Nichols Air Force Base (or Villamor Air Force Base), Transient Officers Quarters, Camp Crame, or at Camp Aguinaldo. Finally, he was transferred to the camp in Bicutan where he met Lito. He relived the torture he went through during tactical interrogation:

One week ... But that seemed like months. They tortured us day and night, no letting up. Different people would interrogate us. Police ... Military ... When they interrogate you they had guns. I can't really remember the exact time frames. They try to make you confess things you didn't do. If you don't confess or don't answer they'd beat you up. There was a time my interrogator snuffed out matchsticks and cigarettes in my mouth. What kind of people are these? All I was able to say was 'Sir, just get it over with and kill me. Just don't drag my family into this.' That's all I could think of. While I was in interrogation, I experienced a lot of pain. They tried to make me admit things.⁴⁹

As they both looked at Lito Ocampo's photograph of Rodolfo, which they had not seen since 1993, Celing reassuringly said as she gave a cup of water to Rodolfo, 'Those were the days ... *Wala na 'yun, naninindak lang 'yun!* (They're gone, they were just terrifying you!'⁵⁰ Celing and Rodolfo both ended up teary-eyed with the recollection of the tortures. 'It's hard. You have a family and you don't know what is happening to them', said Rodolfo, who was more concerned about his family than himself.⁵¹

These traumatic experiences left Rodolfo with nothing but desire to survive and secure the life and safety of his family. He continued to struggle with his family even after he was released in 1985. Rodolfo differentiated himself and his case from the other activists or political detainees,

We're at the lowest rung. ... Workers ... We're only workers. Then they would arrest you and you would get jailed. You really lose your source of income. Your

source of survival. It's not like being a teacher ... Not like being able to finish your education ... When they get released they could be gainfully employed again in their field. I think in my opinion it's quite different from us workers who have to be employed in factories.⁵²

Rodolfo found it hard to return to their normal life after his release. Celeng also felt that they were the most pitiful victims of martial law, as they lived a very difficult life even after the era had ended. She explained,

It still [feels] fresh. That [seems to be] the consequence of what happened. No matter what we do, it doesn't go away. None of our kids finished their studies ... Not even one. It's so hard. He [Rodolfo] had to resign. He actually only got three thousand pesos in separation pay – that's from 1962-82. If you were in our place, you'd really have bad feelings / sentiments about it too. Look at us. We're already old. At our age, we still need to work to survive. We're not sure how long we could still put up with this. None of our kids finished their studies due to what we experienced. We're poor. It all boils down to the situation that started it all. That's the cause, right? We're really victims of martial law.⁵³

I noticed that Rodolfo tended to be quiet and would occasionally speak and check some of his recollections with Celeng. At 67 during the time of our conversation, Rodolfo had shown signs of failing health and memory. As Rodolfo was still recovering from a stroke, which I only found out during our meeting, I deeply apologised for starting a conversation that led to sad reminiscences. Celeng shook her head and replied while smiling, '*Hindi, okay lang* (No, it's okay)'. Rodolfo also said, '*Okay lang* (It's okay)'. In remembering and confronting a distressing past, looking at photographs can also be recuperative.⁵⁴ It appeared that our conversation aided by photographs involves both reliving and relieving.

Rodolfo suggested that I should also speak with his fellow detainee and labour organiser, whom I also met at another time, as he could share more of his life stories and their experiences together. This shows that although they are not sharing the same physical space, looking at photographs while reminiscing is a social act that connects people in a community.⁵⁵ Their stories may or may not always follow the master narrative. But attention to these private or individual memories that are often disregarded in the dominant history, historical surveys and narratives is a political stance.⁵⁶ Compassionate listening while being ethically conscious and obligated to facilitate social justice work and purposes is therefore needed in envisioning an archives for the future.

Archives as a democratic space for the future

For many years, photography and the photographic medium itself have been used as powerful instruments to investigate issues and events, and to incite social change.⁵⁷ Photographs have been used as symbols and vital vehicles of persuasion by people's

movements in seeking sympathy, raising public awareness, and launching demonstrations to fight for freedom and rights. As various memory sites dedicated to the Marcos era have become battlegrounds for the complex and highly political work of representation and narration, more records, such as photographs, need to be discovered and activated. Lito's photographs from his personal collection, along with some other undiscovered records, have so much potential to be included in the archives as historical evidence and sites of memory. However, the power of inclusion in the archives also signals exclusion and silencing of other voices. This power to exclude, as Rodney Carter writes, 'is a fundamental aspect of the archive', where there are 'distortions, omissions, erasures, and silences ... Not every story is told'.⁵⁸ Photographs may help fill in the gaps and silences of the past regime, but there will still be unheard voices of those who also fought, suffered and struggled to survive. Recognising both the power and limitation of archives is more constructive rather than staying under the pretence of neutrality and status quo. This limitation allows more opportunities and imaginaries to come in. Instead of seeing this limitation as a drawback, archivists should use this to envision an archives as a receptive space that is capable of welcoming more records, representations and voices from different individuals and communities. As a complete record of the past is difficult to actualise, Jacques Derrida underscores that 'the archivist produces more archive, and that is why the archive is never closed. It opens out of the future'.⁵⁹ Therefore, photographs as evidence and sites of memory do not necessarily complete or end an inquiry, but they help open a democratic space that engenders various affects and memories, initiates political and ethical engagements, and responds to the call of justice.

Acknowledging the silences is essential in envisioning archives as a democratic space. But what is more important is the realisation that not all silences are created equal – some will be uncovered and heard, some are quieter than the other silences, some choose to be still and unnoticed, and some may be forever missing and lost to oblivion. Archivists are encouraged to embrace their power to act as mediators in the collation of materials, facts and individual stories that would fill in the gaps and silences caused by inequalities and marginalisation. In a society where power ideally comes from the people but the power over official memory and narratives is only assigned to a few, listening plays a key role in equalising power relations.⁶⁰ By continuously activating photographs as records and sites of memory, archivists can help democratise access to memories and missing pieces of the past allowing various affective interactions between the records and participants. With the activation that combines listening and photographs together, archivists can perform powerful memory work as they transcend the past through the present to create a just future for the people.

Notes

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- 38 Tom Nesmith, 'Still Fuzzy, But More Accurate: Some Thoughts on the 'Ghosts' of Archival Theory', *Archivaria*, *Archivaria* 47 (Spring 1999), 1999, 146.
- 39 Pierre Nora, 'Between Memory and History: Les Lieux de Mémoire', *Representations* 26 (1989): 7.
- 40 Marika Cifor, 'Affecting Relations: Introducing Affect Theory to Archival Discourse', *Archival Science* 16, no. 1 (1 March 2016): 8, <https://doi.org/10.1007/s10502-015-9261-5>.
- 41 Alex Freund and Alistair Thomson, *Oral History and Photography* (Basingstoke: Palgrave Macmillan, 2011), 5.
- 42 Rodolfo Benosa, interview by author, Caloocan City, Philippines, 19 September 2016.
- 43 Rodolfo Benosa, interview by author, Caloocan City, Philippines, 19 September 2016.
- 44 Rodolfo Benosa, interview by author, Caloocan City, Philippines, 19 September 2016.
- 45 Social Security System of the Philippines (SSS) or the social insurance services for workers.
- 46 Celina Benosa, interview by author, Caloocan City, Philippines, 19 September 2016.
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- 55 Edwards, 'Photographs and the Sound of History', 37.
- 56 Freund and Thomson, *Oral History and Photography*, 9.
- 57 Michelle Bogre, *Photography as Activism: Images for Social Change* (UK: Elsevier, 2012), 6–7.
- 58 Rodney G.S. Carter, 'Of Things Said and Unsaid: Power, Archival Silences, and Power in Silence', *Archivaria* 61 (2006): 216.
- 59 Jacques Derrida, 'Archive Fever: A Freudian Impression', *Diacritics* 25, no. 2 (1995): 45.
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7

SILENCES IN MALAWI'S ARCHIVES

Paul Lihoma

Introduction

This chapter demonstrates that ever since literacy was introduced in the 1860s, different sections of the Malawian society have generated valuable archives. Owing to varied circumstances, however, the majority of the archives have been rendered inaccessible to a larger audience. While some archives have been hidden from public view, others have been lost, altogether.

For instance, the fire that occurred at the Secretariat building in 1919 in Zomba, completely destroyed all the archives that were generated by government departments from 1891 to 1919. Before the transfer of power during the independence period, a consignment of sensitive records was exported to London where they remain to date. Records that were generated by District Commissioners, mostly Police Special Branch records, which were generated during the state of emergency in 1959, were ordered to be destroyed in all the DCs' offices prior to independence.

After independence, the autocratic regime that emerged imposed strict access controls to the archives, so much that only a few individuals were granted access to the archives for Dr Banda's entire 30-year-rule.¹ Although public records become open for research 30 years after their falling non-current, due to institutional challenges, the National Archives has such a huge backlog of un-appraised and un-catalogued records that only records that go as far back as the early 1950s are open for research, leaving out all the 1950–1990 records.

The African Lakes Corporation

As the first commercial company to be established in Malawi in 1878, the African Lakes Corporation (ALC) found itself operating in an environment where trade was based on barter before the introduction of coinage. Winspear recalls that the

principal items used for the barter trade were cloth (grey calico – from England), salt and soap and that ‘the standard measurement was the fathom (2 yards), which was reckoned as being worth 8d’. The ALC opened stores in many centres throughout the territory and sold the barter items and many others to the natives and this intercourse of necessity generated written records. While the barter trade among the natives generated no records, the ALC, a Western commercial company, one of whose characteristics was reliance on business records, issued purchase receipts to the people, who bought various items from the company’s stores even if they could not read them. Whereas such purchase receipts may not have meant much to the natives, the counterpart documents were valuable to the store keepers/managers and the ALC company as a whole for accounting and accountability purposes.

As the first trading company, the ALC will be remembered for introducing commercial and financial record keeping in Malawi. From 1878 to 2004, when the ALC ceased trading and went into liquidation, the company’s transactions had been captured and reflected in the different forms of records that it generated over the 125 or so years it existed. Although the company’s main offices were in Glasgow and two others in Edinburgh and London its field offices were thousands of miles away in Malawi, where a considerable volume of records was generated. An examination of part of the ALC’s records, which were gifted to the University of Glasgow’s Archives Services in 2008 by Donald Mackenzie, indicates that the ALC maintained a good record-keeping system.²

In Malawi, where the company had operated for more than a century, only 1 metre of a shelf of the company’s records is available in the National Archives of Malawi. There are also some records at Mandala House, which were taken over by CFAO, while the rest of the records were transferred to the company’s head offices. It is paradoxical that local researchers from Malawi, where the ALC had operated for over a hundred years, who might be interested to research the company, would have to travel to Scotland where the company was founded in order to consult the company’s primary records.

Records destroyed by termites and fire

When the colonial administration was established after Nyasaland (now Malawi) was declared a British Protectorate in 1891, record keeping was a core part of the administration, a marked departure from tribal administrations that were predominantly oral and existed before the colonial rule. Occasionally, memoranda on record keeping were issued in London to all the colonies. Such memoranda gave the colonial governments, through the Secretariat offices, the impetus to design and promote good record-keeping systems. One such memorandum was issued by the Colonial Secretary, Sir W. Ormsby Gore in a 1936 colonial despatch to all colonies that emphasised that:

The preservation of its records in a satisfactory state must be regarded as one of the first duties of a colonial government; a duty which derives greater

urgency for the delay in the institution of suitable protective measures may and does lead to the inevitable loss of documents of value.³

Apart from the memoranda on records management issued from London to all the colonies, British Civil Service filing systems were also exported to the colonies. Moss mentions that the filing system that was adopted at the beginning of the twentieth century across the whole Civil Service in the United Kingdom was imposed on imperial and colonial governments.⁴

In addition, locally the Nyasaland government regulated the creation, use, maintenance and disposition and preservation of public records through regulations on records management, which were first issued in 1920.⁵ The regulations, which were revised in 1922, were incorporated as part of the provisions of the Nyasaland Protectorate General Orders, which were revised from time to time and issued to all heads of departments. Among other important aspects, the General Orders required every head of department to be responsible for all aspects of records management in his department (Nyasaland Orders, 1951).

It is clear that from 1919, the Secretariat instituted systematic disposal of ephemeral records and preservation of vital non-current ones, and a record of such disposal and preservation was maintained. Also maintained was a record of all files (totalling 401) from different departments that were destroyed completely by white termites and those (several cubic feet of records) that had been destroyed by fire prior to 1919.

Before the establishment of the National Archives in 1947, the Secretariat preserved all the vital non-current records in the 'massive brickwork of the basement of the main [Secretariat] block', which had been designated as an area for the preservation of government records.⁶

On the night of 17 February 1919, another fire incident occurred at the Secretariat offices. This happened when work to clear bees out of the roof by smoking them caused a fire. The extent of that fire was so ferocious that 'the whole of the central double storeyed [Secretariat] block, and both the single storey wings [had] been completely gutted, every piece of timber having burnt out'. The 'heaviest loss' caused by the fire was that 'all archives and records [had] been burnt'.⁷ Apart from housing the Secretariat and government archives, the building that caught fire also housed the Executive Council Chamber, the Treasury, Audit, Post and Public Works, offices of the Attorney-General and auxiliary audit and Treasury offices. The only block that was saved housed the offices of the Attorney-General, auxiliary audit and Treasury offices.

As well as losing most of the government archives from 1891 to 1919, the Secretariat and other government departments also lost records needed for the transaction of current government business. In order to reconstruct communication with the Colonial Office, the Acting Governor of Nyasaland requested duplicates of all dispatches that had been transmitted between the Secretary of State for the Colonies and the Governor of Nyasaland between 1918 and February 1919.⁸

The lasting effect of the 1919 calamity is that virtually none of the records [in the National Archives of Malawi] date back earlier than 1920 and those of the 1920s are

very thin and there are virtually no DCs' reports and education papers earlier than 1930. Because District Note Books remained in the districts and are earlier than 1919 (the earliest being 1897), they were spared from this fire accident and are therefore available in the National Archives.

The full picture of the operations of the DCs for the period 1891–1919 will forever remain patchy in the official records. This is because reports that were submitted periodically to the Chief Secretary by the DCs during this period were destroyed by the fire. Never to be replaced also, are the Executive Council minutes that recorded policy decisions of the government up to 1919.

Records destroyed by cyclone

Apart from accidental destruction by fire, other government records were destroyed by a cyclone on Chinde. Chinde was a concession territory at the mouth of the Zambezi River where passengers and goods were transferred from ocean-going vessels to river steamers for onward travel to Nyasaland. Following the signing of a treaty between Great Britain and Portugal on 11 July 1891, Portugal leased the land at Chinde to Britain for an initial period of 99 years and, subsequently, a Vice-Consul to take charge of the Chinde consulate was appointed.

Due to a cyclone, which damaged property and interests at Chinde in February 1921, and displacement of Nyasaland transport through Chinde by the opening of the Trans-Zambesi Railway and the purchase of river steamers by the railway company, the Chinde Concession was formerly cancelled on 19 May 1925 and the offices were closed. Although most of the records were destroyed by the cyclone in 1921, the last Vice-Consul managed to ship three boxes of records that he managed to salvage belonging to the Nyasaland government.⁹

Loss of records at district offices

Colin Baker, Noel Harvey and Ian Strachan, Assistant District Commissioners and later District Commissioners (DCs) in the mid-1950s in Nyasaland, provide a picture of record keeping at the district level between 1950 and 1960.¹⁰ The three appear to agree that the situation in urban districts such as Blantyre and Zomba was much better than in remotest districts such as Karonga. In remote districts, formal records were in the form of letters, reports, statistics and tax returns, and office administration was somewhat primitive. As Harvey confesses, 'the spoken word probably counted for more at that time'. There is agreement among the three former DCs that during the 1950–1960 period there were no formal instructions about retaining files for archival purposes, and as such, proper preservation of past records in the districts was left to the discretion and initiative of the administrator in charge. For instance, Jones mentions that in 1954 in Mzimba District, there was one confidential file into which everything was put. In remote districts, past files, some going back many years could be found in dusty cupboards (with bats overhead)

but not much attention was paid to them apart from historical documents that the administrator deemed worth careful preservation.¹¹

Past files were not transferred from the district offices to an official archival repository, and according to Harvey (2010), 'certainly in the D.C.'s Boma [they] would burn out-of-date old files when they no longer had any value, simply to make space for the more recent ones'. As far as record keeping at the district level was concerned, Harvey's experience was that it was reduced to essential official communications, pointing out that funding, staffing and even the sense of longer-term history did not allow for developing archives in district work. However, Baker, Harvey and Strachan agree that at higher official levels – the Secretariat, the Registrar, Provincial and Legislative Councils and the Law Courts – better record-keeping systems were maintained.

Loss of records at Native Authority level

After the taxation system was introduced throughout the country, collection of the tax by the tax collectors was a big challenge, owing to the inability of too few British officers to penetrate African society.¹² Another governance problem that the Administration faced was the disintegration of the tribal societies into family groups throughout the Protectorate. This challenge, coupled with the understanding that 'the best means of governing the people is through their own chiefs' led to the enactment of the Native Village Regulation Ordinance in 1910.¹³ The primary objective of the Ordinance was to 'revive among the natives something of a fast-decaying powers of local government [by appointing Native Headmen to act] as media of communication between the mass of native populace on the one hand and the District Administration on the other'.¹⁴ Among other duties, the headmen were to assist in the collection of tax from their villagers. For this service, the chiefs were given a subsidy of 10 per cent of the hut tax collected from their areas.¹⁵ In 1912 the Legislative Council enacted the District Administration (Native) Ordinance, which provided for the establishment of Sectional Councils of principal village headmen in order to assist the government in local administration.¹⁶ The Provincial Commissioners' conference of July 1928 proposed the establishment of principal headmen's courts to have jurisdiction over the civil matters throughout the Protectorate.¹⁷

Although the government had officially recognised that the local chiefs should play an important role in local administration, this recognition did not mean full indirect rule. From 1910 to about 1930, the government did not enforce record keeping measures at the local administrative level, nor did it expect any records to be maintained at this level. The 1928 Provincial Commissioners' conference,¹⁸ for instance, had recommended that no records should be called for from village courts. However, the situation changed in the early 1930s when the principal headmen were required to maintain records. The 1930 District Administration (Native) Ordinance had stipulated that, among other duties, principal headmen should

'record and report all births, marriages by native law and custom, and deaths and other statistical data which [might] occur in or refer to his section'.¹⁹

In his annual report for 1932, the Provincial Commissioner (South) observed that in several districts in his province, a start was made with the keeping by principal headmen of records of cases dealt with by them during that particular year. On the basis of the quality of such records, which was described as only fair, the Provincial Commissioner was of the view that with more experience and the assistance of native court scribes, principal headmen's records would be satisfactory.²⁰

It is worth noting that although the government had recognised the position of principal headmen in local administration, and since the headmen were appointed by the administration rather than from the chiefly families, and therefore not generally accepted by the people, lack of discipline developed into a norm, and villages continued to disintegrate into small ungovernable family groups. The 1929 Nyasaland government annual report had cited 'the decay of the power of native chiefs and the tendency all over the Protectorate to the splitting up of villages into small family groups' as one of that year's challenges.²¹

In 1933, two important Ordinances, the Native Authority Ordinance and the Native Courts Ordinance, were enacted, which marked the introduction of indirect rule in Nyasaland. Through these ordinances, the administration established Native Authorities which consisted of small tribes or sections of a tribe that were grouped together to form a single administrative unit.²² Under the Native Authority Ordinance, the chiefs were no longer appointed by the administration but only those who held positions according to the laws of the tribe and the wishes of the people were recognised by government as Native Authorities, either as individuals or as chiefs-in-council²³ comprised a chief as the superior Native Authority, and the chief's advisors and sub-chiefs. The sub-chiefs were appointed by the chief and were responsible for ruling over a certain well-defined area within the Native Authority.²⁴

The advent of indirect rule had interesting consequences for record keeping. Through the Native Courts Ordinance, each NA, with the assistance of his advisors, presided over the NA court. As a requirement, the NA courts were supposed to maintain court records of the case judgements passed, and for this reason, native authorities employed scribes or clerks for the maintenance of court records. Hall observes that as a minimum, native court records indicated the names of parties, a brief statement of the subject matter and a short judgement, signed by the holder of the court, who was usually the NA himself.²⁵ Judgements from the NA court could be appealed to the District Magistrate. A District Magistrate and District Commissioner occasionally inspected the NA court records.

Before the promulgation of the Native Courts Ordinance in 1933, principal headmen conducted their court sessions orally without any requirement to document their judgements. The Native Authority Ordinance empowered the NAs to maintain their own treasuries, from which they could finance a number of social economic projects such as building bridges and roads and paying social workers from the revenue collected by the NA from a number of sources. The predominantly oral people, who used different modes of oral text to transact social and

official business, were now offered a platform to transact official business where the *modus operandi* was non-traditional. This naturally introduced the basics of official record keeping to the Africans who participated in Native Authority (NA) affairs, and oral tradition now lived in partnership with the written culture, both of which were to influence each other.

As noted above, Native Authority records consisted of tax records, court records, ledgers, registers (marriage, birth, death, etc.), some correspondence and simple financial reports. These may not have mattered much to local people who were not concerned with keeping track of what their Native Authority had collected, how the revenue had been used and who had authorised the payment, but they mattered a great deal to the District Commissioners, whose primary functions included revenue collection. Eventually, information contained in the NA books was used in compiling District Officers' reports, which finally reached the Governor.

The quality and management of Native Authority records varied from one Native Authority to another. Two years after the establishment of the Native Authorities, the Provincial Commissioners' conference held on 22–24 July 1935 observed that there were some differences between districts in the manner in which Native Authorities kept their records. The differences were deemed inevitable 'owing to geographical conditions and to the varying degrees of intelligence of individual Native Authorities'. While this Provincial Commissioners' conference had decided that the Native Administration Court Books and Cash Books were proving quite satisfactory, the District Commissioners' meeting of August 1935 had decided against the form of the Court Book as it did not 'suit certain of the advanced Native Authorities in the Northern Areas'. Such 'advanced' NAs were accustomed to recording their cases in great detail, and instances were quoted where the record covered as many as eight pages.²⁶ Comparatively, the return of cases tried by Native Authorities from the Northern Province was less satisfactory than in the Southern Province, where considerable success had been achieved.²⁷ District Commissioners who acted as auditors for the Native Authority treasuries were instrumental in assisting the NAs to maintain their records. One particular DC for Mzimba merits mentioning because he circulated to all the Native Authorities in his district guidelines for best correspondence and filing systems and he would reprimand any NA who did not follow the guidelines.

The NA records, which were mostly in the vernacular, were kept at the NA head offices, which in most cases were either the chief's residence or court. Those that were kept in the chief's residence tended to be regarded as the chiefs' property, and for this reason the records have been inherited by successive chiefs. Most of these records if any have survived, still remain under the custody of the chiefs.²⁸ Harvey explains why the Native Authority records may not have survived:

Past records would be kept for a few years but there would not be space for a proper archive, and even the best courts ... and clerks ... would have too much on their plate to devote much thought to archives. Files were not transferred to official archives elsewhere.²⁹

It would appear that apart from the requirement to keep records for current administrative and judicial purposes, no policy guidelines were given to the Native Authorities for the retention and disposition of records, and therefore retention and disposition of the records entirely depended on local factors. Where Native Authority records still exist, they are valuable archival sources for research into many aspects of local self-government during the colonial administration. Hall has underscored the value of Native Authority records to the ethnographer and the administrator. He holds that:

a study of [Native Authority court] records will show, at the least, the types of social maladjustment which bring people to court, with the relative frequency of different kinds of a case: the manner in which different types of a case are viewed by the court, whether as offences against society or as affecting only families or individuals: and probably some general indication of the tone of the society.³⁰

State creation of silences in the archives

In 'The Power of the Archives and its Limits', Achille Mbembe points out the paradoxical relationship of the state and the archive, stating that, on one hand, there is no state without its archives and, on the other hand, the very existence of the archive constitutes a constant threat to the state.³¹ As a result of the perceived threat posed by archives, Mbembe goes on to argue that 'some states have thought that they could do without archives and have therefore attempted, either to reduce them to silence, or, in an even more radical manner, to destroy them'. Perhaps one explanation why some states get threatened by the archive, if Mbembe's position is to be sustained, is that the archive itself has the power to enlighten anyone who engages it in any inquiry. It is the enlightenment that enables archive enquirers to take the state or individual office bearers to task on any matters that anyone or society might feel aggrieved. In Malawi, the state has created silences in the archive through exportation and destruction of the archives and prohibiting access to the archive.

Exportation and destruction of archives

Following the departure of Governor-General, Sir Glyn Jones, on 5 July 1966, records from the Secretary to the Governor-General were transferred to the National Archives of Malawi on 9 July 1966. The Government Archivist at the time noted that:

Many more files (such as Executive Council Minutes, correspondence concerning Dr. Banda, etc.) were sent to England, in spite of representations by myself to the Governor-General's Secretary, as it was felt that their contents

were of an embarrassing nature and should not be seen by the Malawi Government.³²

Exportation to England of these records before the transfer of power was calculated deliberately in order to create a particular silence in the records, convenient to the out-going administration. If such records had been returned, it would interest researchers to learn about the colonial rulers' views of Dr Banda and other nationalist leaders during the agitation for independence.³³

While researching for his book in the National Archives of Malawi and National Archives of Zambia, Robert Rotberg (1965) noted that whereas many categories of records from the Secretariat and other offices had been brought into the Archives for administrative and security reasons, the post-World War II sensitive files, a large proportion of the more important secret and confidential files, were not deposited in the Archives and had unfortunately been lost. Additionally, 'a number of unclassified files [had] been destroyed and/or removed from their repositories in Lusaka and Zomba by the retreating colonial authorities'. Rotberg goes on to state that:

In the period before the emergence of Northern Rhodesia and Nyasaland as Zambia and Malawi, British officials apparently denied to posterity the records of the 1959 emergency and, in large measure, the secret and confidential accounts that depicted the early growth of modern nationalist movement in both countries. Police Special Branch reports have, for the most part, also disappeared.³⁴

On the removal and exportation of records from the African colonies by the Colonial Administrators, John Thomson, the Foreign and Commonwealth Office Sensitive Reviewer confirms that approximately 2300 boxes of records were sent to the UK during the independence period from different territories and that out of this number, 19 contain Nyasaland files.³⁵

During the transfer of power, the Secretariat instructed District Commissioners to destroy all sensitive records as testified by a former DC who was stationed at Port Herald between 1963 and 1964, who says:

We received instructions from the Secretariat in Zomba that we should destroy all the sensitive files to avoid the new government seeing them. You should have seen the bonfire behind the DC's office at the Boma – the files were up in flames. I was personally there, the Police was there and other people gathered to see what was happening.³⁶

Destruction of district records during the transfer of power created a permanent gap in the country's documentary sources for understanding Malawi's pre-independence history. It is likely that many people who played some part in the struggle for independence or who were thought to be informers of the Colonial Administration

from all parts of the country will remain forgotten by history since official records that identified them perished in fires at the DC's offices throughout the country.

History repeated itself in 1994 when the out-going one-party government ordered selective destruction of public records with a view to creating silences in the records. Since the government had committed a number of atrocities and indulged in malpractices during its 30-year rule, in order to conceal any documentary evidence against it, Kachala says that 'the government decided to consign to hell any information that was deemed politically sensitive'.³⁷ To this effect, the government ordered heads of departments to undertake wholesale destruction of classified documents in their departments from the month of January 1994. This order was also extended to the Malawi police.

From the perspective of the regime this unfortunate incident saved the former ruling elite from prosecution after losing power. When a new government came into power after the May 1994 general elections, many serious cases were levelled against the past rulers and senior public servants. However, since the public records had earlier been purged of any evidence of wrong doing by the ruling elite and some senior public servants, it was difficult to commence criminal litigation against those concerned because of lack of evidence. One prominent criminal case that was brought up before the court of law, in which the President, his closest minister, the Inspector-General of Police and other police officers were accused of murdering three cabinet ministers and a Member of Parliament in an alleged car accident in 1983, was later dismissed and all the accused persons were released because of a lack of evidence.

Prohibition of access to the archive

In August 1964 barely a month after independence, the situation in the National Archives was 'a pity ... [because] Archives [was] no longer the quiet backwater it used to be'.³⁸ The Home Affairs Minister imposed some strict conditions for accessing public records such that all records that were within the 50-year rule were now precluded from special access by researchers. This was contrary to the advice of the Secretary of State for the Colonies to the Governor of Nyasaland in 1951 and the practice during the colonial period. Instead, only those records that were more than 50 years old could be accessed. Although this was the case, the government adopted a much stricter line about the inspection and publication of even these records.³⁹

As Dr Banda and his government grew more autocratic and intolerant to any criticism, more control over the Archives was exerted than ever before. Between 1964 and 1966, applicants wishing to access public archives were supposed to appear before the Minister for interviews and from 1966, research applicants were required to appear before the President himself and only a very small number was allowed to access the Archives between 1966 and 1980.

Working in this political environment, the national archivist was forced to please his masters by spying on a few researchers who were accepted to access the Archives. For this reason, a number of researchers whom he reported to the authorities as

seemingly having different political views from those of the government, were banned from using the Archives and deported.

From 1965 to 1993, the National Archives was ordered to close on a number of occasions each of varying duration, for different reasons as the President saw fit. For instance, the institution was closed to all research workers on the following dates: between May and July 1965,⁴⁰ between July and October 1966,⁴¹ between April and September 1972⁴²; a period of 20 months between 1967 and 1968; and between June and December 1993. These closures affected researchers and other interested users of the National Archives in different ways.

The government further controlled access to the Archives by banning all foreign researchers from 1968 after a researcher had published an article that was critical of the Malawi government. This being so, only 'persons of Malawian origin, a few expatriates (only heads of departments) of the University of Malawi and persons doing research on behalf of the Malawi Government' were permitted access to the Archives.⁴³ Access to the public records was accorded to these categories of people simply because they were all resident in the country and could be traced easily and dealt with if they wrote anything considered subversive.

Another way in which the government-controlled access to Archives was restrictions on research topics. From 1968 no researcher was allowed access to archival material unless he or she proved that his or her research would make a palpable and significant contribution to the development of the country⁴⁴ Only the research where the government could make immediate use of the results was permitted. For this reason, research of a purely historical nature was not allowed. To ensure that this condition was complied with, all researchers were required to send lists of all files they wanted to consult for presidential scrutiny and approval.

By exerting control over the Archives, the government was actually hiding the archival resources from public access and scrutiny. As long as the limitations were in force, the largest proportion of the Archives that should have been available for public access remained virtually closed and grossly underutilised. No wonder Woods argues that 'the National Archives of Malawi were for all intents and purposes closed from the late 1960s until the early 1980s.'⁴⁵

Institutional challenges

The National Archives was adversely affected by the government's freeze in employment of additional staff and filling of vacancies. A number of factors had contributed to the understaffing of the institution. Some professionally qualified and long serving archivists had retired upon reaching the mandatory retirement age of 55 years (increased to 60, in 2010) or opted for early retirement after serving for at least 20 years. Other staff members either died while in service or resigned for better pay packages in the private sector. As a result of these factors and because of the freeze in public service employment, out of the Department's staff establishment of 84 in 2007, the number of staff actually available, inclusive of administrative personnel, drivers, security guards and messengers, was 31, representing a 63 per cent vacancy rate.⁴⁶

Due to a lack of professional staff, the Conservation and Reprographic Section was closed down in 2005. Until 2012, this Section remained closed, which forced the suspension of conservation of vulnerable archival documents. Another Section that remained unmanned between 1999 and 2009 because of lack of personnel was Historical Manuscripts, which collects historical manuscripts and conducts oral history research programmes to complement the official Archives.⁴⁷

The Public Archives Section was also affected because it was manned by an Archives Assistant and a Library Assistant between 1999 and 2009. Non-availability of adequate and qualified staff in the Public Archives Section reduced the functionality of the Section to only reference services for a period of ten years. Important activities such as appraisal and cataloguing were suspended as a result, which led to an overwhelming backlog of records appraisal and cataloguing tasks. The catalogues currently in use at the National Archives were prepared in the 1980s, and the latest archival collections that can be accessed only extend as far as the early 1950s. An exception to this are catalogues of the federal records that were transferred to Malawi in the mid-1960s from Zimbabwe after the dissolution of the Federation of Rhodesia and Nyasaland and catalogues of the indivisible federal records, which were microfilmed in 1984–1986.

This state of affairs has thwarted the Department's commitment to promotion of research through increased access to the country's documentary assets. Besides part of the pre-1950 records, colonial records up to 1964 have not been appraised and catalogued and can therefore not be made available to researchers. Currently, public records in Malawi become available to the public for research 30 years from the time they are closed for current business in public institutions. According to this rule, by 2020 all records in the National Archives up to 1990 should be open and accessible to the public. However, no single consignment of records in the National Archives from 1964 to 1990 has been appraised and catalogued. As it is, besides the secondary sources of information in its Legal Deposit Library, the Department only makes available to the research community the larger part (1891–1950) of the colonial archives and all the federal (1953–1963) archives.

It can be argued that the staffing problems due to the freeze in employment have contributed to the hindrance of research using the 1950–1990 public records. As long as all the public records of the post-colonial era remain inaccessible to the research community and the general public, the National Archives largely remains a colonial and federal archive. In his assessment report, Mazikana stated that 'in the Records Centre in Zomba, there are 170,000 files going back to 1965 which had been scheduled for review at designated dates and are still awaiting that review'.⁴⁸ As a result of the suspension of the freeze in public service recruitment, the National Archives has experienced a reduction in the vacancy rate from 63 per cent before 2007 to 31 per cent in 2011 and recruitment processes are still underway to fill all the vacant positions. Lack of funding from the government and shortages of staff forced the Archives to concentrate on the EU Rule of Law Project activities between 2000 and 2010.

Operating with a skeleton staff, the Records Management Services Section could not meaningfully carry out records management outreach programmes between 2000 and 2007. During this period, an average of only four outreach programmes of one week each per year was conducted where the National Archives staff inspected registries and advised records personnel on good records management practices. Mazikana observed that the serious reduction in the number of records surveys being undertaken had 'reduced contact between the National Archives and the records creating agencies as well as cutting off mechanisms through which the National Archives was fulfilling its mandate to advise ministries and departments'.⁴⁹ As a result of reduced National Archives activity, 'a multiplicity of filing systems [was] being developed and used in ministries and departments with new staff untrained and unaware of key essentials'. Coupled with the lack of training in records management for Clerical Officers in the Civil Service, a fall in the National Archives' outreach programmes contributed to the general decline in the standard of record keeping in the public service.

Conclusion

A series of peculiar circumstances in Malawi have created silences in the Archives. While some silences can be remedied and are therefore temporal, others are permanent. The silence created by unavailability of archival catalogues for historical records generated by the Malawi government between 1964 and 1990 and held by the Archives, is temporal. Once institutional challenges are addressed and catalogues are in place, the silence in the bulk of uncatalogued 1964–1990 records will no longer exist. Malawi is a predominantly oral society from time immemorial, consequently colonial administrators found themselves operating in an environment where official business was mostly transacted orally when interacting with indigenous people for most of the colonial period. The available written archives are therefore a small reflection of the entire colonial period as voices and a majority of the interaction between colonial administrators and the local people are absent from the archival record. This silence is permanent and difficult to address. Another permanent silence in the archives was created by accidental fire to the building that housed archives in 1919. Although not accidental but planned, fires at the district offices decimated all sensitive intelligence records just before the transfer of power in 1964. Besides fire, the devastating cyclone of 1921 at Chinde also led to total destruction of important records, which will never be recovered. For a period of 30 years during the one-party authoritarian rule, what would now be regarded as temporary silence in the archives was created through a number of stringent access control measures. Thankfully, that silence was lifted after the fall of the regime. However, the regime is credited for creating a permanent silence in the archives through destruction of select categories of official records. Volumes of official records repatriated to London before the transfer of power present a paradox. As long as those records are absent from Malawi, a silence is created until such a time when they will be repatriated. When such a time comes, the silence in the archives will cease to exist in Malawi but will transfer its existence to London.

Notes

- 1 The impact of authoritarian regimes on access to archives was discussed in Paul Lihoma, The influence of one-party era on archives in Malawi: 1964–1994, in James Lowry and Justus Wamukoya, eds, *Integrity in Government through Records Management: Essays in Honour of Anne Thurston* (London: Ashgate, 2014).
- 2 I was privileged to be able to catalogue the African Lakes Corporation's (ALC) collection at the Glasgow University Archives Services as part of my student placement for the 2008/09 M.Sc. (Information Management & Preservation) Course at the University of Glasgow. The ALC's papers are now available for research in the Glasgow University Archives: (GB 0248) UGC 193 (Lihoma, 2009). The scope and content of the ALC's collection in the Glasgow University Archives Services whose shelves extend to 3.5 m is as follows: Minute books (1878–1991), Agenda books (1878–1954), Agreements (1889–1937), Correspondence and other papers (1906–1927), Annual reports (1959–1984), Financial Records (1878–1941), Insurance Registers (1904–1954), Shareholders records (1893–1958), Prospectus (1893), Staff records (1884–1959), Specification and Telegraphic Code Books (1893–1949), Photographs (1910–1993), Publications (1890–1970), Maps and plans (1896–1926), Valuations (1935–1988), Newspaper cuttings (1904–1954) and Deeds and Leases (1889–1960).
- 3 Ormsby-Gore in Mwiyeriwa (1983), p. 221
- 4 Moss (2005), p. 583.
- 5 Lovering (2010).
- 6 National Archives of Malawi (NAM), S1/18/19, Director of Public Works Department's Report to the Acting Governor, 20 February 1919.
- 7 NAM S1/18/19, the Acting Governor to the Secretary of State for the Colonies, 10 March 1919.
- 8 NAM S1/18/19, the Acting Governor to the Secretary of State for the Colonies, 10 March 1919.
- 9 NAM S1/729/23; S1/1364/23; S1/601/20; S1/1387/21; S1/226/22; and S1/1901/24.
- 10 Baker (2010), Harvey (2010) and Strachan (2010).
- 11 Jones (1964) p. 278.
- 12 Pachai (1973) p.182.
- 13 Stopford (1903) p. 310
- 14 Colonial Office in Jones (1964) p.73).
- 15 Lord Hailey (1957); Baker (1972); Pachai (1973).
- 16 Jones (1964); Pachai (1973).
- 17 NAM, S1/523/28.
- 18 NAM, S1/523/28.
- 19 District Administration Ordinance, 1930, 4(e).
- 20 NAM S1/43/33.
- 21 Pachai (1973), p. 183.
- 22 Pachai (1973).
- 23 Pachai (1973), A Native Authority (NA).
- 24 Brown and Hutt (1935) p. 11.
- 25 Hall (1938), p. 412.
- 26 Central African Archives, S1/207/35).
- 27 Central African Archives, S1/207/35, Comments by the Senior Provincial Commissioner.
- 28 In July 2010, the National Archives of Malawi conducted a snap survey in Traditional Authorities (formerly Native Authorities) Mwambo and Chikowi in Zomba district to confirm whether the traditional chiefs are still keeping the NA records and to assess the extent and storage conditions for such records. The survey indicated that each of the two Traditional Authorities had approximately 12 m³ of records, which consisted of correspondence, diaries, photographs, and tax and court records. Importantly, the records are very delicate and vulnerable to decay due to their age and very poor storage conditions – leaking houses during rainy seasons and termite and mice attacks. Following these

findings, the National Archives has planned to undertake a three-month survey in all the Traditional Authorities in the northern region aimed at further identification, assessment of the NA records and rescuing the most vulnerable records by transferring them to the National Archives for safer preservation and wider access. It is expected that the programme to rescue the endangered NA records by transferring them to the National Archives will be extended to all the three regions of the country.

- 29 Harvey (2010).
- 30 Hall (1938), p. 412.
- 31 Achille Mbembe (2002).
- 32 NAM, NA/1/3/90A.
- 33 See Banton, Mandy (2020).
- 34 Rotberg (1965), pp. 325–326.
- 35 Banton, Mandy (2020).
- 36 Strachan (2010).
- 37 Kachala (2003).
- 38 NAM, 18–5–2R/14801.
- 39 NAM, 18–5–2R/14801.
- 40 NAM, 1/5; 31 May.
- 41 NAM, 1/5.
- 42 NAM, 1/5, memo to Professor B Pachai.
- 43 NAM, 1/5, Memo from the Local Government Secretary.
- 44 NAM 1/5, May 1968.
- 45 Woods (1990), p. 259.
- 46 NAM, NA/OA/9/2.
- 47 National Archives of Malawi, 2010.
- 48 Mazikana (2003), p. 11.
- 49 Ibid.

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8

PERCEIVED SILENCE IN THE TURKISH ARCHIVES

From the Ottoman Empire to modern republic

Lale Özdemir and Oğuz İcimsoy

Introduction

This chapter examines what the concept of silence in the archives means within a Turkish archival context. It is argued that silence in the archives is far more complicated than modern usage, which sees it in terms of a lack of transparency and accountability, and that an analysis of archival silences should be balanced against any achievements in the archival sector. An archival silence can result from an array of reasons, and should be viewed within the context of the historical, political and social driving forces of the period(s) in question. This chapter defines a ‘perceived’ silence as one that is unintended, and devoid of any ill intent. Natural disasters fall within this category, whereas limiting access to records that do not contain sensitive content does not. It is always easy to judge the past based on the standards of the present. This can lead to a lack of appreciation of historical social, cultural and political dynamics, and can form an unnecessary layer of contemporary bias or prejudice that does not diminish the bias or prejudice exercised by governments and social actors in the first instance, while creating archival silences. For example, criticising the generic 75 or 100-year closure periods applied to archival records in a pre-Freedom of Information era warrants an examination of what the concept of access meant decades ago. While fear of being held to account in a court of law, or a desire to ‘eradicate’ the national memory with regard to the past, may account for why administrations may choose to deny access to records, or to ensure they do not survive to make it to the archives, other less sinister considerations also have currency in this debate. In the case of the Turkish Republic, the infrastructure required for the effective recordkeeping and long-term preservation of records of the new republic wasn’t put into place as quickly as desired, following the transition from an empire. The archival silence that ensued in the early years of the republic will be discussed within the context of a lack of appropriate infrastructure. There is a thin

line between a silence that is perceived, and one that is not. Damage caused to state records by floods five hundred years ago, can be treated as a perceived silence; however, the lack of infrastructure for the long-term preservation of born-digital material today, could be classed as a clear silence, especially if the planning for such an infrastructure is not underway. The lack of a public records act, even though records management regulations are in existence, coupled with the fact that the infrastructure for the transfer of born-digital records to the archives is yet to be established, are examples of modern-day archival silences. Another category of perceived/archival silence, relates to the incorrect or inadequate cataloguing of Ottoman archival records, which hinders the user's access to the record they are seeking.

The newly founded Ottoman state: War, fires and floods

The Ottoman emirate founded at the end of the thirteenth century bordered the Byzantine empire and quickly embarked on capturing neighbouring lands, primarily using the approach of *istimâlet*, a practice of being favourably disposed towards the non-Muslim people in territories that were captured. The practice of acting favourably towards the Christian subjects of a particular region can be said to have played a vital role in the success of the early Ottomans,¹ and was a win-win approach as non-Muslims paid taxes that were used in the expansion of the Ottoman state. It is thought that the founder of the Ottoman state, Osman Ghazi (r.1299–1326), was illiterate, although it is believed that diplomatic relations commenced between the Ottomans and the Byzantines, as well as with other Turkish Muslim emirates in his reign,² thus signalling the beginning of record-keeping in the Ottoman state. The trouble is that official records of the early Ottomans have not survived, thereby creating an archival silence. Imber argues that the early Ottoman period should be viewed as a 'black hole' because this era of Ottoman history cannot be fully researched because of the lack of indigenous sources dating from the fourteenth century.³ The lack of a centralised bureaucracy and statecraft may have played a role in records not being created, but the universal themes of war and natural disasters certainly played a significant role in this archival silence. The battles and skirmishes between the early Ottomans and their adversaries can be said to have also contributed to the lack of official state records and thus caused a dent in the archival memory of Turkey today. It is plausible that the destruction and havoc caused by the armies of the Turco-Mongolian conqueror Timur included the destruction of any records created by the early Ottomans. Prior to Timur inflicting a crushing defeat on the Ottoman ruler Bayezid the Thunderbolt at the Battle of Ankara in 1402, it is known that the two rulers corresponded diplomatically.⁴ The Ottoman ruler couldn't bear the humiliation of being held captive and paraded around in a cage by Timur, and subsequently committed suicide.⁵ Following the death of Bayezid, there was a civil war between his sons and a period of interregnum (1402–1413). Official records were either not created in this period or have not survived. Such archival silences are indeed silences but are not born out of ill intent or an intention to erase the evidence of state business, and can therefore be categorised as perceived silences.

Natural disasters also led to gaps in recordkeeping. It is believed that the Ottomans preserved state records created in the royal court of the Edirne Palace, although none of these survive.⁶ The fact that state records were preserved in a palace environment demonstrates the high esteem in which records were held. However, the second Ottoman capital, Edirne, was an unlucky place for records in the fourteenth century. The palace was submerged under water due to flooding from the Meriç and Tuna rivers, which was not uncommon during the Ottoman period.⁷ Acts of God continued, and in 1571, another palace in the reign of Selim II was flooded.⁸ A fire that broke out at the top of a Registry building (Defterhâne) in 1665 near the Justice Square (Kubbealtı) in the second courtyard of the Topkapı Palace where state administration was carried out, resulted in registers being destroyed.⁹ The user guide written by the Turkish State Archives on Ottoman records makes direct reference to the archival silence caused by natural disasters and wars:

The total number of records created in the Ottoman period is colossal, if we take into account the records that have not survived until today, or have been lost, due to war, fire, natural disaster, or other related reasons, along with other Ottoman records that are yet to be transferred to the archives, including records still in the possession of nations newly founded upon the dissolution of the empire.¹⁰

The above quote provides an insight into archival silences that are difficult to prevent, and that are not created out of any wilfulness, such as fire, natural disasters and damage caused by war. However, the fact that there are Ottoman records that are yet to be transferred to the archives, and there may be custodial issues with regard to Ottoman records abroad, indicates an archival silence that could be prevented, especially with regard to the transfer of paper files to the archives. It is also worthwhile to note that natural disasters that led to archival silences because official records were destroyed, was not solely a predicament of pre-modern times. Fires in the main court house in Istanbul, and in the ministerial building of the Ministry of National Education, in 1934 and 1947 respectively, destroyed a considerable number of records. Another perceived archival silence was caused by devastating earthquakes in Erzincan in the east of Turkey. One of the earthquakes hit the province in 1939, and it is believed that all local records previously created were destroyed. Another earthquake struck the province again in 1992, and approximately 10 per cent of records held by public bodies were destroyed.¹¹ Natural disasters have clearly paid a role in ensuring that archival silences have become a reality, and such examples have hitherto been discussed within the framework of perceived silences – those that are not caused consciously. However, even though natural disasters cannot be prevented, the failure to establish adequate repositories for records is preventable, and has compounded the loss of records caused by natural disasters in Turkey historically.

The only surviving Ottoman records that predate the capture of Constantinople in 1453, are a few imperial decrees (*ferman*), deeds of trusts (*vakfiye*) and title deeds (*mülknâme*). Whereas a few hundred registers (*defter*), dating from 1453 to 1520, have

survived and have been transferred to the archives.¹² It is likely that the number of records created far surpassed the number transferred to the archives in this period, although no data is available that would enable an accurate estimation of the number of records that haven't survived.

From state to empire: Centralisation, historical actors and reform

The Ottoman Empire ruled lands and territories spanning three continents for over six hundred years. Ottoman chroniclers describe the good old early days before centralisation took hold, detailing how the early rulers cooked soup for the poor and were generous to the dervish communities.¹³ Centralisation intensified after Constantinople was captured, and became Istanbul, and this centralisation was reflected in official recordkeeping practices. The Ottoman state was ruled from the centre by the sultan and provincial administration was entrusted to governors (*sancakbeyi*) and judges (*kadi*), and other officials from a military background. Provincial administrations were instructed to keep records and it was the governor who appointed officials such as local treasurers who were supervised by the chief treasurer (*defterdar*). It is evident that recordkeeping was deemed important because officials who were entrusted with recordkeeping also participated in military campaigns, so that they could keep records and carry out administrative duties while the empire was at war.¹⁴ However, this was less likely to do with a long-term preservation agenda, and was more likely related to the fact that a sizeable proportion of Ottoman primary records that have been transferred to the Ottoman archives are of a financial nature, detailing taxation levies, which the empire relied on to fill the treasury. Also, information pertaining to the conditions the records were kept in locally is not available, thus it is logical to surmise that the non-survival of some records may be due to inadequate archival conditions.

For the sake of simplicity, recordkeeping practice in the Ottoman period can be viewed in two distinct phases. This is due to the changes in Ottoman bureaucracy and administration that came about through the efforts of various sultans who aimed to westernise the empire.¹⁵ The fact that the state was in financial difficulty and that the Ottomans no longer were as successful militarily, may have played a significant role in the formulation of policy that imitated the West. The first phase was the pre-ministerial phase, which spans from the foundation of the Ottoman state, to the establishment of the first government departments (ministries) in the 1830s. The second phase of recordkeeping revolved around and was implemented in the ministries, from the 1830s to 1922.¹⁶ In the pre-ministerial period, records were created primarily in the palace and in the office of the Grand Vizier. The chief scribe was responsible for keeping Imperial Council records. The imperial records included, amongst other records, those relating to the assignment of land holdings, correspondence with foreign rulers, and those relating to laws that had been given royal assent.¹⁷

The second phase of recordkeeping witnessed the establishment of the Ottoman Archives, discussed below, following the establishment of a record office at the Prime Minister's Office. Most ministries followed suit and the aim was to improve

the efficiency of bureaucracy. Although new procedural changes were introduced to deal with the colossal volume of paper records, political events, including long wars rendered extensive recordkeeping reform unrealistic. Heindon pointed out when he wrote about public administration in the Ottoman Empire approximately a decade later, that not only was the nature of the bureaucracy unmanageable, the records themselves were bulky, as they were passed from one office to another, in order to avoid responsibility. Hence, each official added to the record as it passed through government, and to make matters worse, the modern filing systems initiated across ministries tended to be ignored in favour of classical filing methods.¹⁸ Ultimately, an awareness that recordkeeping practices had to change in the late Ottoman era existed. This awareness generally took the form of determined individuals who occupied high office in the bureaucratic tiers of the empire pushing for change, which is demonstrated by the establishment of the Ottoman Archives. This change was positive and clearly a step in the right direction but was not sufficient on its own to lead to wide-ranging reforms.

At its height, the Ottoman Empire spanned the Balkans, North Africa, the Middle East and the Arabian Peninsula, and its diplomatic relations reflected this expansion. In 1793, the Ottomans established a permanent embassy in London, and Mustafa Reşid Paşa was appointed ambassador to the United Kingdom in 1838, the year in which the Public Record Office (PRO) in London was established. Mustafa Reşid Paşa was a reformist statesman in the Tanzimat era (literally meaning reorganisation), which focused on constitutional reform. He became prime minister upon his return to Ottoman lands, and despite only having been in office for two years prior to the establishment of the Turkish archives (*Hazîne-i Evrâk*/Treasury of Documents) in 1848, can be said to have played an instrumental role in its foundation. In political circles Mustafa Reşid Paşa was regarded by some as pro-British for a number of reasons, which included the severe economic consequences for Turkey, of the capitulations that were granted to British merchants,¹⁹ but primarily because of his pro-British attitude in diplomatic affairs. In a dispute between Russia and France over the control of holy sites in Ottoman Jerusalem in 1853, Mustafa Reşid Paşa is thought to have caved into pressure from the British ambassador Stratford Canning to reject Russian demands, and he supported British interests during the Crimean War.²⁰ Mustafa Reşid Paşa was regarded as an adherent of westernisation and modernisation during a period when the Ottoman Empire was undergoing reform on different levels, and was even removed from office on occasion due to his views. The pro-British influence on Mustafa Reşid Paşa could be viewed as ideological in nature or was, more realistically, the result of mutual political and diplomatic exchanges that stemmed from his time as an elite statesman during the late Ottoman era. As mentioned, his time in London as an ambassador coincided with the establishment of the PRO, and the establishment of the Ottoman Archives after his return to the empire was probably to an extent influenced by the public records system he witnessed first-hand in the United Kingdom.

The construction of the Ottoman record office building was completed in 1848 and was in use for 150 years, and was described as being both modern and western.²¹

A duality is apparent with regard to official recordkeeping in the late Ottoman period, a duality that at times resulted in an archival silence, and at times the exact opposite, promoting sound recordkeeping practices. The newly opened archives is a case in point. The building of a separate record office that housed records that had previously been held in various, less than desirable, conditions in multiple locations was a major step towards ensuring these records had a chance of long-term survival. However, in the nineteenth century, the archive was not built with public access in mind.²² The resulting archival silence was perhaps more of a perceived silence, because the majority of records held at the archives were closed records, therefore access was not an option at the time. However, transfers from the Prime Minister's Office (Grand Vizierate) to the archives began soon after the completion of the building, thereby ensuring that some records would be housed centrally in more adequate archival conditions.

The Ottoman History Committee (Târîh-i Osmânî Encümeni) was founded in 1909 with the aim of writing an objective account of the Ottoman Empire. It was no coincidence that it was established one year after the declaration of the constitutional monarchy in 1908. This period resulted in a new parliamentary system with an emphasis on the importance of the past in the form of a history written from objective sources, not only for scholars, or public servants, but also for Ottoman citizens so that they could become acquainted with the history of their homeland (*vatan*). The work of the committee raised the profile of archives and libraries stressing that they were still not suitable for users to use for research purposes. Indeed, the chairman of the committee, Abdurrahman Şeref Bey, was sent to Vienna and Berlin to gather evidence of international recordkeeping practices and legislation. Moreover, it could be argued that the declaration of the second constitutional monarchy in 1908 prompted the arrangement of records so that they were accessible for the purpose of writing the history of the Ottoman Empire. The commission was charged with sorting through the archives in the storage facilities in Topkapı Palace and Sultanahmet, where archives had been stored historically.²³ The above endeavours enabled a discussion at an official level to improve recordkeeping practices and to view archives as spaces that should also be utilised by the public, thus attempting to prevent an archival silence. Unfortunately, the work of the committee was halted in 1914 due to the outbreak of World War I, yet another example of how natural disasters and war contributed to archival silences throughout history. The chaos caused by the war may have hindered official efforts to classify records, and to render the archives usable for research, but clearly records were valued as assets. Two hundred and five chests full of documents, including imperial decrees that were deemed too valuable to be left behind to be destroyed by war in Istanbul, were transported to Konya by train for safekeeping.²⁴

Recordkeeping practices and legal framework

The duality in approach to recordkeeping mentioned above is a consistent theme throughout the Ottoman and Republican era. Sixty-three years prior to the

establishment of the Ottoman Archives, an imperial edict promulgated in 1785 stressed the importance attached to recordkeeping and archival practice by the Ottomans. The removal of palace records from vaults at Topkapı Palace, to more suitable archival storage near the Office of the Grand Vizier was ordered, and the chief scribe made responsible for these records.²⁵ However, despite this positive development, far-reaching structural change in recordkeeping practices was not yet on the horizon. This can be attributed to natural disasters, uprisings and long wars that ensured more adequate recordkeeping was not high on the agenda.²⁶ From 1785 to present day, the implementation of a plethora of regulations and laws relating to recordkeeping and archival practice has been voiced officially; while some have come into practice, others have not. The mid-nineteenth century not only witnessed the establishment of the Ottoman Archives, but also saw the intensification of efforts to introduce modern archival practice. In 1845, during the period of reform, the Minister of Finance, Safveti Paşa, paved the way for documents still held in Topkapı Palace to be arranged according to their administrative origins.²⁷ Thus, unknowingly, introducing the principle of provenance to Ottoman recordkeeping.²⁸ However, it was not until 1956 that the classification of state records in accordance with the principle of provenance would officially be introduced.²⁹ Up until then, records were arranged and described chronologically from a historical perspective by historians. Indeed, the principle of disposal was not applied to records from the Ottoman era (all surviving Ottoman records are deemed to be worthy of permanent preservation) and records that were no longer used were transferred to, sometimes inadequate, storage off site, but disposal was not an option.³⁰ Recordkeeping was the pursuit of historians, and even though Ottoman records did not undergo appraisal or selection, it would be naïve to assume that all Ottoman records have survived to the present day given the loss, caused not only by natural disasters, and inadequate storage conditions, but particularly because these unfavourable circumstances worsened during the early decades of the republic.

The fact that the regulations regarding records of the republic came into force decades after the republic had been founded, coupled with the lack of appropriate repositories, witnessed the ruin of many Ottoman records, and can be considered to have led to an archival silence. The Turkish republic was founded in 1923 by Atatürk and it isn't surprising that recordkeeping was not at the forefront of the new republic's agenda. The Ottoman Empire was compelled to sign the Treaty of Sèvres with the aim of dissolving the empire and abolishing Turkish sovereignty. A decade after the republic was founded, the need for an archive to preserve the records created during the Republican period was voiced in official circles.³¹ Unfortunately though, a Republican Archives was not established until 1976, thus ensuring that some records would not survive to make it to the archives. The appraisal of records as a principle did not gain currency until the 1950s, when legislation was introduced to allow the destruction of records not selected for permanent preservation.³² A 1935 decree, which ordered that a Republican Archives was built, and that Turkish archivists be trained abroad, was not implemented.³³ The first decades of the new republic also saw no effort to deal with the huge volume of Ottoman documents

that were predominantly still kept in the ministries that had created them. The Ottoman Empire was regarded as being firmly in the past, and the new republic that introduced secular reforms, was not yet ready to face the Ottoman legacy. It is no easy task to quantify the potential loss of archival material that stemmed from the failure to transfer Ottoman records to the Ottoman Archives, or to establish an archives for official records of the republic until several decades later. This inaction clearly caused an archival silence and is best illustrated through the scandal of the sale of Ottoman records as scrap paper to Bulgaria in the 1930s.

It is estimated that between 30 to 50 tonnes of Ottoman documents stored in the Treasury were sold to Bulgaria through an act of negligence in 1931.³⁴ The two Land Registry officials responsible for assessing the documents failed to consult anybody else before making the decision to sell the documents of a financial nature to Bulgaria, and the incident caused uproar occupying the headline of newspapers for days on end. The prime minister of the time, İsmet İnönü, wrote to Bulgaria to stop the sale of the documents, and a circular was issued to all public bodies to forbid henceforth the sale and disposal of documents.³⁵ The return of the documents to Turkey was pursued but some of them had perished in dire storage conditions. Despite the fact that Bulgaria was later to provide access to, and preserve, these documents, does not distract from the lack of robust recordkeeping practices in the early Republican period. In addition to this, despite the establishment of an Ottoman Archives almost a century before, it is evident that a colossal number of Ottoman records were still held in the non-archival storage facilities of ministries.

In present-day Turkey, the record management of public records is governed by various regulations, directives and circulars that have come into force, primarily since 1988, each relating to a different aspect of recordkeeping or archival practice. A public records act or a single piece of legislation that covers all aspects of recordkeeping or the long-term preservation of archival material does not exist. Draft archival legislation in the form of an archival act has been prepared a few times over the last 60 years; however, none has come into force. Instead, existing regulations have been revised. The academic and archival community in Turkey was instrumental in ensuring that the 1988 Regulations on State Archival Services³⁶ came into force through stressing the need for more robust management of public records. The backlog of legacy records, the lack of appraisal and the inadequate storage of public records were highlighted as issues in the public records system.³⁷ The 1988 regulations on archival services were viewed as complementing the legislation that allowed for the destruction of records and reference was made to the appraisal and transfer of records to the archives. This regulation paved the way for the transfer of records to the Republican Archives, although the transfer of records did not begin for several years.

In Turkey, currently, there is a strong regulatory emphasis on the management of corporate digital information, and this trend towards robust information management practices has intensified since 2015. The 2015 version of the Turkish standard TS 13298: Electronic Records Management, which all public bodies are required to comply with, is based on international records management standards and stresses

the need for the application of sufficient metadata, data sharing between public bodies and the need to maintain a corporate digital archive.³⁸

Recent legislative change should ideally have a positive impact on the Turkish public records system and plays a role in hindering any future archival silences. After 30 years, the 1988 regulation on archival services was revised in 2019 following the implementation of a presidential decree that reflected a machinery of government change in 2018. Prior to 2018, both the Ottoman and Republican Archives under the State Archives were attached to the Prime Minister's Office. However, upon the transition from a parliamentary system to a presidential system in Turkey, the State Archives became part of the presidency. With the implementation of the revised 2019 archival services regulation and the new 2018 presidential decree,³⁹ three significant changes to the Turkish public records system are apparent:

- The transfer rule has been reduced from 30 years to 20 years, or 15 years if applicable.⁴⁰
- Public bodies that used to be exempt from transfer to the archives, and were required to keep records in their own archives, are now legally obliged to transfer their records. Examples include the Ministry of Foreign Affairs and the Ministry of Interior. The intelligence services and the Turkish Grand National Assembly are still exempt from transfer to the archives.⁴¹
- The law on the destruction of records and material that do not possess permanent preservation value was repealed.

The above changes in the public records system promote transparency and accountability across the public sector as more public bodies are obliged to transfer records, and the transfer rule of 15 years is one of the lowest internationally. The repealing of the law on the destruction of records has been welcomed by many because, as its title suggests, its focus was on the disposal of records and not on appraisal in a positive context. Despite the positive changes to the public records system described, which will help prevent future archival silences, a duality is still present. The review of current legislation, which led to the revision of the 1988 regulation and the addition of a new decree in 2018, could have instead resulted in the implementation of a stand-alone public records act that had enforcement powers and imposed sanctions for non-compliance. This would ensure that public bodies would be even more receptive to the advice and guidance of the Turkish State Archives, and civil servants working in recordkeeping across government would be aware that non-compliance would have ramifications. Even though the implementation of a public records act would be ideal, the current legal framework nonetheless states that the transfer of born-digital records is the responsibility of the State Archives, and that it is the archives that will formulate the method and procedure for transfer.⁴² Given the reduction in the transfer rule, most public bodies in Turkey will be obliged to transfer born-digital records selected for permanent preservation in the next few years. One of the objectives detailed in the State Archives' 2019 Strategic Plan, is to create a data centre and network that will be used as a system to provide easy and swift

access to archived records.⁴³ This would clearly be a positive development if the trustworthiness of digital records is maintained over time. However, it is not clear whether the system mentioned in the strategic plan will provide the infrastructure for the transfer of born-digital records to the archives, and subsequently the processing and interpretation of the material. It is logical that the transfer of born-digital records has not yet started in Turkey, because digital information management in Turkey is still relatively new, so records will not yet be due for transfer. However, the formulation of policy and procedure for public bodies to aid them with the appraisal, selection, and sensitivity review of voluminous granular digital information across various digital platforms prior to transfer to the archives, is a must. There is little experience of transferring born-digital records in Turkey, and future archival silences can be averted, if recent constructive regulatory developments are accompanied by solid guidance on how digital transfer will be carried out, against the backdrop of international discourse on disruptive and second generation archives.⁴⁴

Access to Turkish public records

The subject of access to Turkish public records can be considered from more than one perspective. The provision of access to Republican period records (from 1923 onwards) differs from that of access to records from the Ottoman period. Access should not be just considered in the post-modern sense of the term that essentially denotes the right to information within the framework of Freedom of Information legislation. It should also be considered from the perspective of access to pre-modern records. While access to public records from the Republican period will be examined shortly, access to Ottoman records will be discussed first. Ottoman records preserved at the Ottoman Archives in Istanbul, which form part of the State Archives, fall into two main categories: registers (*defter*) and documents (*evrak*). There are two basic kinds of registers, those containing copies of orders and decrees, and those containing financial data. Copies of the orders and decrees of the Ottoman Imperial Council fall into the first category, whereas the financial Cadastral registers are in the second category, and provide detailed information, including information from census records, on the urban and rural population and administrative organization in most of the Ottoman provinces.⁴⁵ The types of records created during the Ottoman era reflect the administrative structure and bureaucratic changes undertaken by the Ottoman state. Registers were primarily created and used before the administrative and western style reforms adopted by the Sultan Mahmud II in the 1830s. Scribes entered copies of imperial correspondence, orders and decrees into the registers, along with any other administrative business. From the 1830s, registers fell out of favour and the administration was carried out using documents and files.

The Ottoman Archives opened to the public in 1908, and hold over 95 million documents and 400,000 registers, and as of 2016, approximately half of these records had undergone classification⁴⁶ and are available online to the public via the catalogue (BETSİS) of the State Archives. Documents are viewed free of charge and can be downloaded for a small fee. The archive has undertaken digitalisation

projects on a huge scale following the classification of documents, and thus have ensured that an archival silence doesn't exist in this respect, especially because the arduous task of classifying Ottoman records continues. In early 2020, the archives announced that 1600 more registers and more than 200 documents, dating from the sixteenth century onwards, had been classified and were available online.⁴⁷ What is problematic, however, are the issues surrounding the arrangement and classification of Ottoman records. The incorrect or inadequate cataloguing of Ottoman archival records carried out in the past is another example of how archival silences are more complicated than is normally assumed. The silences do not just result from a lack of transparency and accountability. Ottoman state registers in the Ottoman State Archives are primarily archived in three different catalogues, each catalogue representing a classification unique to the administrative origins of the registers, or named after the historian primarily responsible for the classification of the records. The Bâb-i-Âsafî Catalogue contains registers from the Palace of the Grand Vizier usually comprising of decisions taken at the Imperial Council, the Kepeci Catalogue named after Kamil Kepeci, discussed below, and the Divan-ı Hümâyûn Catalogue that contains registers of the Imperial Council, are the three catalogues in which registers are still listed and are made available today.⁴⁸

Kamil Kepeci, a Turkish historian and decorated soldier, undertook the classification of approximately 7500 Treasury registers dating from the fifteenth to nineteenth centuries. Research has highlighted how the cataloguing of some of these registers in series that are irrelevant or incorrect has rendered access to them by the archival user difficult. Registers classified as Tahvil Kalemi Defterleri (registers relating to the transfer of land granted by Ottomans in lieu of tax) actually belong in series on Defterhane registers (Office of Registry of Land of Catastro).⁴⁹ In another example, some registers on the appointment of officials (Ruus Defterler) were erroneously classified amongst Mühimme Defterleri (registers that contain the proceedings of the Imperial Council).⁵⁰

The erroneous classification of Ottoman records centuries ago should not be judged by modern standards, the classification of thousands of records was, and still is, a mammoth task, and has made a significant contribution to the understanding of Ottoman society. In addition, since the Ottoman administrative structure is not one that can be transformed into a straightforward user-friendly administrative chart, the classification of Ottoman records was far from easy. Archival users today are faced with an archival silence if the information they seek is classified and catalogued erroneously unless they painstakingly consult individual registers and documents to ascertain whether they are in the right series.

The incorrect description of records that contain non-Turkish personal or place names also render it difficult for the user to find the record they are looking for. According to Shaw, the particular type of Ottoman script which the records are written in, can sometimes lack entirely the paleographic devices needed to distinguish among many letters in the ordinary Arabic script, thus the deciphering of personal and proper names becomes especially difficult.⁵¹ Users wanting to consult Ottoman Turkish records have to possess proficiency in the Ottoman Turkish script,

which consists of Turkish, Persian and Arabic cognates. Generally, the user first consults the summary of the record written in the modern Turkish Latin script using the catalogue, in order to decide whether they wish to consult the document. In some cases, the catalogue description is completely wrong. Recent research found that a record listed as a report on how to create a flawless archival file, is actually an examination paper for entry to the civil service in 1911.⁵² In another example, a preliminary examination of the BETSİS catalogue reveals the names of two English army captains in two respective descriptions erroneously listed as İslif Vekarper⁵³ and İstfabak.⁵⁴ The names have been so poorly transcribed, it is not possible to decipher the correct names. In another catalogue description, *The Times* newspaper is transcribed as Tan.⁵⁵ Another record description that has recently been corrected by the archives is as follows: ‘To secure assistance for British soldiers in securing cigarettes (*sigara*) from Lüleburgaz.’ Whereas the correct description should read: ‘To secure assistance for British soldiers in securing beef (*siğir*) from Lüleburgaz.’⁵⁶ Cataloguing errors made centuries ago in less than favourable conditions should be amended to maximise accessibility and to prevent archival silences.

Access to the public records of the republic differs from access to records from the Ottoman era. As mentioned, public bodies transfer their records to the Turkish State Archives at either 15 or 20 years. However, records transferred to the archives are not open to the public until they reach 30 years old.⁵⁷ Case files and those containing personal sensitive information are closed for 101 years. This means that a perceived archival silence is apparent because records are not available for immediate public consumption. Understandably, information in records that are less than a couple of decades old, is more likely to contain sensitive information, thereby this measure by the archives acts as a safeguard against the inadvertent release of information. However, the fact that the Turkish Freedom of Information Act, which came into force in 2003, does not apply to closed archival records, does constitute an archival silence, because the public do not have the right to ask for information in closed records to be considered for release. It is a contradiction that the transparency and accountability afforded by the state in terms of providing access to official information under Freedom of Information does not apply to archived records. This means that whilst the public sector as a whole is transparent, a loophole exists with regard to archival material held in the state archives.

Conclusion

This chapter examined what the concept of silence in the archives means within a Turkish archival context. It should be noted that Turkey’s experience is very different from that of other countries. Turkey, unlike many other countries such as India or the Caribbean, was never a colony. Archival silences in the past did not result from overly authoritarian regimes or the desire to suppress the voice of official documents. Current archival usage sees silence in the archives as resulting from a lack of transparency and accountability. However, the Turkish experience reveals that it is far more complicated than that. A variety of reasons resulted in an archival silence in

Turkey, ranging from long delays in transferring the records of the previous regime to the destruction caused by natural disasters.

A great many Turkish public records perished due to natural disasters and wars fought over the centuries, and because of inadequate storage conditions prior to the establishment of the Turkish archives. Such examples have been categorised as perceived silences because, by and large, these silences were not caused deliberately or by ill intent. On the other hand, the fact that regulations regarding records of the republic did not come into force until decades after the republic had been founded, and that the lack of appropriate repositories witnessed the ruin of many Ottoman records in the early decades of the republic, can be considered within the framework of silence in the archives. Robust records management regulations are in existence in Turkey today; however, a stand-alone public records act, which embeds the spirit of Freedom of Information in terms of the right to request access to closed records, would enhance the transparency already afforded by the new lower transfer rule. The fact that an infrastructure for the transfer of born-digital records to the archives is yet to be established, and that the archives are yet to publish guidance and provide advocacy on the processes specific to digital information, such as appraisal, sensitivity review including using technology assisted review, and transfer, means that silence in the archives may be an issue for the Turkish archives in the future.

Notes

- 1 İnalçık, 'The Status', 409.
- 2 Çekiç, 'Kuruluş', 247.
- 3 Imber, 'The Legend', 75.
- 4 Çekiç, 'Kuruluş', 255.
- 5 Özdemir, 'Ottoman', 118.
- 6 Ağoston, GÁbor, Masters, 'Prime Ministry Ottoman Archives', 470.
- 7 Türoğlu & Uludağ, 'From Past' 138–139.
- 8 Türoğlu, Uludağ, 'From Past' 139.
- 9 Başbakanlık Devlet Arşivleri Genel Müdürlüğü Osmanlı Arşivi Daire Başkanlığı, 'Başbakanlık' 30.
- 10 Başbakanlık Devlet Arşivleri Genel Müdürlüğü Osmanlı Arşivi Daire Başkanlığı, 'Başbakanlık' 29.
- 11 İcimsoy, 'Development' 144.
- 12 Başbakanlık Devlet Arşivleri Genel Müdürlüğü Osmanlı Arşivi Daire Başkanlığı, 'Başbakanlık' 29.
- 13 Özdemir, 'Ottoman', 168.
- 14 Başbakanlık Devlet Arşivleri Genel Müdürlüğü Osmanlı Arşivi Daire Başkanlığı, 'Başbakanlık' 28.
- 15 İcimsoy, 'Development', 60.
- 16 İpşirli, 'Bâb-ı Âlî', 384.
- 17 İcimsoy, 'Development', 67.
- 18 Heidborn, 'Manuel' 218–221. Also see İcimsoy 'Development' 71.
- 19 Ağoston and Masters, 'Encyclopedia' 414.
- 20 Ağoston and Masters, 'Encyclopedia' 414.
- 21 Başbakanlık Devlet Arşivleri Genel Müdürlüğü Osmanlı Arşivi Daire Başkanlığı, (2017 version) 'Başbakanlık' 33.
- 22 Baş, 'Osmanlı', 152.

- 23 Ágoston and Masters, 'Encyclopedia' 470.
- 24 Başbakanlık Devlet Arşivleri Genel Müdürlüğü Osmanlı Arşivi Daire Başkanlığı, (2017 version) 'Başbakanlık' 31.
- 25 Başbakanlık Devlet Arşivleri Genel Müdürlüğü Osmanlı Arşivi Daire Başkanlığı, 'Başbakanlık' 34.
- 26 İcimsoy, 'Development' 72.
- 27 Başbakanlık Devlet Arşivleri Genel Müdürlüğü Osmanlı Arşivi Daire Başkanlığı, 'Başbakanlık' 34.
- 28 İcimsoy, 'Development' 74.
- 29 İcimsoy, 'Development' 82.
- 30 Çetin, 'Osmanlı' 116.
- 31 İcimsoy, 'Development' 107.
- 32 Law on the Destruction of Records and Documents that do Possess Permanent Preservation Value, passed on 26 March 1956.
- 33 İcimsoy, 'Development' 107.
- 34 Başbakanlık Devlet Arşivleri Genel Müdürlüğü Osmanlı Arşivi Daire Başkanlığı, 'Başbakanlık' XLI.
- 35 Başbakanlık Devlet Arşivleri Genel Müdürlüğü Osmanlı Arşivi Daire Başkanlığı, 'Bulgaristan' 13–15.
- 36 Devlet Arşiv Hizmetleri Hakkında Yönetmelik.
- 37 İcimsoy, 'Development' 171–173.
- 38 Kandur, 'Role' 2016. See also Özdemir Şahin, 'Archives' 2019.
- 39 Devlet Arşivleri Başkanlığı Hakkında Cumhurbaşkanlığı Kararnamesi 2018 (Presidential Decree Relating to State Archives) and Devlet Arşiv Hizmetleri Hakkında Yönetmelik 2019 (Regulation on Archival Services).
- 40 Devlet Arşivleri Başkanlığı Hakkında Cumhurbaşkanlığı Kararnamesi 2018 (Presidential Decree Relating to State Archives), s.4(1)(a).
- 41 Devlet Arşivleri Başkanlığı Hakkında Cumhurbaşkanlığı Kararnamesi 2018 (Presidential Decree Relating to State Archives), s.2(1).
- 42 Devlet Arşivleri Başkanlığı Hakkında Cumhurbaşkanlığı Kararnamesi 2018 (Presidential Decree Relating to State Archives), s.11(f).
- 43 Türkiye Cumhuriyeti Cumhurbaşkanlığı Devlet Arşivleri Başkanlığı 2019 Yılı Faaliyet Raporu (Strategic Report), 19 (2020).
- 44 The National Archives, 'Digital strategy.'
- 45 Shaw, 'Archival', 2–3.
- 46 www.aa.com.tr/tr/kultur-sanat/osmanli-arsivinin-yarisi-tasnif-edildi/562209 (accessed 15 July 2020).
- 47 www.aa.com.tr/tr/turkiye/osmanli-arsivine-1600den-fazla-defter-kazan-dirildi/1720982 (accessed on 15 July 2020).
- 48 Aydın, 'Osmanlı', 22.
- 49 Aydın, 'Osmanlı', 42.
- 50 Aydın, 'Osmanlı', 71.
- 51 Shaw, 'Archival', 3.
- 52 Yılmaz Şentürk, 'II. Meşrutiyet', 8.
- 53 BETSİS Catalogue Reference: HR.MKT. / 37–14–0 Tarih: H-04–12–1266
- 54 BETSİS Catalogue Reference: İngiliz Kaptan İstfâbak [?] ve Ellefird Bromlis'e [?] izn-i sefine verilmesi.
- A.DVN.DVE. / 22–100–0 Tarih: H-10–09–1273
- 55 BETSİS Catalogue Reference: Y.A. HUS, nr. 216/44.
- 56 We would like to express our gratitude to Prof. Kemalettin Kuzucu for this example. BETSİS Catalogue Reference: HR. SYS, nr. 1352/25.
- 57 www.devletarsivleri.gov.tr/Sayfalar/Sayfa/3/934515957719AB25DF388559A8E86A767FD99E56CFFDE08AE38B07C4F6D43854 (accessed on 16 July 2020).

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9

SILENCED ARCHIVES AND ARCHIVED VOICES

Archival resources for a history of post-independence India

Swapan Chakravorty

In January 2016, the Mumbai edition of the English-language daily *The Indian Express* carried a report on a lecture by the Indian historian Ramachandra Guha.¹ It was the eleventh annual lecture organized by Godrej Archives, an institution set up in Mumbai for the collection and preservation of records relating to the Godrej group of companies. Started in 1897, Godrej is one of the most trusted Indian brands. Widely known for steel furniture, the group manufactures products ranging from capstan moorings for submarines and liquid propulsion engines for space launch vehicles to domestic padlocks and aquafeed.² The annual lectures of its Archives reflect a similar bias towards thematic promiscuity.³ Guha's lecture, however, suited the institution that hosted it. The lecture was titled 'The Challenge of Contemporary History' and was delivered on the evening of 19 January at the Chhatrapati Maharaj Shivaji Vastu Sangrahalaya, the new name for what used to be the Prince of Wales Museum of Western India in Mumbai, then known as Bombay.

According to the *Indian Express* report, Guha regretted that not many historians were working on India's history since the end of British rule in 1947. This has resulted in 'major gaps in the historical understanding of post-Independence India'. There was a dearth of 'critical analytical biographies of many key figures of our modern history', especially of leaders who worked in the provinces, away from the media glare in the capital. There was no comprehensive study of caste and elections in post-Independence India – two institutions, one ancient and the other of more recent vintage, which have shaped the fortunes of the nation's recent history.

One of the odds that a historian working on modern India comes up against is the paucity of archival material. Guha spoke of Indians being 'careless and paranoid' about records, an old complaint to which I shall return shortly. For instance, a scholar has no access to the papers of a few of India's former prime ministers. The papers of Indira Gandhi are out of bounds, and one is none too sure about the sentiments of Atal Bihari Vajpayee's family about the late leader's papers. The report

ends with a quotation from the lecture: ‘The republic of India is without question the most recklessly ambitious as well as ambitiously reckless political experiment in human history. We need to be much...better informed.’

I have known Guha for several years and have admired his work – the columns he writes for English-language newspapers as much as the lucid academic tomes. I wrote an e-mail to him in June 2020 looking for details of the lecture, and he kindly directed me to a piece he had published earlier in the *Economic and Political Weekly (EPW)* as more pertinent to my purpose.⁴ The essay was eloquent and provocative, and it did provoke a few sharp replies from well-known Indian social scientists.⁵ Maybe it was a good thing that I was not a professional historian or social scientist, anxious to police disciplinary walls or pull them down. Such irresponsible freedom as I enjoy perhaps allowed me to find some of the unlit corners of Guha’s piece oddly illuminating. I could have used the bland adjective ‘interesting’, like a surgeon taking somatic stock of a lesion showing up on an X-ray plate. In fact, Guha uses the qualifier ‘interesting’ in a similar way, not as a word of praise or abuse, but as one that draws attention to the singularity of a populous country that is bewilderingly diverse, an agrarian economy lumbering to one based on industry and services, a democracy that shores up degrading gender and caste hierarchies – contradictions likely to make the historian suffer a fit of what used to be fashionably labelled ‘cognitive dissonance’.⁶ However, my use of the word ‘illumination’ is unspectacular, although rooted in the lexical context of visibility. I use it in the un-Augustinian sense of a physical event that lights up something hitherto dark, albeit not always in an intended manner.

Guha’s major point is that archival documents for contemporary history are far from abundant in India. The historian, by default, has to rely on the synchronic analysis of political scientists and sociologists, in addition to papers such as court records, scarce official and personal correspondence in multiple languages, periodicals, ephemera, biographies and memoirs written by participants in the events, and journalists’ accounts. India is less than democratic in matters pertaining to official records. The 30-year rule applies to classified archival materials, but most of the relevant policy documents are not transferred by ministries to the National Archives of India (NAI). Guha puts such negligence down to a mix of fear and carelessness about official records. Indians either destroy records out of sheer callousness, or because they fear exposure of celebrities whose reputation serves as the claim to their successors’ privilege. Further, papers that ought to be ‘public’ are held in ‘private’ custody of the families and legal heirs of public figures. Scholars are granted access to them only if their political loyalties are deemed favourable.

The odds seem to favour academic fads that discourage archival research in recent history. However, Guha has encouraging things to say for the researcher unseduced by the blandishments of the textual turn. The Nehru Memorial Museum and Library (NMML) in New Delhi, housed in the former official residence of free India’s first Prime Minister Jawaharlal Nehru, has a substantial collection of records relating to the post-Independence period – materials that one may not find in the NAI or in the records of the India Office (IOR) now in the British Library. It has

microfilms of Indian periodicals in several languages – a resource less explored than one would have expected. But then follows depressing news. At least at the time Guha published his essay (2008), the NMML had closed access to papers relating to China, Kashmir and Indira Gandhi's infamous Emergency of 1975–1977 when civil rights were suspended and dissidents arrested – resources that he had looked up when working on one of his earlier books. The State Archives, or the government archives in the constituent states of the federation, are rich sources of material, as are other government organizations – the National Crime Records Bureau (NCRB), land revenue offices, different wings of the Indian police. Although Guha's silence about the quality of service is typical of his patience with the staff, scholars at the State Archives face indifference to their needs from perfunctorily trained personnel and official nostrums on how 'sensitive' items should be managed. The other agencies, not mentioned in Guha's essay, are of limited use to the researcher, since only non-current records are considered archival and access to most files are restricted. Information services are less guarded than official archives. The Directorate General of Commercial Intelligence and Statistics (DGCIS) in my home town Kolkata, for instance, compiles and supplies trade data. Doubts about the accuracy of economic statistics circulated by successive Indian governments have been expressed for a while now, by no less an official than a former Governor of the Reserve Bank of India (RBI).⁷ Skewed data may have something to do with ease of access – a form of tactical generosity the secret of which I am unable to fathom. The government and its departments, the RBI, Indian embassies and United Nations agencies do not have to pay for trade statistics since the DGCIS is part of the Union Ministry of Commerce and Industry. Private users have free access to principal commodity-level data of the past two years through the foreign trade data dissemination portal. They are charged a small fee for specific requests, and institutional subscriptions allow easy downloads. Indian academic institutions are offered a 60 per cent discount on the annual bulk data cost if they abide by a 'no commercial use' undertaking.⁸

Many of these sources, being of minor relevance, are missing from Guha's list, but it includes other sources of contemporary Indian history, many of them only strictly 'archival'. There are official records relating to India in foreign diplomatic missions in New Delhi, and dispatches by diplomats accessible in the national archives of their home countries. Oral history comprises yet another resource, and it is perhaps the most relevant for this essay. What Guha has to say on oral history constitutes a moment of 'illumination' in the essay for me, although possibly in a manner unrelated to the author's purpose. The contemporary historian is at an advantage over her colleagues when it comes to oral history. A biographer of a nineteenth-century worthy cannot depend on reminiscences of living people, whereas historians researching recent events and biographers of living or recently deceased personalities can. Guha adds a caveat at this point. It would be unwise of the historian to rely entirely on oral testimonies. But used judiciously with contemporary documents, oral history may be valuable in piecing together the recent past. Guha concludes that resources for a history of the evolving – and at times contradictory – Indian

republic are not as sparse as imagined, and that the materials available are worth examining in a spirit willing to disregard the prejudices and passions of the moment.

Wise and judicious selection is easier said than done. Who decides on what is wise, who judges to what extent one should depend on, say, oral sources, and who assesses the measure of 'judicious' use? These words and phrases sound odd in a context in which historians are being advised to shun 'prejudice' and unexamined animosity. More pertinently, when does the use of oral and non-formal archives conform to the disciplinary demands of history based on hard empirical evidence? I examine these problems in the rest of this essay, with particular attention to archival resources on the history of post-Independence India.

India has more archives relating to recent history than one would gather from Guha's essay. The archival materials with newspaper houses, law-courts, government surveys such as the Archaeological Survey of India and the Anthropological Survey of India, autonomous cultural bodies funded by the Union government such as the Indira Gandhi National Centre for the Arts (IGNCA), the National Digital Library of India (NDLI), which is willing to host digitized archival documents of participating institutions, modern manuscript repositories, broadcasters, television companies, film archives of the government and of academies studying media, academic institutions such as the Indian Statistical Institute (ISI) in Kolkata and Tata Institute of Fundamental Research (TIFR) in Mumbai, departmental collections of universities (often started with private bequests), museums with modern themes, the State Archaeological Museums, which hold research papers of recent vintage, the State Central Libraries, district libraries, voluntary institutions and corporate bodies add up to a huge mass of often unsorted documents in multiple media. This is especially the case with apex organizations such as the National Library of India (NLI) in Kolkata, which receives print documents under the depository law.

The problem is not simply of the carelessness and paranoia of Indians when it comes to records, but one of clarity about what constitutes a historical record and who judges its value and its reliability, especially when it comes to records of the recent past. Let me cite an instance from a valuable cache of records close to the years of Indian independence that I was able to acquire for the National Library shortly before my three-year tenure as Director-General ended in March 2013. The records relate to the private diaries maintained by Nirmal Kumar Bose, one of the earliest modern Indian anthropologists and a political activist who in 1947 served as Gandhi's secretary and interpreter when the latter visited the villages of Noakhali (now in Bangladesh) where Hindus were massacred in concerted mob violence in the month of October. Murder and rape in Noakhali led to reprisals against Muslims in Bihar and elsewhere, and Bose had documented many of the details surrounding the major events in his diary. The diary of 1947 had many takers and was hence published, but not the others around the period.⁹ I learnt from eminent friends of the NLI that these constituted a substantial number, and that Bose's legal heirs were willing to deliver them to the custody of the NLI. I was only too happy to bring the diaries over and add the collection to the riches of modern manuscripts in the library.

My tenure at the NLI ended soon after. Meanwhile, the Online Public Access Catalogue (OPAC) was updated, and the link to the static website that directed readers to Special Collections was removed. The NLI now has a state-of-the-art OPAC, minus crucial directories to treasures for which one has to have insider's knowledge. This at least was the case in mid-September 2020 when I last inquired to find that the invaluable Bose diaries were still uncatalogued. In this, I find no difference in the way records relating to pre- and post-Independence India are treated in official archives. Neither do the disciplinary distinctions in the social sciences matter in such instances. Bose's diaries, after all, ought to have been of equal value to anyone studying anthropology, which in India owes much to Bose's pioneering studies. In this case at least it seemed that the custodians of the NLI had little knowledge of the historical value of the diaries. The Union government set up the Gandhi Heritage Sites Panel in 2006 to identify sites associated with M.K. Gandhi. The Panel was chaired by Gopalkrishna Gandhi, former Governor of West Bengal, and had among its members Ramachandra Guha.¹⁰ The number of sites recommended came to 39 in addition to 2000 places visited by the leader. The Gandhi Heritage Sites Mission started work in 2013. But as late as 2017, Virat Kothari, the energetic young head of the IT division of the marvellous Gandhi Heritage Portal, had no inkling of the Bose diaries at the NLI when I met him at the UNESCO House in New Delhi at an NDLI workshop.¹¹ Neither did he seem to think that others in charge of the collections in his institution had better information on the matter. Yet the portal is as close to being textually meticulous, visually exhaustive and technically advanced as any such enterprise in the world. One can freely access at least four printed books on Gandhi authored by Bose.¹² More interestingly, the other, less spectacular, website on Gandhi run by Bombay Sarvodaya Mandal, Gandhi Book Centre of Mumbai and Gandhi Research Foundation of Jalgaon archives a shred of oral history in the form of a conversation between Gandhi and Bose that took place in November 1934 and published in *The Hindustan Times* on 17 October 1935.¹³

This, I believe, is more than anecdotal. Researchers in India know only too well about the non-compliance of publishers with the depository law enjoining them to submit a copy of all publications with four designated libraries including the NLI. A few state governments have attempted to tighten rules of legal deposit in their remit, but the Union government has failed to update the law. A draft revision to the Delivery of Books and Newspapers (Public Libraries) Act 1954, amended in 1957 (DB Act),¹⁴ was prepared after a stakeholders' meeting at the NLI on 25 March 2011, but no amendment has been passed since. Apart from the derisory financial penalties in the DB Act that publishers ignore with impunity, born-digital materials are not covered by the Act. Even many government reports, such as census data are on occasions unavailable in the designated libraries because these are published electronically (although a few are freely available online). At the same time, the government has wasted no time in amending the Press and Registration of Books Act (PRB Act) of 1867, passed by the British to control Indian publications after the Great Indian Rebellion of 1857. Several amendments were made between 1870 and 1983. A new Bill was tabled in 2011, but the Standing Parliamentary Committee

to which it was referred had reservations. When I inquired last, the government headed by Prime Minister Narendra Modi had tried to push through a new revision in 2017, although the Bill lapsed with the closure of Parliament in May 2019.¹⁵ Successive governments did not display equal alacrity in updating the DB Act or in curbing the menace of paid and fake news. Even then, the PRB Act was more potent than the DB Act. Enforcing the DB Act was a forlorn task for the Director General of the NLI, and I sought solace in the wisdom that it made sense for the publisher to be more wary of the Director General of the State Police who took custody of deposits under the PRB Act.

What are the implications of such matters for archival resources for the history of post-Independence India? Government indifference to amending the laws affects accessibility and service in official archives and depositories. Many ministries and departments of the Union government, as Guha has noted, do not send non-current papers to the NAI. I may add that they, together with the state governments, do not deposit gazettes and other important reports with the NLI, and the ones that are dispatched at times lie unsorted in the Indian Official Documents (IOD) Division of the short-staffed library. The laxity that is alleged against commercial publishers when speaking of the DB Act is equally true of government ministries and departments. The slackness with records is less a result of national traits such as carelessness and paranoia than the inability to pace legislation with technology and upgrade political understanding as much as professional training. When I joined the NLI in 2010 laptop computers were not permitted, putting off most users, since the library was a 'Subordinate Office' of the Union Ministry of Culture. Hence, laptops were considered a security threat. I was able to change all that in the first few weeks of my term with the help of a learned and combative bureaucrat who looked after the Ministry. At the same time, I had to trump objecting staff by calling in the local police sans their uniform to demonstrate that the hand-held scanners the objectors trusted were mostly dud equipment and that an embarrassing number of fire extinguishers were 'security risks' since these were long past the date for hydrostatic pressure tests.

Safety measures have improved since then, but knowledge of resources, as the episode concerning the Bose diaries shows, has not. The stagnation means that many records in private hands, even if they ought to be treated as 'public' records as Guha writes, do not reach government archives. Donors choose special libraries, especially academic institutions, for bequeathing these documents, and the travelling researcher, always pressed for time, does not have access to a consolidated collection. Indian official archives are silent not simply because they are forced into silence by political regimes and by uncaring or paranoid guardians of the papers, but also because the records trail off at clefts created by shoddy collection management by overworked and ill-trained staff.

In short, records do not suffer neglect and damage in India because of some flawed national trait like a bad diet: the systemic faults that limit archival materials for writing contemporary history cannot be laid at the door of an imagined cultural habit. I would tend to agree with Michael Moss and David Thomas, although

not perhaps exactly in the sense in which they employ the chiasmus, when they write in Chapter 1 that the supposed absence of evidence in the archives is not necessarily evidence of absence.¹⁶ A great number of citizens are aware of the value of materials in their custody, but prefer to hand them over to non-governmental archives. However, many of the institutions that receive archival gifts do not have the wherewithal to preserve old papers, and are at any rate more interested in making or procuring digital copies. Like the families that relinquish them, the institutions look for better funded organizations when they feel no longer capable of maintaining the material records. When the papers do finally reach institutions such as the NAI or the NLI, they are already in an advanced stage of disrepair. What makes the situation worse is that in-house use of hybrid cameras capable of simultaneous digitizing and microfilming of documents is rare outside large government collections. Accustomed to the low priority accorded to microfilming and armed with the conviction that digitization will salvage the remains, the staff at donee institutions submit the material substrate of the documents to further damage, and the ruined bequest takes with it centuries of the history of the written word or the visual image.

The lack of interest in empirical research on contemporary history in India, in my non-specialist view, owes less to the lure of high theory and paucity of archival sources than to the way archival resources are treated, processed and disseminated. Are Indians genuinely uncaring about records? Partly perhaps. In 2014, I had occasion to serve on a small committee constituted to reorganize the archival holdings of Visvabharati Granthana Vibhaga Library, the publication wing of Visvabharati, the university in Santiniketan founded by the poet Rabindranath Tagore.¹⁷ Rabindra Bhavana in Santiniketan, which houses the university museum and archives, has priceless treasures, many of them unexplored and unprinted, such as the diaries of Tagore's elder brother Jyotirindranath Tagore, playwright, translator from the Sanskrit and French, skilled painter and composer – unquestionably the most versatile of the remarkable Tagore family except for Rabindranath himself. But the letters and documents relating to the press and publishing wing founded by Tagore have all but disappeared. There were several items of value, but I looked in vain for correspondence with authors and booksellers, old issue registers of titles borrowed from the office in Kolkata, and detailed account books that would have been a book historian's delight, not to speak of that of the historian studying twentieth-century history since Visvabharati Granthana Vibhaga continues to publish important titles, not necessarily Tagore and Tagoreana.

Yet there seems to be a different side to the story. There is no dearth of scholars and projects in India keen on building archives of resources for a history of the recent past – a rare few without any funding or minimal institutional support. Ashoka University, one of the leading new private institutions near Delhi, is putting together a promising archive named Ashoka Archives of Contemporary India. In Kolkata, the place I know best, there are scores of archives that house materials for a historian of contemporary India. The major ones such as the relevant Divisions in the NLI – IOD, Newspaper Stack and Reading Room, Rare Books, Maps, and

Gift and Exchange – are well known. The NLI houses such treasures as the Gandhi-Sapru correspondence, the letters of Subhas Chandra Bose to his nephew, the papers of the historian Jadunath Sarkar including his correspondence with his colleague G.S. Sardesai, and the manuscripts of the Bengali poet Jibanananda Das and Bishnu Dey.¹⁸ The capital of British India moved to Delhi from Kolkata in 1911, but the West Bengal State Archives still have rare materials for recent Indian history, as I discovered when compiling the institutional digital archive of Presidency University on the occasion of its bicentenary in 2017.¹⁹ Speaking of Presidency, there are other academic institutions with specialized archives such as those of the Indian Statistical Institute (ISI) in Kolkata, founded by Prasanta Chandra Mahalanobis (1893–1972), a younger associate of Tagore, physicist and statistician responsible for formulating what is now known as ‘Mahalanobis Distance’. He started a small Statistical Laboratory at Presidency University (then College), which grew into a world-class teaching and research facility with branches across the country. Nehru, who generously supported Mahalanobis, entrusted him with a key role in the economic planning of free India. The digital archives at the School of Cultural Texts and Records at Jadavpur University has an outstanding collection of modern literary manuscripts, street literature, film scripts, political ephemera, personal correspondence, newspaper clippings and music, while Calcutta University has archived its institutional records and rare holdings.²⁰ Other institutions such as Sanskrit College and University, Alia University (earlier Calcutta Madrasah or Madrasah Alia) and St Xavier’s College have important collections that may not be of much use to the historian of contemporary India, but they testify to Indians’ enthusiasm for building and managing archives with modest resources. The Union Ministry of Culture funds a few smaller archives in the city that have resources relating to recent history such as the Asiatic Society, Maulana Abul Kalam Azad Institute of Asian Studies, Netaji Research Bureau, the archive of the Centre for Studies in Social Sciences Calcutta (CSSSC) and the allied Jadunath Bhavan Museum and Research Centre (JBMRC).²¹ Not all of these are managed well, but their collections keep growing. Bequests and voluntary service support the archives of autonomous organisations, a few of which receive minimal or scant governmental support. The Bangiya Sahitya Parishat, founded as the Bengal Academy of Letters in 1893, has over 9000 rare manuscripts in several languages, many of them apparently unrelated to modern India, although it continues to receive gifts from families of more recent writers.²² One could go on adding to the list, and I was only speaking of archives in Kolkata. One has not even begun counting the archives of feudatory princedoms (vassal states ruled by Indian princes),²³ political parties, religious sects, caste-based organizations, basic sciences, technology, medicine, music, cinema and other audio-visual media, media houses and the countless smaller collections in the remoter districts. Busy scholars find it difficult to access materials in these smaller under-funded archives in Bengal and elsewhere. Opening hours are restricted because of scant staff, and reprographic facilities for documents that will withstand reproduction are archaic. While these frustrate researchers, they may take heart from the number of people, across classes and age-groups, who are willing to offer voluntary service and generous gifts to local public libraries with

small but interesting archives. Kolkata even has an archive of little magazines named Kolkata Little Magazine Library and Research Centre. Little magazines in Bengal (not necessarily in the Bengali language) play a composite role of *avant garde* literary periodicals, learned journals and serious reviews. The Centre was put together by Sandip Dutta. Appalled by the NLI's neglect of Bengali little magazines, he started his own collection in 1978, and the stock has now swelled to over 60,000 volumes. Dutta maintains a piggy bank named the 'The Three Penny Opera' to fund his two-roomed library containing rare gems. The library is open to public membership, and celebrity writers and scholars work in the cramped space between book-lined walls in Dutta's ancestral home. The Centre received a small grant in 2006–2007 to digitize part of its holdings.²⁴ Finally, Bichitra Pathshala and JBMRC in Kolkata launched a project titled 'Magic of My School' in January 2019. Students search for historically significant records and memorabilia in their schools under the project, and a few would eventually lead to the creation of their own archives and museums. At the time of writing, at least 25 schools were part of the project.²⁵

I hence find myself only in partial agreement with Guha's observation on the carelessness and paranoia of Indians about documents of potential archival value. Compare the cavalier attitude of custodians of government archives and holders of 'private' papers of relevance to that of archivists of a different breed livening up the archival scene in India today, admittedly after Guha had written his piece for *EPW*, but certainly prior to his 2016 lecture. If silence in the archives speak of political suppression or lack of care and consolidation, there is also an unmistakable buzz that digital technology has enabled. Take the instances of crowd-sourced archives such as the Indian Memory Project (IMP).²⁶ Started in 2010 by Anusha Yadav, the IMP is a visual and narrative archive of life in the Indian sub-continent through personal archives of photographs and letters punctuated with recalled memories. Only pre-1992 items find a place since the founder felt that people seemed to have more objective memories of times not too recent. Two other projects drawing attention are the Citizens Archive of India (CAI) and the Partition Archive. The CAI, launched by Rohan Parikh in 2016, is a collection of projects recording memories and materials of Indians born before 1947.²⁷ We learn from a report in *The Hindustan Times* last updated on 10 January 2020 that the site then had over 375 hours of interviews, more than 1300 items such as letters, documents, newspapers and photographs, and the numbers were rising steadily.²⁸ The 1947 Partition Archive was started by Guneeta Singh Bhalla in 2011. It documents stories and visual evidence of over 9500 oral stories recorded in 12 countries in 36 languages.²⁹ Bhalla left her job the following year, and started managing the archive full-time from her base in University of California at Berkeley.³⁰ One gets a sense of undivided India, more sectarian perhaps than post-Partition imagination tends to paint it as. Nevertheless, India certainly appears to have been less prone to submit to the bullying of short-sighted, mean and self-appointed guardians of religious and caste groups who to various extents have influenced later regimes in the sub-continent.

These crowd-sourced archives of the recent past are usually passion projects, and partly depend – 'partly' since letters, documents, photographs and other non-oral

texts are part of the archives – on the uses of oral history. Such archives as the 1947 Partition Archive have the power to bring together estranged families and cultures, to reconfigure identities, to impel dispersed or diasporic histories toward a possible convergence. Not all archives are intended to reconcile: many are designed to remember and bear witness to horrors such as the Holocaust or the 1971 genocide in Bangladesh.³¹ Yet, as IMP, CAI and the Partition Archive show, non-formal crowd-sourced archives may serve a cultural and anthropological purpose more than one that is ‘historical’ in the strict sense. Past memories hurt, present verbalization, even oral formulation, heals. At the same time, visual records create a palimpsest of the historical times we simultaneously inhabit, just as the night sky shining with light from distant light-years makes us inhabitants of a singular yet wildly discrepant spacetime. Archives such as @soaspostcard: Early Postcards from India may have been designed to historically place and document locations and objects, but these begin to acquire shades of a paradox.³² The clothes we wear, the food we eat and the cars we drive, often at the same point time in the same or different geographical spaces, seem culturally abrupt and discontinuous – similar to the sense of discontinuity we experience when we revisit a town we once knew well. In the most unexpected way, it resists the sense of historical causation and continuity, and people’s histories seem inhospitable to a history of the people.

The keenness of citizens to promote and participate in such Indian projects as the CAI sort oddly with the systemic lacunae and unforced negligence one faces in government archives. Crowd-sourced non-formal archives have admitted gaps in written and audio-visual documentation; memories are fallible, and oral histories subjective. But, then, official archival records and surveys are skewed to suit a regime’s priorities; reliable histories of neither the colonial nor the recent past are fortified by resources that are closed to access and subject to censorship.

But a deeper question troubles the use of crowd-sourced, non-formal and principally oral archives: are these so-called ‘people’s histories’ add up to a ‘history of the people’? Even if we abandon hope of a pattern, we need to parse the documents and oral histories in these archives, just as much as the records in official archives. However, the two tasks call for different hermeneutic protocols, a fact imperfectly realized at times by historians who call for a judicious blend of oral narratives with official and personal written papers. The tasks are distinct, although they may be made to serve complementary functions. Take the Partition of India, for instance. Urvasi Butalia’s (2000) book on the Partition, which makes liberal use of oral history alongside the discipline’s more familiar bases of information, may be deemed a good example of not simply a judicious selection, but also an understanding of hybrid sources.³³

Yet two questions haunt the easy counsel of judicious handling of oral resources, and both questions involve the attempt to find meaning in historical events. The first question is, who determines meaning? If the analytical tools of the oral historian are different, is she complicit, like the political arbiters and censors behind the archival policy of the government, in imposing a pattern on the resources at her disposal? ‘An archive presupposes an archivist,’ writes Arlette Farge in her book on the traditional archive published in French in 1989, ‘a hand that collects and

classifies.' And further, 'we know that for a document to take on meaning it must be questioned pointedly'.³⁴ With oral history, the interviewer is collector, classifier and interrogator of the text. The text provide answers to only those questions that we ask from our vantage in time.³⁵ The second question concerns the analytical devices themselves. The tools designed to tease out meaning from oral or non-formal written and visual materials are themselves subject to what the historian perceives as a system. Do oral archives add to the Hegelian enterprise that subsumes history into a philosophical system?

In the interest of brevity, I shall restrict myself to oral history. In 1986, the International Council of Archives produced a set of guidelines for archivists on oral materials under UNESCO's Records and Archives Management Programme (RAMP), General Information Programme and United Nations International Scientific Information System (UNISIST).³⁶ Dated it may well be, but the study remains useful, especially for questions raised by recent non-formal and crowd-sourced archives. The RAMP study makes a distinction between transactional records such as constitutions, laws, deeds, treaties, licences, patents, proclamations, contracts, orders and advertisements that are produced for conducting the business of an organization. These constitute primary evidence for the historian and are different from concurrent descriptions such as audio or video recordings and stenographic notes that serve as aids to memory and are termed selective records. Limited by the technology of the recording devices, such records are necessarily 'selective' and demand an interpretive layer. The terms seem innocent and clear. Yet transactional records can be selective too, and hence compromise on their value as evidence. Consider the following passage:

Recordings of oral history interviews and oral tradition narrations are therefore selective records of those events. Selective records are highly valued as historical evidence for their contemporary character, but their evidential value must always be somewhat less than that of transactional records.

At the same time, selective records are 'primary evidence of what someone decided to record or was capable of recording'.³⁷ The question is who wished to record and why. If the government orders the recording of a presentation or programme, or if an organization presents such recordings including interviews to secure a grant or a licence, they, for the historian at least, share features of a transaction despite the demonstrable concurrence. In fact, the concurrence on such occasions confer on the records the ontological features of a transaction, with the expectation that these would be treated as primary evidence.

Nothing is ever gained by unwarranted hair-splitting. I bring this up merely to stress that making distinctions among forms of evidence becomes so difficult that it is at times given up as the wrong thing to do. Among selective records are recollections. The authors of the RAMP study admit that if human memory is selective, recollections select from selections. They speak of three levels of evidence: the event, the memory of the event which is selective, and the selective account

of the witness who recollects and narrates. The fourth level involves the questions selected by the interviewer and her purpose, which trigger the memories called up in the interviewee.³⁸ In other words, although this is not how the authors describe it, recollections are as *analytic* as they are reconstructions: respondents need to piece together memories after analysing, whether self-consciously or not, the direction and purpose of both the inquiry and testament. Memory, as much as recollection, is an interpretive production – rooted in the present and in present considerations of a desired future. Perhaps this has led some to call archives ‘memories of the future’.³⁹

The vertiginous climb up the ladder of evidential authenticity such as we find in the RAMP study bothers archivists less these days. Oral history theory at present almost uniformly insists that the purposes and analytic tools of oral history are different from those of written history and indeed from those of ‘History’ as a discipline. We derive anthropological and sociological insights into emotions and their memory: what we are looking at is a history of subjectivity judged as a species of cultural performance.⁴⁰ Oral records, in this view, are far from self-evident: like dreams and associative metaphors, they present the analyst with a hermeneutic task not directed at supplementing the ‘primary’ evidence of archaeology and written documents.

However, it seems that India can ill afford to ignore oral and non-formal archives in its pursuit of a theoretically sound history of post-Independence years. A country with an average literacy rate of 77.7 per cent, that is, with an illiterate population of around 307 million, would find it a philosophical luxury to be finicky with oral records.⁴¹ The ‘national’ community in India was not imagined into birth by print in the colonial era. Peasant India had erupted in revolt in the name of a ‘national’ and self-ruled community – although indicated by Indian terms such as *jati*, which may collide with the sense of caste – long before the Western idea of the nation-state fuelled the freedom struggle.⁴² The oral in India belongs to a category of phenomena that demands admissibility as historical evidence.

The way out, as I see it, is to treat oral and non-formal archives as resources for the history of post-Independence India like diversifications of a meaningful history that may be treated like a Leibnizian monadic substrate. The monad needs to be dynamic.⁴³ Shorn of dynamism, the material substrate – written or oral – becomes dead, hermeneutically sterile, incapable of endogenous growth and variation. Subjectivity represents the static substrate; individuality, its diversified variant. Without the possibility of diversification of the substance, there is no logic to history. The alternative is history that gives us a disparate series of contingent events, a dead chronicle that we report like coroners at an autopsy. Even as we concede that the species of archives – governmental, institutional, written, oral, crowd-sourced – we are dealing with are different, one has to reclaim history’s disciplinary potency of deriving meaning from new archives that are otherwise born dead.

Notes

- 1 Express News Service, ‘Major Gaps Exist in Historical Understanding of Post-Independence India: Ramachandra Guha’, *The Indian Express*, 20 January 2016 <https://>

- indianexpress.com/article/cities/mumbai/major-gaps-exist-in-historical-understanding-of-post-independence-india-ramachandra-guha/, read on 9 June 2020.
- 2 See www.godrej.com, read on 9 June 2020.
 - 3 See www.archives.godrej.com/activities.html, read on 9 June 2020.
 - 4 Ramachandra Guha, 'The Challenge of Contemporary History', *Economic and Political Weekly (EPW)*, 43, no. 26–7 (28 June 2008), 192–200.
 - 5 See Nivedita Menon, 'The Historian and "His" Others: A Response to Ramachandra Guha', *EPW*, 43, no. 40 (4 October 2008), 73–76; Nonica Datta, 'A "Samvad" with Ramachandra Guha', *EPW*, 43, no. 40 (4 October 2008), 81–83; Sasheej Hegde, 'The Demands of Contemporary History: A Comment', *EPW*, 43, no. 40 (4 October 2008), 77–80.
 - 6 See Leon Festinger, *A Theory of Cognitive Dissonance* (Stanford, CA: Stanford University Press, 1957).
 - 7 The reservations were voiced by D. Subbarao, who was then Governor of the Reserve Bank of India. See C.R.L. Narasimhan, 'Official Statistics Need to be Reliable', *The Hindu*, 10 July 2011, Updated 18 October 2016; www.thehindu.com/business/Economy/Official-statistics-need-to-be-reliable/article13738415.ece, read on 20 July 2020. For a more technical and recent comment on the subject see, Arvind Subramanian and Josh Felman, 'India's Great Slowdown: What Happened? What's the Way Out?', CID Faculty Working Paper No. 370 (December 2019), Centre for International Development at Harvard University, pp. 32–34.
 - 8 See www.dgcisokol.gov.in/Writereaddata/Downloads/Data_dissemination_policy1.pdf, read on 20 July 2020.
 - 9 Nirmal Kumar Basu (Nirmal Kumar Bose), *Satchalishier diary* [Personal Diary and Pocket Diary of Nirmal Kumar Basu, 1947] (Kolkata: Punshcha, 1990).
 - 10 See www.indiaculture.nic.in/gandhian-heritage, read on 15 April 2020.
 - 11 I spoke to Mr Virat Kothari at an international workshop titled 'Knowledge Engineering for Digital Library Design' organized by the National Digital Library of India in collaboration with UNESCO at the UNESCO House, New Delhi, from 25 to 27 October 2017. For the Gandhi Heritage Portal, see www.gandhiheritageportal.org/ read on 26 October 2017.
 - 12 See www.gandhiheritageportal.org/fundamental-worklist, read on 14 September 2020.
 - 13 See www.mkgandhi.org/articles/gandhis-interview-with-nirmal-kumar-bose.html, read on 14 September 2020.
 - 14 See *The Delivery of Books and Newspapers (Public Libraries) Act, 1954*, http://legislative.gov.in/sites/default/files/A1954-27_1.pdf, last read on 14 September 2020. Other attempts were made to amend the Act before and after the stakeholders' meeting at the NLI. See, for instance, Bill No. 44 of 2008 <http://164.100.47.4/billtexts/lbilltexts/asintroduced/2332ls-02.pdf>, read on 14 September 2020.
 - 15 See Gaurav Vivek Bhatnagar, 'Modi Government's Draft Press Registration Bill May Restrict Digital Media's Freedom', *The Wire*, 27 November 2019, <https://thewire.in/media/centre-media-freedom-press-bill>, read on 14 September 2020.
 - 16 See Michael Moss and David Thomas, 'Theorising the Silences', Chapter 1, p. 11.
 - 17 The other members on the Committee were Dr V. K. Thomas, University Librarian, Visvabharati, and Ramkumar Mukhopadhyay, the novelist who was then Director, Visvabharati Granthana Vibhaga. See www.facebook.com/vbglibrary/, read on 14 September 2020.
 - 18 It is hard to offer even the roughest estimate of these documents' value, and they are not even a minute fraction of the materials at the NLI. Tej Bahadur Sapru (1875–1949) led the Indian Liberal Party and made common cause with Gandhi's Non-Cooperation Movement (1920–2). He called an All Party Conference to begin work on the Indian Constitution in 1927, and helped draft the Nehru Committee Report on Constitutional Reforms the following year. Jadunath Sarkar (1870–1958) was one of the leading historians from Bengal who was made member of the Indian Historical Records Commission

(IHRC) when it was founded in 1919. He helped shape archival policies before and after independence, as did the Marathi historian G.S. Sardesai (1865–1959). They used archival records outside those of the Imperial Record Department (IRD: the institution that was turned into NAI after Independence), obtained permission from the IHRC in 1930 to access the Peshwa's archives. Sardesai edited 45 volumes of *Selections from Peshwa's Daftar* (1930–4) and with Sarkar compiled 11 volumes of *Poona Residency Records*. See Dipesh Chakrabarty, *The Calling of History: Sir Jadunath Sarkar and His Empire of Truth* (Chicago: University of Chicago Press, 2015), *passim*, and Sabyasachi Bhattacharya, *Archiving the British Raj: History of the Archival Policy of the Government of India, with Selected Documents, 1858–1947* (New Delhi: Oxford University Press, 2019), pp. 126–127, 180. Jibananda Das (1899–1954) is held by many in India and Bangladesh to have been the most important Bengali poet after Tagore, and Bishnu Dey (1909–1982) was a Marxist poet and thinker who, although radically different in temperament from Das, was along with him a major architect of high modernism in Bengali literature.

- 19 See www.presiuniv.ndl.iitkgp.ac.in/xmlui/, read on 18 September 2020. This collection contains important sources for the history of education in India before and after 1947.
- 20 See www.isical.ac.in/~museum/, read on 14 September 2020, for the Prasanta Chandra Mahalanobis Memorial Museum and Archives, which preserves Mahalanobis's personal, scientific and official papers. For the digital collections at the School of Cultural Texts and Records of Jadavpur University and at Calcutta University, see respectively www.jaduniv.edu.in/view_department.php?deptid=135 and www.culibrary.ac.in, read on 14 September 2020.
- 21 The private collection of papers of the freedom fighter and free India's first Education Minister Maulana Abul Kalam Azad is now housed in the museum of the Institute of Asian Studies in Kolkata named after him. The papers have been digitized by the School of Cultural Texts and Records of Jadavpur University. See <https://granthsouthasia.wordpress.com/makaias-pilot-study-collection/>, read on 14 September 2020. The Asiatic Society, founded in 1784 by Sir William Jones, is one of the first modern (that is, 'modern' in the Western sense) research institutions in Asia. Its focus has always been 'Asiatic Researches' in all branches of learning, and many institutions including the Indian Museum in Kolkata were derived from its collections. The Society encourages research in the history of modern scientific institutions such as the Indian Institute of Science and the Indian Institute of Technology, the culture and history of indigenous peoples currently inhabiting India, the recent history of insurgent groups in north-eastern India, and continuing Asian oral traditions. See www.asiaticsocietykolkata.org/, read on 15 September 2020. Netaji Research Bureau in Kolkata is located in the family home of Subhas Chandra Bose (1897–1945) in Kolkata. Bose (also known as 'Netaji' or Esteemed Leader) was a nationalist who broke ranks with the Indian National Congress and led the Indian National Army, formed in south-east Asia from British-Indian soldiers taken prisoner by Japan in the Malayan campaign. Bose marched his troops to the Indian border through Myanmar with the help of Axis powers during the Second World War with the aim of liberating India. The museum at the Bureau holds important papers and visual materials related to India's freedom struggle, and there is an updated archive containing textual and audio-visual materials relating to post-Independence India and the war of liberation in Bangladesh. See <https://netaji.org/museum.html> and <https://netaji.org/nrb-archives.html>, read on 14 September 2020.
- 22 Bangiya Sahitya Parishat, which has a fine collection of medieval Bengali manuscripts and printed books, has recently acquired the house, personal library and memorabilia of the leading Bengali novelist and one-time Congress activist Tarasankar Bandyopadhyay (1898–1971). Other bequests keep trickling in from modern writers, including living ones. See <https://bangiyasahityaparishat.org/>, read on 14 September 2020.
- 23 West Bengal had one important princedom in the colonial period – Coochbehar, although major areas of the native state of Tripura were geographically part of undivided Bengal. Segments of the former princedom are now in Bangladesh, and Tripura

- is a separate state in the Indian Union. There are rich archives in the vassal states such as those of Cochin stretching up to 1949, now merged with the State Archives of Kerala, and in colonies under European powers other than Britain, such as the archive in the Archdiocese of Goa, a Portuguese colony that became independent only after an Indian invasion in 1961.
- 24 See https://en.wikipedia.org/wiki/Kolkata_Little_Magazine_Library_And_Research_Center, read on 15 September 2020. The grant made by the India Foundation for the Arts amounted to around 500,000 Indian rupees (a fraction below 7000 US dollars). The digitization was done by CSSSC of which the JBMRC is part, and a digital copy of the volumes digitized was acquired by the CSSSC archive. See <http://indiaifa.org/kalikata-little-magazine-library-o-gabeshona-kendra.html>, read on 15 September 2020.
 - 25 See Subha Das Mollick, 'Students and Teachers of 25 Schools in Kolkata Embark on a Journey to Explore the History of their Schools', <https://intheedition.wordpress.com/2019/05/17/schools-gear-up-to-create-magic/>, read on 18 September 2020. The Oriental Seminary, a Kolkata school that started life in 1829, already has an archive named after its founder – Gourmohan Auddy Memorial Archive. So have a few of the older schools in town such as La Martiniere for Boys, established in 1836.
 - 26 See www.indianmemoryproject.com/, read on 20 September 2020.
 - 27 See <https://citizensarchiveofindia.org/>, read on 20 September 2020.
 - 28 See Danish Raza, 'How Crowdsourced Archives are Making Indian History Personal and Accessible', *The Hindustan Times*, 10 January 2020 www.hindustantimes.com/art-and-culture/how-digital-archives-are-making-indian-history-personal-and-accessible/story-EbmGpGfKFAY4G4Z8BmY7OJ.html, read on 20 September 2020.
 - 29 See <https://in.1947partitionarchive.org/>, read on 20 September 2020.
 - 30 'Murder, Rape and Shattered Families: 1947 Partition Archive Effort Under Way', *Dawn*, 13 March 2015 www.dawn.com/news/1169309, read on 20 September 2020. The archive was in the news during the pandemic as speakers from both sides of the border between India and Pakistan joined online to share their experiences; see Payel Mohta, 'The Coronavirus Pandemic Gave 1947 Partition Archive an Unlikely Shot in the Arm—A Series with Speakers from Both Sides of the Border', *Firstpost*, 21 July 2020 www.firstpost.com/art-and-culture/by-going-digital-1947-partition-archive-is-able-to-reach-more-people-feature-cross-border-experts-in-a-new-talk-series-8,611,841.html, read on 20 September 2020.
 - 31 See the Holocaust Collection, US National Archives, Records on Fold 3. See https://go.fold3.com/holocaust_records, read on 20 September 2020. See also the educational resource offered by the National Archives of the United Kingdom www.nationalarchives.gov.uk/education/resources/holocaust/, read on 20 September 2020. Two relevant archives on the Bangladesh genocide are Bangladesh Genocide Archive www.genocidebangladesh.org/, and Muktiyuddho e-Archive www.liberationwarbangladesh.org, read on 20 September 2020.
 - 32 The archive is curated by Emily Stevenson and Richard Hughes of the Department of Anthropology, School of Oriental and African Studies, University of London. See www.picuki.com/tag/soaspostcard, read on 20 September 2020.
 - 33 Urvashi Butalia, *The Other Side of Silence: Voices from the Partition of India* (Durham, NC: Duke University Press, 2000).
 - 34 Arlette Farge, *The Allure of the Archives*, trans. Thomas Scott-Railton (New Haven: Yale University Press, 2013), pp. 3, 14.
 - 35 See Hans-Georg Gadamer, *Philosophical Hermeneutics*, trans. and ed. David E. Linge (Berkeley, CA: University of California Press, 1976), pp. 100–101.
 - 36 William Moss and Peter C. Mazikana, *Archives, Oral History and Oral Tradition: A RAMP Study* (Paris: UNESCO General Information Programme and United Nations International Scientific Information System, 1986).
 - 37 *Ibid.*, p. 6.
 - 38 *Ibid.*, pp. 7–8.

- 39 Gary Taylor, 'Memories of the Future', *Cultural Selection: Why Some Achievements Survive the Test of Time—and Others Don't* (New York: Basic Books, 1996), pp. 237–254. A three-month long photographic exhibition titled 'The Memory of the Future' opened in Musée de l'Elysée on 25 May 2016 www.elysee.ch/en/exhibitions-and-events/expositions/the-memory-of-the-future/, read on 20 September 2020. The phrase has been used many times before and after, in titles of exhibitions, essays and at least one novel (Siri Hustvedt, *Memories of the Future*, New York: Simon and Schuster, 2019).
- 40 For an overview, see Lynn Abrams, *Oral History Theory* (New York: Routledge, 2010).
- 41 This is the figure of 2017 released by the National Statistical Office. See 'NSO Report Shows Stark Digital Divide Affects Education', *The Hindu*, 8 September 2020 www.thehindu.com/news/national/nso-report-shows-stark-digital-divide-affects-education/article32554222.ece, read on 20 September 2020.
- 42 This was pointed out by Ranajit Guha in a review of Benedict Anderson's book *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (1983; revised and enlarged edition, London: Verso, 1991); see Ranajit Guha, 'Nationalism Reduced to Official Nationalism', *Asian Studies Review*, 9 (1985), 103–108.
- 43 See Alain Renaut, *The Era of the Individual: A Contribution to the History of Subjectivity*, trans. M.B. DeBevoise and Franklin Philip (Princeton, NJ: Princeton University Press, 1997; Indian edition, Delhi: Motilal Banarasidass, 2000), pp. 118–121.

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10

THE VOICES OF CHILDREN AND ADOLESCENTS IN THE ARCHIVES

Mette Seidelin and Christian Larsen

In 2019, Prime Minister of Denmark Mette Frederiksen gave an official apology to people who had been placed in children's homes in the period 1945–1976 and victimised by physical and mental abuse and neglect during their time in care. She said, in the garden of the Prime Minister's official residence and in the presence of many of these former residents of children's homes: 'On behalf of our own past, on behalf of our present and on behalf of our shared future, I want to look each and every one of you in the eye and say the only right thing: I apologize.'¹ These words were the result of a long-running fight for an official apology, headed by the client organisation of former Godhavn boys, whose members spent part of their childhood and youth at the Danish Godhavn Home for Boys. It is only as adults that they have been heard, that their childhood experiences have been recognised and that the Danish government has accepted responsibility – a responsibility that seems to include other groups of now adults in the coming years. Most recently, the Prime Minister has in December 2020 given an official apology to the 22 children from Greenland who in 1951 were forcibly removed from their families by the Danish government and sent to Denmark as part of a social experiment.² Furthermore, the Danish Ministry of Social Affairs has appointed a group of researchers that has been tasked, on the basis of archival material and interviews with previous residents, with investigating whether disabled people placed in private and public institutions in the period 1933–1980 were exposed to abuse and neglect.³ Denmark has hereby placed itself amongst a number of countries in which the government – usually after many years of political wrangling about the relevance of an official apology⁴ – has issued an official apology to a particular group of citizens in a historical retro-perspective.⁵

In Denmark and in many other countries, a desire has arisen – if not directly emanating from this movement, then in parallel with it – to gain access to personal data in order to re-find and document one's own story, including the most problematic experiences from one's childhood. This is the case in, for example, Germany,

Spain and Argentina where children of dissidents were forcibly removed and put up for adoption with persons loyal to the regime and where children have fought for access to the archives to find the story of their parents and their childhood. This winter (2020), the Danish Parliament passed a law to consolidate the right of citizens to access their own data ('right of access to personal data').⁶ The archives will thus have to assist the now adult children who use the archives as a method of regaining their childhood and provide documentation in their fight against the authorities and others who have subjected them to abuse. The files become their voice in the public debate and in their own memory.⁷

The question is, however, whether the voices, experiences and memories of childhood (age 0–18) can be re-found in the archives and grant the adult child's wish to break the silence of the past? Can one find the voice of the child, and if so, how is it expressed?⁸ In this respect, one can also ask whether an ending of silence per se has a healing effect, as Michael Moss and David Thomas problematise in Chapter 1? In this chapter, we examine whether the voices of the many children who appear in the records and minutes held in the archives and who have so far been silent or silenced can be found. We shed light on these aspects in two different arenas of children's lives – their school and their home – where physical and mental abuse of children and teenagers could take place. In other words, when examining the range of legitimate punishment and illegal abuse of children aged 0–18, we look at these 'everyday spaces' in which the majority of children lived. In the two arenas of this chapter, we look at the encounter between citizens (parents and children) and authorities (schoolteachers, school commission and police). We study the written sources of this encounter – that is the moment of fact creation according to Haitian anthropologist Michel-Rolph Trouillot's theories of archival silences – and its consequences for the moment of later fact retrieval. First, we look at the punishment of schoolchildren by teachers in the nineteenth century. We meet children and parents in their encounter with local school authorities when children, and especially their parents, believed that the teacher had exceeded his authority. This section illustrates, too, the level of punishment required before corporal punishment of children was seen as a problem and, when it was, by whom. Second, we go back a hundred years in time to take a closer look at corporal punishment of children inside the family and meet families who were subjected to police intervention because of domestic dispute. Our analysis focuses on the participation of children in conflict-affected families. In the final section of our chapter, we raise in our conclusion the question of the challenges facing the archives when adult children are met by the voices of the past and the potential influences on the future moment of fact assembly.

Before entering the arenas of the children, we need to define the key concepts in our chapter. First, how does one define the concept of 'the voice of the child'? The concept arose in the last decades of the twentieth century when childhood researchers started to argue that children's own perspectives – their voices – should be brought to light. The concept was, however, quickly criticised for historical source material rarely being written by the children themselves. In the words of Harry Hendric, the result is therefore often that 'these histories usually deal with

adult attitudes to children, rather than the young people themselves'.⁹ In recent years, many childhood researchers have argued that a deconstruction of the concept of the 'voice of the child' is required. In this chapter, we have been inspired by this approach. We have therefore interpreted the concept as applied by Finnish researcher Sirkka Komulainen, who builds on the theories of Russian scholar Mikhail Bakhtin. According to Bakhtin, language (and thereby also voices) is a social and ideological phenomenon ('voices are always social'), which represents the interests, ideas and values of certain groups. On this basis, it does not make sense to view the voice of the child as the child's own. Instead it comprises a 'multivoicedness'.¹⁰ The concept of 'the voice of the child' has also been expanded not just to include linguistic, but also non-verbal utterances and expressions of emotion, and according to Greek anthropologist Spyros Spyrou, even silence contains a voice.¹¹ Our study of these two everyday arenas (school and family life) will thus examine more broadly the voice of the child by also focusing on the non-verbal utterances in the historical source material.

Second, it is important to define our concepts of legitimate corporal punishment, illegal abuse and violence. In both arenas, formal regulations governed legitimate/illegal punishment which teachers and parents were subject to. In practice, however, it was the authorities that had to assess whether punishment had remained within a legitimate limit, depending on how the punishment was interpreted. Therefore, we will be differentiating between formal rules and cultural understandings of corporal punishment in our chapter.

Punishment in primary schools 1829–1906

The Danish National Archives is full of government and local authority records from the moment of fact creation (the making of sources according to Trouillot). These documents are a record of authority activities, but the documents also indirectly record the people who came into contact with the authorities, people of whom ones otherwise does not have records because they did not themselves leave any documentation or because their documents were destroyed or not found sufficiently interesting to preserve in the moment of fact assembly (the making of archives). New approaches and new questions may, however, give these quiet existences a voice and help to shed light on how children experienced schooling. In this way, the silence of the archive is broken.

In 1814, the Danish King Frederik VI signed a set of school acts that formed the basis of the Danish primary school into the 1900s.¹² To enable the authorities to ensure that children received statutory education, teachers had to document that the children attended school and were taught the mandatory subjects. This documentation generated records written by teachers and local school authorities.¹³ Teachers and school boards wrote the minutes and documents, thereby becoming our witnesses to history, although the records consist of the many children and parents who came into contact with the school on a daily basis. Children and parents have been

silenced as their voices were not considered to be valuable or because their voices are only indirectly expressed through e.g. the teacher's voice.

A review of the Danish government's legislative guides containing principle guidelines on corporal punishment in schools comprises very few statements from the nineteenth century.¹⁴ There are several reasons for this. First, the decision-making authority was the local school authorities and a great deal was required for a small village school case to reach the civil servants at the Danish Ministry of Education. This required a parent who felt that the local authority decision was unjust or a teacher who would not accept a fine or penalty for misconduct. Many cases have also been decided verbally between the teacher and the parents without these decisions having been recorded. In that way, many voices have been lost. Nonetheless, a great deal of them do still exist in the archives and can – to a certain extent – be heard. In this section, we examine whether and where one finds the voices of schoolchildren in the nineteenth century, and the kind of methodological and methodical deliberations one must take into account. By using examples we will show where one encounters the voices of children – either their own voices or, most often, their parents – albeit in many cases also non-verbal expressions of the children in the form of feelings.

Officials' assessment of children as witnesses

Danish historian Bolette Frydendahl Larsen has noted that truths and problems are created and made visible through knowledge technologies such as schools and institutions.¹⁵ Child abuse did not exist as a problem until a parent or a school board was informed and established the abuse as a truth because the parent or board believed in the child, thereby acknowledging that it represented a problem. It was mandatory for the teacher to record punishments meted out to children.¹⁶ This record of punishment, however, only includes the legitimate punishment that the teacher chose to record. A punishment that was not in accordance with the school act or the concepts of the school, was not written down, and information about this punishment is therefore difficult to obtain. Similarly, the board had to record all minutes.¹⁷ The board was not, however, under obligation to include verbatim records, e.g. of a parental complaint, and it was the chair of the board, the local vicar, who assessed and decided what to include, what to emphasise and what the wording should be. Although all the members of the board had to sign the minutes, the chair had the power to define the content of the minutes and thereby also the evidence that was left for posterity.

When determining if abuse had taken place by a teacher, it was in the hands of the board to decide whether it was a problem that required action as it would be deemed to constitute a breach of school regulations. The records of complaints in board minutes could also be used to divide children – and their parents – into categories, e.g. 'respectable families' or 'mendacious families'. With the help of such categories, children were made visible in certain ways that were linked to the exercise of power. This categorisation was, for example, key to whether the authorities

took the family's statements seriously because they were credible and respectable, and thereby a problem existed, or whether the family had a bad reputation, which made their statements less credible.

Mistreatment of school children during 16 years

The marriage between J.C. Sønderbye (1805–1887), the schoolteacher in the small village of Oksby in the western part of Denmark, and his wife was not very happy. Albeit this was essentially a problem between the teacher and his wife, it affected the school's children and the local community due to the teacher's mistreatment of the schoolchildren. The Danish School Acts of 1814 had abolished all hard instruments of punishment, and the teacher's options for corporal punishment of children had been – at least in theory – curtailed.¹⁸ The ideal teacher was required to have a Christian and moral life and treat the children with kindness. This meant that bias, fervour and rashness combined with invective and harsh words were forbidden feelings for teachers.¹⁹ They were to refrain from everything that could injure a child's body, and they were not permitted to clip a child's ears, slap or hit, or pinch children. The only physical means permitted were a small rod for children below the age of ten and a narrow rope without knots for older children. If this was not sufficient, the parish school board had to make a recommendation to the county school board, which would then make a decision.²⁰ Parents were given a statutory right of appeal (a voice) and could complain to the board about a teacher's 'harsh and arbitrary behaviour'.²¹

In the case of schoolmaster Sønderbye, value was attributed to the children's statements – both by parents, who believed their children, and by the school authorities, who chose to investigate the complaints of parents, when Sønderbye crossed the line. When the teacher quarrelled with his wife, he invariably lost the argument, which affected his mental health. He lost control of the situation at home as well as in his classroom. If the children had done something he believed to be wrong, he seems to have taken his own situation out on them. Although the teacher was permitted to punish children physically, the children and their parents felt that the teacher went too far. Even though it is the voices of parents that are found in school board records, one also indirectly hears the children as their stories of abuse and degrading treatment were passed on by the parents to the school authorities. Or at least the stories that the parents chose to recognise as constituting a problem that required action. These stories were also submitted in the way that the parents perceived the ill-treatment and probably also in a form that they believed would further their cause.²²

Already in 1829, Sønderbye's first year of employment, complaints were made about his harsh treatment of a boy, which resulted in the boy preferring to roam the nearby sand dunes by the sea rather than attend school. We do not only hear the child's indirect voice, but also his feelings (his fear of the teacher). The case ended in compensation for the child's mother. In 1834, a father complained about the teacher's mistreatment of his children to the extent that they did not want to

attend school. The following year, 12 fathers brought forward a joint complaint against the teacher. They went directly to the county board that supervised the local board. The parents obviously did not believe that the board would place any value on their statements, i.e. recognise the abuse as true and requiring action. The board interviewed parents and children, and their evidence was documented in the board's records in which the children are heard in the form of the vicar's minutes. Alas, one only has a filtered statement from each child, phrased with the words and conceptual universe of an educated adult and not a verbatim report of a child's voice. In the vicar's records, however, one does hear the children talk about a school day full of beatings with hand, rulers, ropes and rods, all statements that the parents chose to believe. Although the teacher thought that the children and parents were mendacious, the board recognised the physical abuse as being true, and the teacher was fined and warned. The following years were filled with more cases of abuse according to the children's statements. Only in 1845, after 16 years of employment, did Sønderbye admit that he was an unhappy person due to his domestic circumstances causing him to lose his temper when the pupils were disobedient and lazy. He was forced to resign, and the school board appointed a new teacher. Some years later, Sønderbye again found work at a school some 100 km away and worked there until his retirement in 1877 without coming into conflict with parents or the authorities.²³

Reluctance to recognise abuse

In other cases, children's statements about what one would nowadays call abuse were recognised as being true, but the school authorities would not recognise the abuse as a problem that required action. This was the case of a female teacher from Southern Denmark in 1906. The political polarisation between the Conservative government and the rural population resulted in local organisation and activities, also in school matters, if the local population were dissatisfied with, for example, too many heavy-handed teaching methods. The beginning of the twentieth century therefore saw far more local mobilisation of parents against an unpopular teacher than had previously been the case.²⁴

According to the boy's father, the unmarried schoolteacher, Mss Karen Jørgensen (1862–?), mistreated an eight-year-old boy. The father admitted that the boy was not a very talented pupil, but, according to the father, this did not justify that he was often punished harshly both with a cane and a ruler. Although it was the father who wrote the complaint, it is the child's stories that are expressed in his letter, which too includes information of how less able children were hit on the head, especially around the ears, until they screamed loudly. One also hears of the boy's irritation at having to learn hymns by heart and at the pupils being told to eat their food outside regardless of the weather. The father recognised the boy's stories as being true, thereby establishing a problem that required action by the school board. He also made efforts to ensure the majority of the other fathers supported his complaint.

The teacher and the school authorities, however, refused to recognise the children's statements as being a problem. It may well be that their statements were correct, but they did not constitute a problem according to the authorities who tried to trivialise the deeds of the teacher. The teacher admitted that she had used a cane on a few occasions and slapped the children, including the boy in question, on the cheek, but she denied having used a ruler. In addition to the father who had complained to her on several occasions, she did not believe that she had received more than seven complaints during the period in which she had been teaching at the school. She did not regard this as a high number of complaints. She had also stopped requiring pupils to learn hymns by heart. The chair of the school board impressed upon her that she was not permitted to use methods of punishment, such as slapping, which was against regulations. Apart from this, he did not believe that the complaints could be substantiated besides what Miss Jorgensen had admitted, i.e. the statements of the children were not true and did not constitute a problem. No further action was therefore required in the case. The higher authorities supported him in this, thereby suppressing the children's voices.²⁵

The voice of an angry mother

As parents were able to speak on behalf of their children, this gave the children an indirect voice, although it required that their emotional experiences of abuse were seen as being a problem. This was the case in Copenhagen in 1906, which also reflects the way in which public schools managed their responsibilities as educators and the parents' options for involvement.²⁶ It all started with a teacher reporting the mother of one of his pupils had hit him during a discussion about the teacher's punishment of her son. The case ended with the mother being sentenced to 60 days in prison both for having hit the teacher and for having attempted to gain access to her other son's classroom. Her conviction was upheld by the Danish Supreme Court, but the King suspended her sentence. The case developed to a matter of the authorities' perception of the mother's credibility and thereby also about whether her statements were true, i.e. whether abuse had taken place that constituted a problem that required action. Was her voice – and indirectly her son's – credible, and did it require being heard or should she be silenced?

The police investigated the situation in the home of the mother. The police report noted that the husband was periodically unemployed and had a tendency to intemperance. It did not in itself relate to the teacher's physical abuse of her son, but it contributed to define the family. The husband also had to explain whether it was him or his wife who was the head of the family. It was also emphasised that the wife was of German extraction and spoke Danish with a pronounced German accent so she could be difficult to understand. This should be seen in the context of the aversion to anything German in the aftermath of Denmark's defeat to Prussia in 1864. The school also believed that both mother and son were by nature abnormal, hot-tempered and hysterical due to mental illness in the family. It necessitated the

school to educate the family's children by using physical power. The teacher had beaten the boy because he believed that the boy had hidden a friend's detention slip.

This was the voice of the authorities and not least their assessment of the value of the mother's voice. The mother was, however, given a chance to have her say, and her words were documented in police records, although in the interpretation of the police officer. She explained that she was not against punishment as such, but she did not want her children to be abused. She had therefore several times asked the school's headmaster and teachers to go easy on her boys. In this specific case, her 11-year-old son had bruised lines on both arms and legs. She stated that this had to be interpreted as abuse. As the boy's trousers had also ripped, she entered in the classroom. The mother also told the police that she would not stand for the patronising treatment to which teachers and authorities subjected her. She wanted the right to be involved in her own sons' education and did not want to be treated like a foolish child. One hears her voice in court records: 'I am not a schoolgirl,' as she told the teacher.²⁷ Her personality and voice is heard clearly in the records. She had complained multiple times about the school's treatment of her boys and had also previously interrupted the teacher's class as she believed her children's statements to be true. In her opinion, abuse had taken place and the school had an obligation to respond.

The mother was not alone in her complaints, having her say with the school authorities. A study of the relationship between parents in Copenhagen and the school shows that parents in the more affluent sections of the working class, or the petty bourgeoisie, did not let themselves be bullied in the same way as parents from the lower sections of society did. The more affluent had their say in the form of written complaints and threats of legal proceedings and of transferring the child to a private school. That is why their voices are found in the archives of the Copenhagen School Board. In the same way, their voices are also heard as minutes were taken when a parent – most frequently the mother – turned up at the school and aired her opinions, especially about the school's management of punishment and discipline. It was a widespread practice by parents in Copenhagen for many years, being documented in the archives and thereby giving children and especially their parents a voice.²⁸

Violence against children in the heyday of the nuclear family, 1945–1960

In the following section, we not only enter a different century, but also a different arena as our focus shifts to violence against children within the family.²⁹ What happens when one skips forward a hundred years with the public sector that had grown considerably and when the idea of the welfare state creating the best possible society for the weakest gradually began to consolidate? Previous research has shown that the authorities did not focus on abuse of children placed in institutions during this period.³⁰ Was there instead a focus on violence against children in family

life – and can one in this century and in this arena re-find the voices of children in the archives?

Contacting the police

In 1945, a woman contacted the police to report that her husband was abusing her two-year-old son. She stated that he beat the boy several times a day with his hand or with a folded leather strap and usually landed about 40–60 blows every time. The boy was now so cowed that he did not know where to hide when he saw his stepfather. She further explained that he had threatened to kill the boy if she contacted the police. The stepfather was arrested on the same day. He confirmed his wife's version of events. He explained that he was jealous of the boy because his wife, in his opinion, cared too much for her son and that he was angry as the boy was not being potty trained. He could also beat the boy – without the boy having done anything – just to upset his wife if they had had a disagreement beforehand. The case ended with the stepfather being sentenced to six months of imprisonment.³¹

This case took place in Odense, Denmark's third largest city, which had almost 93,000 inhabitants.³² The case illustrates that violence against children was not permitted – at least not formally.³³ The Danish Penal Code of 1930 prohibited violence against another person that, in principle, also included violence against one's own children, but it was nonetheless recognised at the time that parents were permitted to punish their children physically as long as it did not have the nature of actual abuse.³⁴ Therefore, when one looks in the police and court archives, cases such as the one of the two-year-old boy are very rare. A review of Danish Criminal Police records from Odense Police in the years 1947–1949 and 1957–1959 shows that the Criminal Police only received a total of six reports of a parent's violence against their own children – three of them contained physical violence and the other three contained threats of violence.³⁵

However, it is reasonable to believe that the number of reports far from matched the actual – albeit unknown – cases of children being subjected to violence within the family. When child abuse in the 1970s and 1980s was articulated in Denmark as a problem by scientists, it was concluded that the number of reports did not correspond to the real scope of the abuse. In a crime study from 1984, only 15 reports of violence against children in ten police districts for the years 1979–1980 were identified. The authors explained the low number of reports by the fact that people close to the abuse (neighbours, other family members etc.) were reluctant involve themselves in the domestic sphere, that children could not themselves stand up against violence and that the corporal punishment of children was legal.³⁶ The explanation for the relatively modest number of cases of violence against children in the legal system was therefore placed *outside* the walls of the police. However, as we will demonstrate in the following, the reason for the absence of cases in the police archives is also caused by the police. Cases of domestic dispute reveal that the police officers rarely focused on children's possible victimisation when they were called out to incidents of domestic dispute.

Overlooked victims? The positions of children in cases of domestic dispute

Domestic dispute was an administrative category that the police used to describe discord in the domestic sphere where the police officers' discretion concluded that no breach of the Criminal Code had taken place. An investigation of police reports from 1947–1949 and 1957–1959 in the archives of Odense Police resulted in 303 cases of domestic dispute in which family life was the scene of various forms of 'dispute'.³⁷ The cases ranged from loud arguments between spouses/partners (in existing or broken relationships) to intoxicated, threatening and violent husbands and fathers. The main protagonists in the reports were the woman and man, but a third agent in the family can often be seen, namely the children. The children appear in the cases in four different positions: as victims, informants, participants and – above all – as shadow agents, and with different opportunities to be heard.

Children as victims

In more than half of the 303 identified cases, the wife stated that the husband had subjected her to violent actions that varied from pushing and slapping to beatings with fists and strangleholds.³⁸ In 182 of the 303 cases it is mentioned that there were children present, and in 38 of these cases (i.e. 20%) the husband had exposed one or more of their children to violence, according to his wife. In a case from 1949, the victim was a 12-year-old boy. His mother went to the police station and stated that she was afraid to stay at home as her husband 'as usual when he is drunk had picked a fight with her and had hit her several times all over her body and torn the coat and dress she had been wearing to shreds'. She said that 'every time the husband beats her, the boy cries. The husband then also starts to abuse and beat him'. After questioning the woman, the police inspected the married couple's address where they found the husband who admitted that he had 'admonished' his wife. It is not stated whether the husband was asked if he had beaten his son. Instead, the man was arrested and placed in detention due to the wife because she was afraid of spending the night with him in their apartment 'as he was brutal towards her'. One hears the mother's and the father's voices while the violence against the son goes unmentioned.³⁹

The case includes a number of typical traits found in the cases of domestic dispute where a police report states that a child was beaten. Most often, it was the mothers who reported that the husband had (also) beaten one or more of the children. The men did not correspondingly state (with only a few exceptions) that the women had beaten the children. This does not mean that there were no women beating their children; however, they rarely appear in the reports. Was it because there were simply fewer women who beat their children or was it not perceived as being as serious as men's violence against children?⁴⁰ Neither was violence against children typically described in the reports. In by far the majority of cases, violence against the children is only described briefly. A case from 1948, for example, describes that the wife explained that the husband 'sometimes [has] locked up the couple's two

children and beaten them'. What precisely is meant by the word 'beaten' is not explained in the report. Similarly, in another case from the same year, it is equally difficult to infer what is meant by the husband having 'beaten' the children.⁴¹ There are, however, a few exceptions to this overall picture and, it seems, especially if the children were injured by the violence.⁴²

The men were not always confronted with the violence against their children during questioning as the case of the 12-year-old boy shows. When the men were asked about it, they usually denied that they had beaten their children. This seems to indicate that it was particularly shameful for men to admit to physical abuse of their children whereas they were more willing to admit to having used physical force against their wives. Researchers define this as 'forbidden emotions' as men could not be seen to be beating their children – at least not in a way that they believed could be challenged. In half the cases in which the woman stated that she had been beaten or been subject to one or another form of physical punishment, the men admitted that they had hit the woman; however, as a general rule, the men toned down the nature and scope of their violence compared to the version given by the women.⁴³

First and foremost, the cases are characterised by the fact that women's statements about the men's violence against the children rarely led to more detailed investigation. Typically, no further steps were taken to question the child. One is therefore usually not given the child's own explanation of the deeds. The voice of the child must instead be found in the questioning of the mother as she either had witnessed the beatings or the child had told her about it. Sometimes, one does, however, 'hear' the voices of the children in the reports. They often contain background noise and utterances such as crying and screaming, which illustrates that the children were part of the encounter between the families and the police. In a case from 1957, it is recorded that the children both cried and shouted to officers: 'Don't take dad away'.⁴⁴ That the officers recorded the children's feelings was hardly a coincidence. This partly supported the officer's depiction of family life as chaotic and partly legitimised the description of the officers' handling of the cases, when they asked the man to spend the night away from home so that peace and calm could be re-established in the family in the short term.

In a few cases, the silence of the children was recorded. In a case of a 17-year-old girl, the report states that the police attempted to clarify what the father had done to her. They did not succeed as she lay in bed 'without being able to respond to our enquiries'. That the police attempted to question her at all was undoubtedly due to the obvious injuries on her body that the police found it necessary to conduct further investigations. The case is one of the few cases of domestic violence handled by the department of criminal investigation. The father, who was a labourer, was fined DKK 250, equivalent to approximately half a month's salary in this social group.⁴⁵

Children as informants

Children's experiences of being the victims of violence were mainly expressed through the voices of their mothers or through officers' descriptions of the children's

non-verbal utterances. The voices of the children as a linguistic utterance occur more explicitly in cases where children themselves informed the police about the domestic circumstances, which was the case in 26 of the 303 cases of domestic dispute. In a case from 1957, a 15-year-old boy contacted the police in Odense. He told that his father had come home intoxicated and had beaten the boy's mother. The boy was now seeking help at the mother's request. The report led to two police officers being dispatched to the boy's home where they first questioned the mother. She confirmed that her husband had come home intoxicated that day and had hit her in the face and that he had also grabbed her around the neck.⁴⁶

Both boys and girls are equally represented as informants (12 sons, 1 stepson and 13 daughters). When the children's age is stated in the reports, they were above the age of 12 when they reported the violence. A certain age was thus required in order for the children to contact the police and thereby assume a more or less involuntary shared responsibility for stopping the domestic violence or dispute. The reporting children's immediate visibility in the cases did not per se mean that their circumstances in the home or their experiences during the events were problematised or highlighted in the families' encounter with the police. Maybe the age of the children was also significant in this regard – that it was more serious to hit a child than a teenager?

Children as participants

According to Spyros Spyrou, non-verbal expressions such as actions and noise can be more 'revealing of voice than the actual words used'.⁴⁷ In the cases of domestic dispute, it is easier to expose the voice of the child if one focuses on the child's actions. Reporting the father to the police was one form of action children could take. They could, however, also have been physically involved in the events in the home by trying to prevent the fathers' violence against the mothers by intervening between the parents – either verbally or physically – thus playing an involuntary participatory role in the course of events. A case from 1949 exemplifies this. The police report states that a daughter had intervened in an argument between her parents. According to her mother, she had intervened physically when the father threatened the mother:

Immediately when the witness [i.e. the wife] came home, he asked the witness to send the children up to their room in the roof as he wanted to beat the witness. The husband had taken a kitchen chair and raised it in order to hit the witness, but the eldest daughter grabbed the chair and thereby prevented the action.⁴⁸

One does not explicitly hear the daughter's voice, but the description of her action nonetheless gives her 'a voice' in the report.

Children could in this way appear as participants in the drama of their family conflict. It seemed, however, that it was particularly – and not surprisingly – adult

children who intervened.⁴⁹ According to Swedish social researcher Margareta Hydén, *all* children in violent families can be regarded as ‘participating witnesses’ regardless of their age. The children were therefore not external witnesses in these cases such as, for example, neighbours. As the events took place in their own ‘environment’, they could not avoid being agents in a family life filled with conflict.⁵⁰

Children as shadow agents

In by far the majority of cases of domestic dispute, the children only appear as shadow agents – i.e. their presence is noted in reports, but their voices and experiences are rarely presented and are therefore not problematised in police encounters with the families. In a case from 1948, it is merely in the very last line of the report that it transpires that a child was present in the apartment: ‘Mrs Nielsen’s [...] son [...] followed his mother.’⁵¹ The boy was ten years old, but no further information is available. We do not know if he was the woman’s child from another relationship since he is described as Mrs Nielsen’s son; it is, however, not an unusual wording in cases of domestic dispute as children were seen as the mothers’ responsibility. It was not recorded where the son was when the man beat the woman. Had he been an eyewitness to the beating and the commotion that was probably part of the scenario? Had he himself been beaten? Why does he appear so late in the police report? Why could children appear at all as ‘shadow agents’ in cases where they are only mentioned as part of the family, and not as participants in the events? Were their presence and experiences in the family not relevant to the other participants in these cases, including not just the police, but also the (step-)father and the mother of each child?

There was, otherwise, no lack of attention to the well-being of children from many sides in this period – both internationally with the UN Declaration of Human Rights in 1948 (which stated that ‘motherhood and childhood are entitled to special care and assistance’), but also in Denmark, especially after World War II.⁵² ‘The post-war period was the heyday of the family ideology’, the Danish childhood researcher Ning de Coninck-Smith writes and she concludes that ‘the decades immediately following the end of World War II everywhere in the western world were devoted to the family’.⁵³ A range of political measures related to the family were also introduced, such as child benefits, special financial support for single mothers and extension of maternity leave, etc. to create an enhanced framework for families with children.⁵⁴

Police discretion

Given the aforementioned attention to children’s well-being, it may seem to be a paradox that the children’s situation was rarely highlighted or problematised in the encounter between the families and the police and that the children’s voices are rarely found in the archives. There are undoubtedly several reasons for this. First and foremost, punishing children physically was *in practice* permitted, although there

was no formal legal basis. *Some* violence (corporal punishment) was permitted. The boundary between legitimate punishment and illegal abuse depended on discretion that, in the first instance, the mothers and the people who knew of the physical punishment had to exercise when deciding whether to report it to the police. The police, however, also exercised discretion in relation to the legitimacy of the punishment, which began already in the police's encounter with families. It appears, by concepts used in the psychology of deviation, that the officers in these situations assessed whether the punishment had been within a normal range of deviation – that is, a moderate and acceptable deviation that did not require intervention or for which there was no legal basis for intervention – or whether the punishment constituted an extreme deviation – that is, actions that violated applicable norms and that could not be ignored or accepted.⁵⁵

The practice of the police was very much in accordance with the Danish norms of the time. The population in general supported the right of parents to punish their children physically. A survey from 1949 showed that 62 per cent of respondents supported domestic corporal punishment of children.⁵⁶ This may contribute to explaining why so few cases of violence against children can be found in the archives – there was simply a certain consensus that *some* form of physical punishment was socially acceptable. Mothers may also have been reluctant to expose the difficult situation of the children as the municipal social services might become involved. In addition, perhaps the mothers did not expect that the police were able to solve the domestic conflicts. The latter was at least the point of a feature in a women's magazine from 1980 about a woman who had been a victim of violence:

What do you do [as a mother] to protect your children? Well, the question is probably rather what you can do, alone, isolated, afraid ... Leaving home was maybe something one wanted to do, but where can a woman with small children go? The police to whom I turned a couple of times were not unsympathetic, but what could they do? Arrest the man, put him in a cell for a couple of days, but then what?⁵⁷

The situation was no better for mothers before 1970 when women's shelters did not exist. Perhaps the women also found that articulating the children's difficult circumstances in the home could reflect badly on them – that they would be seen as 'bad mothers' who had not been capable of protecting their children. In combination with the practice of the police and the courts, it meant that the well-being of children was not a criminal matter – just as it meant that the child's voice was rarely heard in cases of domestic dispute.

Conclusion

For decades childhood researchers have been looking for the 'voice of the child' in order to highlight children's subjectivity and agency. Archival material in which children have made themselves heard (e.g. letters written by children) have traditionally

been considered particularly valuable, but such sources are a rarity. The archives mainly contain documents created by the authorities as documentation of a specific event and the resultant handling of the case.

In our chapter, we have seen examples of the authorities' encounter with families in two different centuries and in two different arenas. We focused on cases of corporal punishment of children, where the punishment was in general described by the parents in their encounter with the authorities. Within the home, it was usually the mothers who stated that their husbands had beaten the children. We have also seen that the authorities throughout time and space were reluctant to intervene and apply legal sanctions against those who had used physical force. The legitimacy of the physical punishment depended on whether the authorities perceived the violence as an extreme deviation and a breach of formal regulations. In the school system, punishment was regulated while in the family it was not formally permitted; nonetheless, informal standards and legal practice made *some* violence both permitted and socially acceptable.

Did we encounter the voices of children in the historical sources? In general, the sources are representations of the authorities. It is therefore important to note that when children – alone or with their parents – encountered official authorities, it was not an encounter between equal parties. It was the parents or authorities who in advance defined that a problem existed that needed to be addressed, e.g. that the child was being abused by a teacher or by a father. It was the authorities too, in particular, who had the power to determine the questions, what not to consider relevant and what was to be recorded in the minutes or case file, thereby effecting how the child's voice was to be reproduced and presented to posterity.⁵⁸ What the authorities perceived as an 'interview' or just a conversation could, however, in a child's eyes be perceived as 'questioning', which could influence the child's answers.⁵⁹ Therefore, it is important to consider how children's voices were presented within the adult institutional framework and how the archival sources reflect unequal power structures in society.⁶⁰ The child's voice is rarely explicitly recorded in these documents where children's voices were silenced in the moment of fact creation according to the theoretical framework of Michel-Rolph Trouillot. However, if one applies a broader understanding of 'the voice of the child' one 'hears' the children; not just through the retelling of the child's experiences by adults, but also from the emotional utterances that emerges in the source material.⁶¹

The question is whether the archival material can fulfil the expectations that adults today may have when they seek to re-find their childhood with the help of historical sources. Does the ending of silences have a healing effect, as Michael Moss and David Thomas ask in Chapter 1? Alas, they will only find information that their parents thought relevant to state and that the authorities thought important to record in the moment of fact creation. They are seldom able directly to re-find their own voice, but in reading the documents they encounter the adults who interpreted their voice at the time. In that way, the voices of children can be heard mediated through the voices of parents and teachers. As noted by Moss and

Thomas in Chapter 1, mediation has its own agency and therefore the voices we hear through the words of teachers and parents may not be the 'authentic' voices of the children. However, if we apply a broader view of the concept of voice, as mentioned in the beginning of this chapter, we can hear the child, and the adults gain insight into specific events and experiences in their childhood and youth that they either remember or have suppressed. For some, the encounter with the case file confirms to them that they were overlooked and not listened to as children in the situations in which the authorities were involved. The encounter with the case material may even be a shocking experience as they may risk seeing themselves described in negative terms at a time when the lack of transparency in the administration led to public employees expressing themselves quite frankly in case files and minutes. For others, the case files will contribute as pieces to (re-)finding a past and maybe even understanding the present – to 'open the drawer' of memories as Danish anthropologist Stine Grøn­bæk Jensen has called it.⁶²

The Archives are able to contribute to the journey of citizens when they are trying to find their past. In this context, archivists must expect to deal with the feelings of the citizens when they are trying to find their past and which may be expressed when they read their case files. The role of the Archives may therefore change in the coming years. Not only can archivists help citizens find their case files; they can also, through communication of the historical origin(s) of the case, support the citizen's journey. In a study of the encounter of a person (who was previously placed in care) with his own records the authors conclude that: 'The lack of knowledge of the creation and form of the records may exacerbate an already difficult encounter with the often harsh descriptions embodied in these records.'⁶³

The Archives can support this encounter between citizen and records by providing information on what the citizen can expect to find – and most importantly may not find – as well as provide insight into why the case file were not always preserved and the kind of views of children that are reflected in the case files over time – so that the history of the citizen becomes part of a shared history. Last, but not least, the increasing demand and expectation that the Archives should act as gatekeepers of the citizens' history may help both the authorities and the Archives to focus on how to preserve the history of people for present and future generations. The preservation – or the destruction – of the Archives plays an important role when searching for the voices of children in historical records. First after many decades the Archives began the moment of fact assembly, that is collecting and preserving voices from everyday arenas as archivists prioritised preserving documentation of the nation's political and economic history. Much has therefore been lost by deliberate destruction by the Archives or been discarded by authorities before it could be transferred to the Archives. The future challenge for the authorities and Archives will thus be that they will no longer only have to preserve case files as evidence of public activity or for researchers, in the moment of fact assembly, but to preserve case files that can help citizens (re-)find their history and give a voice to their life story.

Notes

- 1 'Rørt Mette Frederiksen til Godhavnsdrene: På vegne af Danmark, undskyld', article by Thomas Klose Jensen, www.dr.dk, August 13 2019.
- 2 'Møde mellem statsministeren og formanden for Naalakkersuisut', press release from the Government of Greenland, 12 July 2019. The report that the apology was based on was submitted to the Ministry on 8 December 2020.
- 3 'Regeringen kaster lys over mørkt kapitel i Danmarkshistorien', press release from the Danish Ministry of Social Affairs, 28 January 2020.
- 4 Melissa Nobles, ed., *The Politics of Official Apologies* (Cambridge: Cambridge University Press, 2008).
- 5 Official apologies for the abuse of minorities have previously been issued in Danish political history, cf. 'Overblik. Her er de officielle danske undskyldninger – og dem, der ikke blev givet', article by Flemming Brandt and Emil Eller.
- 6 The legislation was passed on 10 December 2020 and became effective from 1 January 2021.
- 7 Cf. Stine Grønæk Jensen, *At åbne skuffen: Om tidligere børnehjemsborns transformationer af selvet og den sociale verden gennem erindringsarbejde* (PhD thesis, University of Southern Denmark, 2019).
- 8 Cf. Ning de Coninck-Smith, 'Børnестemmer, erindringer og barndomshistorie: Metodiske og empiriske refleksioner' in *Studier af pædagogisk praksis*, ed. Morten Nørholm, Knud Jensen and Niels Rosendal Jensen (Copenhagen: Danmarks Pædagogiske Universitetsforlag, 2008), 17–20. Harry Hendrick, 'Children and Childhood', *Refresh*, 15 (autumn 1992): 1.
- 9 Sirkka Komulainen, 'The Ambiguity of the Child's "Voice" in Social Research', in: *Childhood*, 2007; 14; 11. Ning de Coninck-Smith has mentioned the paradox that all childhood historians have to live with, namely that the source material as a rule is written by adults. Ning de Coninck-Smith, *For barnets skyld* (Copenhagen: Gyldendal, 2000), 20.
- 10 The Danish historian Ning de Coninck-Smith has emphasized in her study of childhood memoirs, that a child's perspective also can be found in the retelling of sounds, smells, touching etc. Ning de Coninck-Smith, 'Børnестemmer, erindringer og barndomshistorie: Metodiske og empiriske refleksioner' in *Studier af pædagogisk praksis*, ed. Morten Nørholm, Knud Jensen and Niels Rosendal Jensen (Copenhagen: Danmarks Pædagogiske Universitetsforlag, 2008), 20.
- 11 Spyros Spyrou, 'The Limits of Children's Voices: From Authenticity to Critical, Reflexive Representation', *Childhood*, 18 (2011): 7.
- 12 Christian Larsen, 'Good and Righteous People and Useful Citizens of the State: The Danish 1814 School Acts and the Rise of Mass Schooling in Denmark', in *School Acts and the Rise of Mass Schooling: Education Policy in the Long Nineteenth Century*, ed. J. Westberg et al. (Cham: Palgrave Macmillan, 2019), 119–144.
- 13 Christian Larsen, 'Børneskæbne i protokollerne: Arkivalier om børns skolegang og undervisning i 1800-tallet', *Personalthistorisk Tidsskrift*, 2018: 45–68.
- 14 T. Algreen-Ussing, *Hoved-Register til den Fogtmanske Rescriptsamling fra 1660 til 1830* (Copenhagen: Gyldendal, 1837–39), T. Algreen-Ussing, *Hoved-Register til den Ussingske Rescriptsamling for Aarene 1831–1848* (Copenhagen: Gyldendal, 1854), *Sagregister til Ministerialtidende A for Kongeriget Danmark for Aarene 1871–1910* (Copenhagen: J.H. Schultz, 1913).
- 15 Bolette Frydendahl Larsen, *Opdragelse og diagnosticering: Fra uopdragelighed til psykopati på Vejstrup Pigehjem 1908–1940* (Lund: Department of History, Lund University, 2020), 54–55.
- 16 Joakim Larsen, ed., *Skolelovene af 1814 og deres Tilblivelse, aktmæssig fremstillet* (Copenhagen: Schultz, 1914), 444.
- 17 Larsen, *Skolelovene*, 444.
- 18 Larsen, *Skolelovene*, 423.

- 19 Larsen, *Skolelovene*, 435, 439–440. Karen Vallgård, ‘Forbudte, farlige og frastødende følelser’, *Temp*, 8:16 (2018): 11–13. For an introduction to research on the history of emotions, see Rob Boddice, *The History of Emotions* (Manchester: Manchester University Press, 2018), and Karen Vallgård, ‘Følelshistorie: Teoretiske brudflader og udfordringer’, *Kulturstudier*, 2013: 88–114.
- 20 Larsen, *Skolelovene*, 439–440, 445.
- 21 Larsen, *Skolelovene*, 423.
- 22 The Danish National Archives (DNA), Varde Magistrate–Øster and Vester Horne Sheriff: Documents in the clerical court matter against schoolteacher Sønderbye of Oxby, 1843–44. Cf. F.E. Jensen, ‘Skolelærer Jens Chr. Sønderbye i Oksby’, *Fra Ribe Amt*, XV:1 (1960): 69–85.
- 23 Jensen, *Skolelærer*: 80–85.
- 24 Anne Katrine Gjerløff and Anette Faye Jacobsen, *Da skolen blev sat i system: 1850–1920* (Aarhus: Aarhus Universitetsforlag, 2014), 242.
- 25 Gjerløff and Jacobsen, *Skolen*, 242–44; DNA, Vester–Øster Flakkebjerg Counties’ Dean, the County School Board: Documents 1906–27.
- 26 Ning de Coninck-Smith, ‘Haderslevgadesagen: En historie om forholdet mellem hjem og skole i København 1880–ca. 1920’, *Årbog for Arbejderbevægelsens Historie*, 17 (1987): 53–80. The author used following archives to find the voice of the mother and her son: DNA, The Criminal and Police Court of Copenhagen: Public cases 23 February 1906, and Case file 1906/425; DNA, The Supreme Court: Protocol of voting 11 December 1906; DNA, The Department of Justice: 1st Office: Case file 1906/8418; The City Archives of Copenhagen, The Copenhagen School Board: Case files 1906/209 and 1912/70.
- 27 Coninck-Smith, *Haderslevgadesagen*: 56.
- 28 Coninck-Smith, *Haderslevgadesagen*: 62–63.
- 29 Domestic dispute and domestic violence (particularly against wives/girlfriends) is described in more detail in Mette Seidelin, *Husspektakler og vold mod kvinder 1945–1970* (under publication, 2021), while sexual violence against children in the family (incest) is examined in Mette Seidelin, *En nem og ikke altid willig partner? Opfattelsen af børns roller i incestsager 1930–1967* (PhD thesis, University of Southern Denmark, 2014), 111.
- 30 Maria Rytter, *Godhavnsrapporten: En undersøgelse af klager over overgreb og medicinske forsøg på Dreng- og Skolehjemmet Godhavn samt 18 andre børnehjem i perioden 1945–1976* (Odense: Syddansk Universitetsforlag, 2011), pp. 78, 239.
- 31 DNA, The Odense Police Office: criminal dossiers (‘straffeakter’) 427/1945.
- 32 Det statistiske departement, *Statistisk årbog 1950* (Copenhagen: Bianco Luno, 1950), Table 5.
- 33 Older Danish legislation allowed the punishment of children. In the Danish Penal Code of 1866 (Section 202) the abuse of children was prohibited, but we do see from the legislative material that corporal punishment was permitted, cf. *Udkast til Straffelov for Kongeriget Danmark* (Copenhagen: J.H. Schultz, 1864), 248. Only in 1997 did the Danish Parliament pass legislation that explicitly prohibited Danish parents from subjecting their children to corporal punishment.
- 34 Annalise Kongstad and Beth Grothe Nielsen, *Grænser for revselse: Om retssystemets behandling af vold mod børn* (Copenhagen: SocPol, 1984), 28.
- 35 DNA, Odense Criminal Police: ‘A-journal’, no. 572/1947; and 512/1948; ‘Anmeldelsesjournal’: 1141/1957; 3184/1958 and 1417/1959. No total figure exists in Denmark for the number of reports of violence against children in the domestic sphere. Neither does a figure for the number of parents convicted of violence against their own children exist.
- 36 Kongstad and Nielsen, *Grænser for revselse*, 18.
- 37 This should not be understood as the precise number of reports on domestic dispute made to Odense Police. First, the police did not write a report in every case and, second, there are ‘holes’ in the case numbers, probably due to the reported man later being reported for a new breach either in the same or in another police district. The old case

- will therefore often be found as part of the newer case. In addition, the much shorter notices in the archives of Odense Police 1947–1949 are not included in this number (cf. ‘Odense Politi, Sager til 1. Afdeling afdelingsjournal, ujournaliserede’)
- 38 The exact number was 196 cases out of the total of 303 cases.
 - 39 DNA, The Odense Police Office ‘Sager til 1. Afdelings afdelingsjournal’ J73/1949.
 - 40 Linda Gordon has mentioned violence of mothers towards their children in her pioneer study and she concludes that there were largely as many mothers as fathers who were child abusers, but she sees this as a sign that fathers – who spent far less time with their children – more often beat up the children than the mothers. Linda Gordon, *Heroes of their own lives: the politics and history of family violence* (New York: Viking: 1988/2002), 173.
 - 41 DNA, The Odense Police Office ‘Sager til 1. Afdelings afdelingsjournal’ J22/1948; report no. 2329/1948.
 - 42 DNA, The Odense Police Office: ‘Sager til 1. Afdelings afdelingsjournal’ 1333/1947.
 - 43 In 1978, Norwegian physician Ottar Tangen claimed that the abused child lacked legal protection because children were often discriminated against compared to their mother – the focus was on the husband’s violence against his wife and not on violence committed against the children. Ottar Tangen, ‘Barnets rettslige beskyttelse mot mishandling’ *Nordisk Tidsskrift for Kriminalvidenskab*, vol. 65, no. 3 (1978), 147–166. See also Seidelin, *Husspektakler*: 120 ff.
 - 44 DNA, The Odense Police Office: ‘Sager til Hovedjournal B’ 39F74/1957.
 - 45 Statistics Denmark’s online price calculator.
 - 46 DNA, The Odense Police Office, ‘Sager til Hovedjournal B: 39F11/1957.
 - 47 Spyrou, *The limits of children’s voices*: 7
 - 48 DNA, The Odense Police Office, ‘Sager til 1. Afdelings afdelingsjournal’: O152/1949.
 - 49 A similar conclusion can be seen in Hydén’s study from the first half of the 1990s. Margareta Hydén, *Kvinnomisshandel inom mäktenskapet. Mellan det omöjliga og möjliga* (Stockholm: Liber, 1995), 163.
 - 50 Hydén, *Kvinnomisshandel*, 162
 - 51 DNA, The Odense Police Office, ‘Sager til 1. Afdelings afdelingsjournal’: 17/1948. Nielsen is not the family’s real surname. This is a pseudonym, cf. the requirements for anonymisation contained in the Danish Archive Act when material is less than 75 years old and contains sensitive personal data. We have omitted particular characteristics pertaining to the families mentioned in the article in order to preserve their anonymity.
 - 52 The UN Declaration of Human Rights, 10 December 1948.
 - 53 Ning de Coninck-Smith, ‘Barndommens historikere i midten af 1990’erne’, *Historisk Tidsskrift*, 16, no. 4 (1995): 149.
 - 54 Klaus Petersen et al., *Velfærdsstaten i støbeskeen: perioden 1933–56* (Odense: Syddansk Universitetsforlag, 2012), Chapter 9. Klaus Petersen et al., *Velfærdsstatens storhedstid: perioden 1956–1973* (Odense: Syddansk Universitetsforlag, 2012) Chapter 9.
 - 55 Michael Hviid Jacobsen and Søren Kristiansen, *Social afvigelse* (Frederiksberg: Samfundslitteratur, 2018), 86.
 - 56 There is a different result, however, from 1968 to 1990 when the proportion of Danes who supported corporal punishment in the home fell from approximately 40 per cent to 15 per cent. However, throughout the period a majority of the opponents of corporal punishment stated that they might support corporal punishment ‘under special circumstances’. DNA, DDA: Ugens Gallup 9/1949 and Gallup 875/1968; 958/1976; 969/1977; 992/1979; 1029/1982; 1052/1984; 1957/1989; 1968/1990.
 - 57 Gretha Kasler, ‘Hvorfor finder hun sig i det’, *Kvinder i Vestjylland*, no. 21 (October 1980): 14.
 - 58 Bolette Frydendahl Larsen, *Opdragelse og diagnosticering*: Chapter 2. Cecilie Bjerre, Jacob Knage Rasmussen, and Stine Grønback Jensen, ‘Journalens potentialer. Konstruktioner af og møder med journalsager i børneforsorgens regi’, *Temp*, 7, no. 14 (2017): 76–94.
 - 59 Spyrou, *The Limits of Children’s Voices*: 152.
 - 60 Spyrou, *The Limits of Children’s Voices*: 155; Cecilie Bjerre et al., *Journalens potentialer*: 80.

- 61 Coninck-Smith, *Børnestemmer*, 17–20.
 62 Stine Grønbæk Jensen, *At åbne skuffen*, 7.
 63 Cecilie Bjerre et al., *Journalens potentialer*: 89

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11

DIARIES AND SILENCE

Polly North

This chapter explores how some diaries have silence thrust upon them, whilst all have silences within them. It uses the word silence loosely – that is, as a figurative as well as a literal term. The exploration in this chapter is both indebted and relevant to all diaries. However, it was inspired by a particular type of diary: the uncommissioned and unpublished diaries of the non-famous. These diaries fall victim to acts of silencing more regularly than, for example, those kept by famous writers or politicians. Professionally I rescue, preserve and – where appropriate – make publicly available this type of diary at *The Great Diary Project (GDP)*, at *Bishopsgate Institute*. This chapter will highlight why attending to ordinary-seeming diaries can have beyond ordinary scope and impact. The voice of any diarist can be rewarding; every voice has value. Equally, the articulacy that is latent in diary silences can be useful whoever the diarist, and whatever form the diary takes. Hearing and heeding the voices of the ‘many’ as well as the ‘few’ can support broader, more representative, conversations and understandings. And, contribute to our personal growth as readers. Reading diaries can help us hear our world but also ourselves more fully and faithfully.

This chapter starts with a discussion of how diaries are silenced from without. We will note the mundane fact that diarists routinely chuck their own diaries away and, if they don’t, inheritors and other custodians sometimes do. The reasons for these acts of silencing can range from the intellectual, to the personal and the logistical. For example, diarists (and others later) have disposed of diaries for reasons of modesty, secrecy or shelf space. And, archivists have ‘silenced’ diaries by deeming them unworthy of posterity’s attention. Next, the chapter considers how professional diary-readers (such as critics, researchers and/or academics) can deaden the voice of the diarist. They do so, for example, when they treat a diary as an exemplar of something that concerns them, but of which the diarist may have had few or quite different thoughts.

Lastly, the bulk of the chapter addresses silences *within* diaries. These can be intentional or unintentional. For example, diarists may intend to leave out material as a matter of discretion. A simple memory lapse might lead to an unintended omission. More subtly, diarists cannot write down their whole being: whichever part is in the limelight casts another in shadow. The chapter ends by proposing a methodical and sympathetic approach to reading diaries. It recommends reading them from a variety of points of view. The approach is dubbed ‘deliberate eclecticism’. It is intended to help readers attend to diaries, even when the diarists’ utterance appears muted or, whether intentionally or unintentionally, elusive or *sotto voce*.

Silences from without: The problem of institutional and professionally imposed silences

Archivists have to make decisions about whether a (any) diary merits shelf space, time and energy. If diaries are not preserved and, if possible, made available, the voices of their writers are, in effect, silenced. Archival triage is sometimes a matter of value judgements that have traditionally missed the significance of diaries, particularly those of the non-famous. In this way, logistical and intellectual discounting of diaries reinforce one another.

Diaries are often ‘silenced’ by institutions that ostensibly stand as safe refuges. Subtle prejudices are at work. The appointment diaries of a local judge might not – on first sight – have the same significance as diary notes on a murder trial, for example. Whilst it is easy to see the value of a diary that shows an obvious abundance of personal expression, many less glamorous diaries become – on proper inspection – a portrait of what it is to be alive. This chapter will show that diaries, by the famous or not, and glamorous or not, serve many forms of expression and understanding, both individual and collective; they have the potential to speak for the writer and to their communities.

Understandable archival biases give great scope to GDP (created in 2007), where the diaries of the uncommissioned, unpublished and non-famous are the priority. Here, they are considered essential and not as, for example, dispensable adjuncts to a larger deposit, or as redundant misfits. GDP has its own resource limitations, but our instincts are to safeguard the diaries no one else will or can preserve. The GDP currently houses over 10,000 diaries. The diaries that make it to the GDP have often been inadvertently or intentionally silenced at some point in their earlier lives. Paradoxically, many remain significantly silenced, even in our care – as an example, the archive preserves diaries that are closed for anything between 10 and 100 years, at the donors’ request. Others have arrived locked, so badly damaged, coded so impossibly, or so scribbled, they cannot be read.

Further to this, diaries are sometimes permanently silenced where we might expect their voices to be most cherished. Diarists and other diary custodians are known to lose, damage, burn, sell, bury and dump diaries. For example, the relatives of a deceased diary-writer, entrusted with going through the diarist’s papers, will perhaps prefer to save photo albums or medals than apparently incoherent

diurnal jottings. Furthermore, the inheritors may be embarrassed by what they read, and destroy it. Unrelated inheritors of a person's life detritus, such as house clearance companies, auctioneers and/or second-hand shops, might see profit in selling on brass bedsteads and enamelled fireplaces, but few pound signs in a used diary. Through no fault of their own, inheritors of diaries are not always alert to the significance of their new possession and inadvertently silence the diaries of which they become custodians.

The lack of co-ordinated institutional effort to preserve diaries is matched by those diarists who actively silence their work. Many diarists choose to write in private and, ostensibly at least, for an audience of one ('Dear Diary'). Quite rightly, their work starts as and remains a sacred and silent refuge secreted from family, archives and a wider reading audience. Some diary-writers go a step further and, to protect their silence, destroy their writing. Other diarists, far from being fiercely protective of their writing, dismiss it as 'boring'. And then burn it. 'Boring' is a judgement made particularly of appointment-orientated diary-writing. Such diaries seem to lack tone or rhythm, but can be extremely eloquent, even in areas in which they appear muted. Past, present and future events and experiences are often recorded in a linear, temporal structure. In such cases, wherever and however they fall, all life's narrated moments are given equal time and page space. This assumed equalisation of all moments, whatever their emotional import, can – notionally – help diarists equalise emotions. It is for the reader to discern or decide what feelings lay, silent and perhaps gagged, in the flow of these events. Combining day-to-day events, such as hairdressing appointments, with more dramatic events, such as the death of a loved one, is called 'parataxis'. Parataxis allows the reader to imagine the writer's responses to the variety of his or her life; indeed, its silences encourage reader participation. As literary academic, Patricia Meyer Spacks observes: 'To uncover the relentless triviality of a writer's everyday life may confirm the value of a reader's mundane daily career. A diary can reveal the importance of commentary unspoken.'¹ In this way, diaries help us find common ground and perhaps connect us to something unspoken and precious in the apparently unremarkable elements of life.²

As a diary-devotee, I am bound to stress the potential locked in any and all diaries. First, in years to come, even the most pedestrian tasks will take on all the gravitas of bringing 'history' alive; imagine getting a flavour for Shakespeare's, or Shakespeare's servants', day-to-day. Diaries can act as historical springboards. Second, diaries can act as political, cultural and social barometers; mapping movement in social, cultural and political attitudes. Third, the diaries of the everyman and woman, including the diaries at GDP and *Sussex University's Mass Observation Archive* (MOA), are not the dominant, widely accepted narratives of elites (rather, they are not these alone: the GDP and MOA are indifferent to who is the author). That is because the diary form does not discriminate: few literate people are prohibited from keeping a diary and so many do. Tales of celebrity do have a place, but diaries give us an idea of how a moment in time struck all, and not just those of elevated status. The GDP and MOA include the diaries of the marginalised, as well as the mainstream. Raphael Samuel,

the social historian and regular at *Bishopsgate Institute* said: 'History should not be left to the historians.' Diarists' voices speak for history too. The virtues of reading diaries are many, so it is unfortunate that so many find themselves silenced by diarists and other custodians. (Of course, we can only imagine the stack of fascinating diaries we might have had from the billions of people silenced by millennia of illiteracy, or for whom self-writing was impossible and, often, not even thought of.)

We have looked at why and how some diaries are intentionally or unintentionally silenced by individuals and institutions. It remains to say that diaries have often had rather a hard time at the hands of academics. In effect, diaries have been regarded as tools of a particular trade, often a biographer's or historian's, rather than as voices to be heard out of common interest in the diarist as a person speaking to us. In her forward to Philippe Lejeune's, *On Diary*, literary critic Julie Rak summarises this trend in the criticism of self-writing:

[T]he study of diaries has been met with indifference, incomprehension, and hostility. Historians have regarded diaries either as transparent source documents or personal records which should be taken with a grain of academic salt. English-language literary scholars have examined some diaries, most notably the diary of Samuel Pepys for their historical content ... Feminist criticism ... highlighted the importance of women's experiences.³

This approach to the diary has a tendency to relegate the form to the status of auxiliary (usually unreliable) primary resource, or as subordinate bystander to an age, body of work or a person. In the main, it misses the more serious merits of reading diaries and thus, of 'hearing' the voices of 'ordinary' people. This type of critical oversight is a species of diary-silencing. It is akin to the power of critical fashion to sideline this or that genre, or to lead students and general readers in this or that dogmatic direction. Obviously, diaries such as Samuel Pepys' (1633–1703); Anne Frank's (1929–1945) and Virginia Woolf's (1882–1941) have been widely read and applauded. The difference here is between a wide lay readership, which enjoys the highly personal in famous diaries as well as the historical, and the academics for whom the historical relevance of the literary artefact is more important.

The critical mood has lightened a little in the last 50 years. Now diaries are also often prized as tools of empowerment by self-writing critics. In particular, as Rak identifies, they are valued by critics exploring 'women's experiences'. Self-writing critics campaigning for feminist, gender identity and/or civil resistance objectives have rescued and promoted a wide range of diaries but often with the common denominator being that they identify the self-writing as being by the oppressed and gagged.⁴ This approach is prone to label the diarist, rather than listen to them. Cause-related critical near-sightedness can make an auxiliary of the diarist's voice and/or overlook the diarist's wider subject matters, perhaps in matters quite apart from the critic's special interest. It is a species of silencing diaries with hallmarks of the type of approach that tends to read them as adjuncts (and which is described above). Of course, both critical directions are warranted within their interpretative

silos.⁵ The point is that along the way something of the diary and the diarist's voice may be forfeited.

More broadly, starting with autobiography and then including the diary, recent criticism has praised diarists for their strength of character or for being, 'private', emancipated or self-possessed, 'authentic', 'sincere', 'dignified' or 'raw'.⁶ Such criticism is often led, by logical steps, to characterise self-writing as empowering: writing that champions and fosters the idea of an individual who can think, act, speak, or write with volition.

Critic's motivation for applauding the degree to which self-writers and their voices are autonomous is, perhaps, fuelled by a deeper desire to shore up the value and status of the critic's voice. (Anyway, it is little wonder that critics are driven to fathom, characterise and/or ascribe merit to the voice and person they meet so powerfully in the diary.) Regard for a type of diarist's voice that is assumed, to some degree, to be autonomous can be traced back to humanist critics' early attempts to elevate the form's academic and literary profile. The humanist Georges Gusdorf's essay, 'Conditions and Limits of Autobiography' (first published in 1956) is a good example of this critical move.⁷

In the latter half of the twentieth century, self-writing criticism (in particular, cause-driven criticism) came in tandem with, and was – at times – enthralled by, another academic credo. This had grown in power since the 1960s: 'post-modern' theoretical approaches to text, language and narrative. These had, broadly, supposed that a writer's voice was variously a cipher for hegemonic elites or grammar, or both. Foucauldian analysis, for example, erodes (aims to erode) the older humanist confidence that – to a degree – a writer has volition and presides over his or her voice.⁸ Foucauldians insist that one's voice, if it is granted a degree of validity at all, is overlaid with elite narratives. Such analysis does not silence the person exactly (it does not throw them in jail or cut their tongue out), but it helps drown them out. According to a predominantly post-modern interpretative take, the diary's daily entries and its blank pages – like the diarist – are always already subjects of a pre-existing and often exacting temporal order and/or regulatory discourse. At its extreme, such a creed complicates critics' attempts to praise or dismiss a diarist's self, since it has been deconstructed into non-existence.⁹ Pathologising the self-writer and their self-writing as being overwhelmed by powerful outside influences will lead, reasonably, to pathologising concepts of self, free-will and voice. If this path is followed blindly it can become a species of gagging.

It is worth pointing out that diarists do not need critical insight to speak powerfully with their readers. Indeed, it is rare that diarists will consider how a critic might address their private and silent interlocutions. Diarists often deserve to be read less critically or judgements and more as a friend and with affection, or at least a deliberate attempt at seeing the writer's point of view. Academics are trying to find what can reasonably be said and, usually, what helps them put the diarist in this box or that. They are bound to approach the diary set before them with a degree of professional distance or coolness. Their job is to analyse more than to accept. They seek to clarify and (though they can sometimes be obscurantist in their

own right) to disambiguate. Beyond criticism and ideas of self or agency (whether post-modern or humanist) diaries throb with the frequency of their diarist – they thrum with life. The discerning reader does not mind if the essence of a diary is as ambiguous as it is animate. That forgivingness allows the diary's character to fructify without being stymied by one, or more, modes of analysis and categorisation. It allows diarists to be heard in-the-round.

Silences within diaries

Having explored the diary as a form or artefact that is sometimes silenced by third parties, we now consider some of the gaps – the silences – that inevitably litter any diary, and that turn out, often, to be eloquent. If the former are silences from without, these are from within.

Diary-writing is not easily boiled down to a single, stable set of characteristics. No one diary can be said to represent the host of diary-types. But any diary, however basic, will almost always be in a vital and fundamental sense personal and can, in this way, be revealing about concepts of self. Diary-writing is, variously, regular, frequent, spontaneous, extempore, fragmentary, dated, frank, honest, private, personal and introspective; quite often diary-writing is undertaken as an exercise (that is: for its own sake as a process).¹⁰ It is some permutation of these characteristics that will constitute a diary and any permutation is capable of having great quality. There will be reticence and eloquence across the board. My main contention is that there is fascination at every point in this range of illustrative characteristics. And, that no diary can avoid silences, or gaps.

Personal and introspective

Diarists' 'personal touches' are writ large across all types of diary, and they are so in diary-writing that tends to the prosaic or the profound. Silently present in each character stamp is an – unintentional or intentional – signal from the diarist. Personal flags in diaries include handwriting, style, vocabulary, ephemera, format choice, choice of pen, editing habits and so on. Personal markers such as these, and especially taken together, are an opportunity for the attentive reader. They invite readers to wake up to more elements of a life, a character, a person, a perspective, a mood and so on. It is worth noting that though the markers themselves might seem obvious and overtly characterful (for example, choice of format) what the markers speak to may not be so explicit. (Sticking with the case of the diary's format, as an example, the diarist may not actually have chosen the 'marker' at all. The diary might have been a gift, or the only one the newsagent stocked.) Alert readers track down a diarist's personal cues and explore the latent promise in diarists' writing. It is an interpretative exercise with tantalising perils and joys. In her article 'How to Read a Diary', Spacks described the diary as giving one: '[S]crappy raw material for a story rather than the story itself ... Diaries provide a superficial illusion of transparency, but in fact they inevitably convey the ambiguity of experience.'¹¹

The profoundly personal, the deliberately introspective, diary is often taken for the form's quintessential peak and apotheosis. It is viewed as high-end diary-writing, where living people self-interrogate (in a subjective mode) and often where they interrogate the idea of self (in a more objective mode). But, the simpler, less obviously self-reflective, diary also contains a custom-made web of personal ticks. Each of which in their own way is true to the diarist alone. The deliberately introspective diary takes to an extreme one aspect of the work that many other diaries cover and many other texts imply. However, any style of diary – including the quintessential – imposes 'opportunity costs'. An appointments diary is rarely discursive, for instance, and a high-end diary usually misses out the shopping list. Inevitably, we hear (and do not hear) stuff in one, and differently gain and lose in another.

There are, too, inevitable lacunae in ideas of deliberate introspection: the diarist is – to some degree – poking about in the dark when he or she examines interiority. As Spacks comments: '[D]iaries inevitably convey the ambiguity of experience.'¹² Even the 'high-end' self-conscious diarist may find themselves less eloquent than he or she, or we, wish. This is – in part – attributable to the idea that the first-person subjective experience of self, the ostensible darling of the deliberately introspective diarist, cannot be taken out and examined or copied. The neuroscientist Susan Greenfield remarked in, *You and Me: The Neuroscience of Identity*, that though it garners many insights, the best science cannot and, 'will never be able to throw light on the subjective first-hand experience of feeling what it's like to be me, or you'.¹³ The diarist Katherine Mansfield gives voice to the silencing pressure of that which cannot be fully apprehended, but which shouts at diarist and critic alike: 'I positively feel, in my hideous modern way, that I can't get in touch with my mind. I am standing gasping in one of those disgusting telephone boxes and I can't "get through"'.¹⁴

The diarist may be silent in a deliberate way; from politeness or discretion, or from uninterest. But we can also imagine everyone, including diarists, as part of a sort of experiential and/or psychical 'opportunity cost'. We are, perhaps, acting out and expressing versions of, or fragments of, what we are and have been, or might be and might have been. All the rest is mute, and moot. It is possible to imagine that diarists, sometimes inadvertently, animate at least vestiges of their more abeyant (and muted) elements. They do so in their outward expressions and/or in the form of diary they keep. In this setting and with the topic of silence in mind, a prosaic diary can be surprisingly eloquent and a self-reflective diary surprisingly tongue-tied. We are bound to wonder which expressions and which silences are elective and in what ways. Life (and its narratives) rest on an array, the range of which no writer (however self-aware) can give full expression to.

In short, diary-writing – especially that which is acutely self-reflective and quickly leads to ideas of the self, free-will and voice – contains material that can be both internally contradictory and elusive. It does so in ways that may or may not have been heard by the diarist or been fully explored by the critic. Despite these overarching questions, diaries are often confidently described as private, personal, frank and honest, or as safe spaces for unfettered self-expression. As such, the diary is often accorded qualities it is unlikely to live up to. Here, where the expression of a

self might appear to be axiomatic (and often, to a degree, autonomous), such diaries are actually littered with silences and, at times, uncertainties. Probably its author knew its fallibilities and lived with them. And when readers are open and appreciate such fallibilities, they are perhaps freed up to hear and – if they wish – interpret diarists' voices (and their own) more fully and faithfully.

Elusive concepts and silences in diary-writing are not problems to be solved by brainpower or cool analysis alone. They are aspects of lived experience: places to open, enter and within which to work, reflectively. If mishandled, equivocal subjects and the silences they speak to, have the potential to vex and disrupt critical voices (such as the hard-core post-modern's struggle to critique concepts of self they had theoretically vitiated). On the other hand, such intellectual dilemmas are opportunities. They push us on to fresh insights and invite (or force) us to adjust our critical compass and, perhaps, re-evaluate our interpretative methods. Reading the introspective diary can inspire us to interrogate its silences and lead us to check ourselves as we do. And we might remember that whilst we are right to be as thoughtful as possible around diaries, they remain highly readable in their 'raw' and 'scrappy' state and without their silences being interrogated to death. Perhaps, more accurately, they remain readable without their silences being decoded and then critically encoded, or further muted by an ill-considered and unempathetic reading.

Our final two sections will draw on silences in the following characteristics of diary-writing: regular, frequent, spontaneous, extempore, fragmentary, frank, honest and private. We will also reflect on diary-writing, and its criticism, as 'exercises'. From this foundation, we will lay out an interpretative method designed to support diarists and diary readers as they enquire into silences and elusive material.

Regular and frequent

Some diarists write regularly and frequently. Many do not. It is in the gaps left by the infrequent and/or irregular diarist that the most obvious, 'material', silences lie (to become the echo chambers of an eager researcher, perhaps). 'Page-per-day' diaries are often graveyards of unwritten days, months and years. Many diarists start their new Christmas-present diaries with good intentions, only to stop after a month (in one case at GDP, a day). There are also those diarists who only write when they are feeling blue. There are diarists who skip over life-changing moments, perhaps because they know they will never forget the moments' import, and who else matters? What diarists unintentionally or intentionally leave out (are silent about) can, with sensitive probing, be as revealing as what they include. Extempore, spontaneous and fragmentary.

The extempore, spontaneous and fragmentary categories we explore here are referred to with special reference to the 'exercise' characteristics of diary-writing. 'Spontaneous' and 'extempore' might be taken as synonyms. But they are words with subtly different uses and convey different nuances of the diary entry. Spontaneous covers the manner of utterance, as in being unprepared and unrehearsed at least in-the-moment of writing or speaking. The preparation for the act of writing or

speaking may have been long, and the moment keenly anticipated, and yet the words themselves not formulated. Extempore utterance covers the contemporaneous, as a policeman's notes of an incident are supposed to be. Importantly, extempore remarks are aiming for a fresh accuracy.

Extempore or spontaneous diary entries may be fragmentary or extensive. Either may be considered or unconsidered. The moment of the act of writing or speaking is allowed to exert its own influence. Fragmentary utterance is, as it were, the shard of a more complete thought. Most obviously, a fragment might be too brief to say much of what might be said or too random to show underlying patterns. Any of these might be gappy in many different ways.

It is possible that in moments of private communion or in extempore reflection a diarist can find or allow spontaneity in thought and writing that is revealing in a suggestive rather than a definitive way. An extempore approach can access the quieter recesses of our reflections. Spontaneous and extempore writing, and the half-formed, half-silent thoughts that are their territory, are akin to what Peter Elbow, a specialist on the literary voice, describes as 'freewriting'.¹⁵ For the deliberately introspective writer, this type of fidelity to the moment and what it reveals about the concept of self may itself be an illusion; it can, nonetheless, achieve something for the diarist: the unexpected, an emergent meaning, or a surprising expression that was sincerely meant, if incompletely understood. Extemporisation is, at times, a type of quickened insightfulness. Though it may be the result of deep thought, a certain deftness of character means it is also, perhaps, a type of thinking and expression that can dally in the light of silence and ambiguities. And, it can do so with a light-hearted confidence that cuts through the protractions of another more gingerly and pernicky expressive mode.

Fragments are a piece of something; they are suggestive of more. For example, we have seen how deliberately omitted or forgotten moments and delicate concepts wait – suggestively – in the wings of the diary and on the fringes of the diarist's psyche. Diarists do not and cannot record every element of their lived experiences in their diaries. Diarists give expression to fragments of life and, perhaps inevitably, leave some elements silent. They do so for reasons that range from the unintentional to the intentional and from the pedestrian to the profound. Anything from simple oversight or distraction to discretion, evasion and self-deception, for example, might mean a diarist leaves out a piece of information. Fragmentation in the diary can also be visceral and tangible, brutal even: some diaries have ripped out pages.¹⁶ Seemingly incomplete snippets, abbreviations or notes, may perhaps provide clues for the shy diarist, but be designed to fox the unwanted reader. Finally, mere rush may also make for fragments.

Fragmentation in diary-writing can also mirror the vicissitudes of memory. A diary might be fragmentary because the diarist used it as an aide memoire: a few phrases to trigger a thought or memory (and tantalise us, on purpose or not). Such note-makers may hope they are leaving clues for posterity, a sort of black box record for those who come after. But diaries can also signal memory's *bête noire*: forgetfulness. Though it plays an important role in concepts of self, memory is mutable. At

its extreme, forgetfulness signals a psychological trauma that is too painful to voice. Michel de Certeau wrote: 'Memory is a sort of anti-museum: it is not localizable ... What can be seen designates what is no longer there... This is a sort of knowledge that remains silent.'¹⁷

So, to paraphrase Certeau, memory is a sort of silent knowledge. Perhaps the forgotten and unwritten in our *aide memoire* is that too.

The by-date characteristic of some diary-writing – its diurnal structure – perhaps lends unity (or, at least chronological order) to experiences the writer senses to be fragmentary.¹⁸ In short, dated diary entries often neatly chart many events. These records might have a certain completeness, but one that is surrounded by missing pieces. Usually, the more we have of the timeline, the less we hear of the flavour of the events.

Honesty and frankness

The characteristics of honesty and frankness are often taken as a *sine qua non* of the diary form. It seems reasonable to suggest that, in their diaries, diarists are authentic, candid and outspoken. But, whilst the form seems to invite honesty and frankness, these are not remotely guaranteed. (And, in the degree to which the critic ascribing such concepts to the diarist is post-modern, this faith in the *ad hominem* is paradoxical.) Attempts at honesty and frankness tussle with their antitheses and issues around truth-telling. The diarist, aspiring to honest self-reflection, will produce a narrative with – as it were – several layers and channels within it. And, the 'truths' the diarist speaks to will be expressed in all manner of ways, some more forthright and vocal than others.

For example, one challenge to the idea that one can honestly examine the idea of self or oneself comes from the fact that one does so from the very odd position of the self itself: from the first-person and subjective point of view. The consciousness of self is both pivot and lever, even when it is attempting to shift its view of itself. Perhaps it is kinder to say that diarists cannot transparently discuss or speak of their inner selves, even if they are trying to be honest. In short, when it comes to diary-writing there is an important issue in the matter of honesty and it has to do with self-deception. A diarist might have every intention of being honest (or rather, as honest as one might be), and yet fail in the struggle to be so. As Lord Byron wrote in his diary: 'I fear one lies more to oneself than to anyone else'.¹⁹ Honesty might require diarists to follow Wittgenstein's dictum that one shouldn't speak of what one cannot know. Thank goodness, they often plunge on with the attempt.

Critics can flesh out the information (or lack thereof) contained in diaries with related materials, including historical documents; diary drafts and letters; and/or official records relating to the diarist. A philological approach to diaries, what Lejeune calls 'genetic study', can recalibrate, query and flesh out personal narrative. It can fill in the silences (or gaps) left by omissions, secrets, memory lapse, self-deception, fragmentary writing and so on. Weaving together such filler material, the approach can construct diarists' writing processes and map psychological landscapes.

However, even this more fully ‘curated’ life, including multiple sets of records and interpretations of these records, would still constitute a gappy autobiography.

The infinite complexity of an individual’s life is beyond expression, even in a diary or criticism. We are – after all – more than the sum of this or that set of documents. One could add that we are more than one or other set of concepts, labels, psychological evaluations, contexts, interpretations and so on. We are living beings. Being absorbed in a diary is to attend to something of this lifeblood, but sometimes also to embrace its inevitable inarticulacy.

Secrecy and privacy

Let us now consider the diary characteristic of privacy and its companion: secrecy. Privacy can be described as a quiet space; here extraneous matters, we imagine, are – for a moment – tuned-out, if not silenced. The diarist who scurries to a secluded spot or lights a torch under a duvet, might feel he or she is stepping away from the noisy swirl of spectacle and into a moment of silent inner reflection. In private seclusion diarists may be shutting out much that would fascinate us if their account included all the noisiness the sanctuary or inner sanctum deliberately excludes. Further to this, some things the diarist is silent on, and some the reader does not hear. Of course, privacy as much applies to the diarists’ assumption that no one is reading over their shoulders, and perhaps never will. Many diarists will write in private and their work remain unseen and hidden. This might be thought of as being self-silencing, along the lines of the more familiar idea of self-censorship.

There is an open question as to how private any writing or person can sensibly claim to be. Current criticism of self-writing often describes it as using a language composed by others (i.e. a public language, not a private language); as constructed against a back-drop of determinates and contexts (such as social, cultural, or political milieux); and as a silent conversation conducted with a hypothesised interlocutor. Spacks, in ‘How to Read a Diary’ and in, *Privacy: Concealing the Eighteenth-Century Self*, describes how ‘public’ or external contexts (historical, social, political, or otherwise) can encroach on ‘private’ or internal experience. However, Spacks goes on to describe how a diarist – who more often than not writes in private and keeps their writing secret – is able to cultivate ‘private’ as well as ‘publicly’ influenced mental spaces.²⁰ This is perhaps due to much diary-writing being conducted without the intention of its being revealed to the public gaze. Spacks is careful to observe that the relationship between the public and private is not a simple one of conflict. It can be an important part of a person’s development of the self.²¹

In the degree to which it is written as a silent conversation with a private and hypothesised interlocutor, the diary can act as silent confidante. However, diarists can refuse to commit their secrets even to the page. Katherine Mansfield was one such:

There was a time – it is not so long ago – when I should have written all that has happened since I left France. But now I deliberately choose to tell no living soul. I keep silence as Mother kept silence.²²

The diarised secret contains the threat of revelation, to another or to oneself. Secrecy requires maintenance: codes, verbal ciphers, external locks and digital encryption are instruments of secrecy. Codes are designed to conceal information. The indecipherable code is like a scrambler on a phone: it silences the caller's conversation – in this case, diarists' writing.

Self-writing and interpretation as an 'exercise'

'Writing as exercise' fuels this chapter's final words on critical devices designed to wake up silences in diary-writing. A critical strategy dubbed 'deliberate eclecticism' will be proposed. The main tactics of this interpretative course are: 'questing' (just as diary-writing is undertaken as an exercise, that is: for its own sake as a process, so is interpretation); 'equanimity' (the knowledge that all conclusions must be weighed and found lacking in some regard, just as they are found useful in another); 'open-mindedness' and 'promiscuous, well-reasoned surety'. It is a feature of diary-writing that the diarist may feel its main merit is in the very act of writing: it is an exercise or practice. I have found that the process of self-writing criticism can also usefully be seen, and conducted, as an exercise or practice. The critical approach suggested here is built on and aims to mimic aspects of the material it is dedicated to. When we come to diary-writing as a practice we can see it is a case where diary critics can learn something about their own discipline from their subject. Just as deliberately introspective diary-writers often treat their diaries as a place in which they learn and explore as a conscious experiment, so diary critics could treat critical activity as a self-conscious learning experience and experiment. So, just as there is diary-writing as practice, so can there be diary-criticism as practice.

The exercise of writing, critical or self-reflective, may well have stated goals, for instance, explication, philosophical epiphany or psychological or spiritual balance, but I propose that diary criticism may achieve a degree of fullness, responsiveness and subtlety if it is undertaken in the spirit of an open-ended exercise. The point of the exercise is exercise. The critic's quest for critical clarity and the deliberately introspective diarist's for self-knowledge are interpretative exercises: there is no end-game. There is no perfect, incontestable right or wrong answer to the questions, 'How to know thyself?', 'How to write a diary?' or 'How to critique a diary?' I incline to the view that there is merit in critics aiming to be light-footed, active and liminal. Especially when they delve into unintended and intended silences in diary-writing or, in a return to Spack's phrase, the 'ambiguit[ies] of experience', both of which are themselves, to some degree, unfathomable.

There is a danger, much less seen in diary-writing than in its critical interrogation, that an ambition for clarity and objectivity can make false gods of tidiness and conclusiveness. Interpretation that is conclusive may be a worthwhile theoretical ideal, but it is seldom a good reading or working habit. In criticism – as in introspective writing – the activity or process may be the whole point, rather than some pat conclusion. Bullish reasoning that is built on the premise that there are secure rules and that there will be unshakeable outcomes can have a silencing effect. This

is especially true with subjects that are unquantifiable, dynamic, multitudinous and quiet or *sotto voce*. A hubristic framework is in danger of, for example, hampering awareness and blunting or gagging material that does not fit or is incompatible with its goals. It can stunt creativity and produce the effect that the critic's own 'noise' overwhelms the diarist's signals. The approach here outlined, of valuing interpretation as a rather open-ended activity, does not entail non-critical readings or readings that do not make interpretative choices. Rather, it does imply a critical reading that is critical of itself: a deliberately introspective reading.

The chapter illustrated how silences in diary-writing – unintentional or intentional – only appear to be voids. Silence in this chapter, in the main, points to what is not explicitly in diaries. Diaries are written and read rather as a research ship explores the hidden depths of the ocean. To paraphrase Locke, to feel oneself knowing one's own bit of rope, one's own moment in time, can perhaps help the diarist surrender to the moments he or she cannot and will not fathom.²³ Through reading diaries – in all their vicarious glory – one grows keenly aware that diary-language can act like body-language: silently and forcefully. We have been talking about types of silence that are communicative: slippery spaces that are suggestive. As we poke about in them, we may be impertinent – we may 'colour them in' capriciously or bossily. But we know there are silences in there, as surely as we know that each of us can only express – articulate – a fraction of our lived experiences: gaps could be speaking, more simply, of the ways in which life outpaces notation or reflection.

All readers, to a degree, 'read between the lines' of diaries. This can be an intuitive and imaginative exercise that works with some evidence and much supposition. Spacks describes how: 'The story depends more on the reader than on the writer, though the reader would not be in a position to construct it without the writer's clues.'²⁴ So, readers of self-writing build on a 'writer's clues' and flesh out elements within diaries. The clues, and what they can lead to, can be explicit or, more tantalisingly, implicit and mute. Readers of self-writing may also encounter ambiguity, especially when it comes to their stumbling upon their own recursive processes, as they reflect on themselves reflecting on the diarists' reflecting on themselves. The diarist may be in a spin and has the power to decentre his or her critic too. Further to this, a critic of diaries might be (subconsciously or consciously) split between, on the one hand, attending to interpretative dogma or too-rigid agendas and, on the other, hearing the voice of the diarist. If silences and ambiguities, and our interpretative approaches to them, are mismanaged, it can impose silences on the diarist. Being clear about how we hold ourselves and our 'writer's clues' within an interpretative process is vital, especially when that process is put under pressure by tricky topics.

Conundrums that might arise from ambiguities and silences need not be anxious spaces. They are, with a ready and spacious focus, revelatory. The approach this section outlines, which I call deliberate eclecticism, is designed to attend to silences in diary-writing with open-handedness. It may also work well with the ambiguities of and the contradictions between and within complex ideas. Deliberate eclecticism is suggested as an approach that can work with both the liminal and the limited. That's to say: it can work well with concepts that seem open-ended and those that seem

matter-of-fact and tidy. It is an approach that frankly and even joyously admits that critics – at best – have ‘high-functioning fallibility’. The critical approach of deliberate eclecticism is to the critic as a civil servant’s impartial brief is to the politician; it is a brisk reminder of the merits of different critical positions (including those of the relativist and the critically assured stances). It is a centred and open-minded state that allows for well-evaluated arguments and points of view. It is not a matter of finding a middle way through alternate views. Rather, it is a matter of accepting, and manoeuvring within, at different times, in different moods, and for different purposes, the value of different pieces of evidence and different views of elusive ideas.

Deliberate eclecticism is suggested as a critical approach that can navigate equivocal subjects with dexterity, discernment and equanimity, mostly by avoiding dogmatism. It can confidently handle contradictory elements, especially within concepts of the self and critical methodologies, without becoming entangled in resolving irresolvable questions or blending conflicting ideas (such as those held at the extremes of the humanist tradition and the extremes of the post-modern). Deliberate eclecticism is useful to critics as they identify, regulate and systematise material and helps them be open, clear and honest about the contradictions and muddles in the various approaches on offer, and indeed in their own preferred view. Deliberate eclecticism does not seek to avoid the problems of concepts of self or free-will, or any others. Instead, the approach acknowledges that it is wise to pay due respect to the strengths of various competing accounts. It encourages the critic to lay out several courses that might be useful as one charts various ways through the varieties of evidence and opinion that clutter the scene.

Deliberate eclecticism has a further merit. It is a critical tool that can navigate the dilemma of relativism. On the one hand, and for the sake of argument, the approach is an acknowledgement that in the final analysis almost all judgements are a matter of opinion rather than of epistemologically solid evidence. On the other, as a tool of discerning analysis, it can adopt the mode of insisting that the quality of arguments can be tested by many means, including investigation, evidence, debate and thought. It advocates the merit of accepting provisional points of view and allowing that all critical judgements are provisional. It is argued that the critic using deliberate eclecticism is not enfeebled by adopting neutrality (even if temporarily), but, rather, is freed from pretending to an omniscience that might (in the critic’s wildest dreams) lead to Delphic infallibility.

I hope to have been persuasive about the value of deliberate eclecticism. Such discerning open-mindedness seems important as one looks at silences in diary-writing. One wants to be free-thinking but not credulous as one listens-out for what is not explicit in a diary. It is important we continue to hone our interpretative tools (as if we could stop) because the future for diaries is bright and deserves equally bright critical objects.

Right now, perhaps especially in the West, vast numbers of people are being encouraged to journal their distress or gratitude and anything else that occurs to them. This type of diurnal quest to ‘know thyself’ has a long history. Two millennia ago, in quite different contexts, an elite were also being encouraged, by the Stoics,

to write with reflexivity. Western histories of consciousness, historical self-reflective writing and today's peak in self-reflective writing suggest that diary-writing is an on-going activity, the appeal of which is unlikely to pale. Our brains (our minds, our consciousness) seem committed to the idea that we like to make a record of ourselves, and especially that consciousness – to some degree – reflects on itself. We seem to pick over experiential material with a sense of awareness that it belongs to us and that others share in aspects of it. If such inclinations have been with us this long, there is little reason they will stop now. One only need look at more recent tools for self-documentation, Facebook, health apps or Twitter, to see this continuation. Inevitably, reading social media invites and requires an attention to the nature of what one might call the 'discourse of crowds'. Yet, some of what applies to analogue diary-writing applies to much online self-writing. Indeed, the reader can more readily enter the online cacophony by keeping an ear out for the personal voices within it. Such attentiveness will reveal, in self-writing online or in a paper diary, the gaps and silences we have been discussing.

We are listening to the beats of a life. The gaps and silences, like the pauses in a pulse, are very important. As a general rule, we are wise when we remind ourselves that respecting other people involves not pretending that we can open wide their souls. It is a hard and perhaps impossible injunction to lay on readers that they should respect the silences in diaries, intended or not. We, the readers, are bound to speculate, and the best the diarist can hope is that we do so with a proper sense of our impertinence. And of course, with all the insight we can muster.

To conclude, there is no right way to read or write a diary. And there are many ways to silence one. Diarists (that are not forcibly silenced before the fact) may choose to write in private and their work will remain unseen and hidden. This might be thought of as being part of the nature of privacy and a matter of self-preservation, discretion, or self-censorship. Even, in the diary that is made public, there will be forms of silence. Diarists might choose to avoid some topics or events. A diarist might simply forget; so much of daily life is ubiquitous and 'everyday', it can slip from view. It might be, from the diarist's view, that other matters seem, at the time of writing, more important. There is also the problem of institutional and professionally imposed silences. Simply speaking, institutions (such as museums and archives) can misjudge the diary's value and throw it away. Professional researchers, perhaps more interested in the hermeneutics than the poetics of a diary, can impose their voice (or perspective) on top of a diarist's own. Occasionally others, heirs, say, or persons mentioned in a diary, might want the words within kept from public view. These sorts of silences do not always silence, of course, sometimes speaking in their very absence. Silences and silencing are then at once intrinsic to diaries and to the social circumstances in which they are stored and made available to the public at large.

Notes

- 1 Patricia Meyer Spacks, *Privacy: Concealing the Eighteenth Century Self* (Chicago: The University of Chicago Press, 2003), 48–55.

- 2 Diaries demonstrate that much of life is routine: though a dramatic event may have explosive effect, routine makes up a larger body of life. To miss the significance of a large part of life is to miss out. There is magnificence in the mundane, and something of the extraordinary in every bit of the ordinary.
- 3 Julie Rak, 'Dialogue with the Future: Philippe Lejeune's Method and Theory of Diary', in Philippe Lejeune. *On Diary*, ed. Jeremy D. Popkin and Julie Rak (Honolulu: University of Hawai'i Press, 2009), 22.
- 4 See: Jochen Hellbeck, *Revolution on My Mind: Writing a Diary Under Stalin* (Boston: Harvard University Press, 2009); Rachel Feldhay Brenner, 'Writing Herself Against History: Anne Frank's Self-Portrait as a Young Artist', *Modern Judaism*, 16, no. 2 (1996), 105–134; Shirley Neuman, 'Autobiography: From Different Poetics to a Poetics of Differences', in Marlene Kadar (ed.) *Essays on Life Writing: From Genre to Critical Practice*. (Toronto: University of Toronto Press, 1992), 213–225.
- 5 Diarists, such as bell hooks (sic), have written about the empowering force of their diary-writing. In this context, diary-writing is part of protecting one's sense of self against, for example, misogyny and racism: the diarist will see their empowerment and the cause they fight for as an important part of their concept of self and voice. The distinction here is between what diarists say about their voice and what is important to them and what critics determine as important to the diarist.
- 6 See Jochen Hellbeck, *Revolution on My Mind: Writing a Diary Under Stalin* (Boston: Harvard University Press, 2009); Shirley Neuman, 'Autobiography: From Different Poetics to a Poetics of Differences', in Marlene Kadar (ed.) *Essays on Life Writing: From Genre to Critical Practice* (Toronto: University of Toronto Press, 1992), 213–225; Susan Sontag, *Against Interpretation and Other Essays* (London, Penguin, 2013); Susan Sontag, *As Consciousness Is Harnessed to Flesh: Journals and Notebooks, 1964–1980* (ed.) David Reiff, (London: Penguin, 2013); Patricia Meyer Spacks, *Privacy: Concealing the Eighteenth Century Self* (Chicago: The University of Chicago Press, 2003); Patricia Meyer Spacks and Bruce Redford, 'How to Read a Diary', *Bulletin of the American Academy of Arts and Sciences*, 56, no. 4 (2003), 45–62.
- 7 Georges Gusdorf, "Conditions and Limits of Autobiography", in *Autobiography: Essay Theoretical and Critical* (ed.) James Olney (Princeton: Princeton University Press, 2014), 28–48.
- 8 The humanist tradition has presented its own challenges to the concept of autonomous self-hood. Humanists debate whether the self can self-verify; whether it is consistently itself over time and in any one moment; and, in a Cartesian division of mind–body into a dualism, whether the self is of the mind, or whether self and the activities of the mind are of the body or perhaps some other dimension.
- 9 For further reference to how philosophers, with a literary turn, and literary critics describe powerful forces, extraneous to or not under the control of the author, as abnegating the autonomy of the writer, or their utterances, see Terry Eagleton, et al., *Modernity, Modernism, Postmodernism* (Galicia: University Santiago de Compostela, 2000), 12–20 and Jacques Derrida, *Of Grammatology*, translated from the French by G.C. Spivak, (Baltimore and London: The John Hopkins University Press, 1997, originally published in 1967), 35, 40, 49, 56, 301, and 304, Roland Barthes, *Roland Barthes by Roland Barthes*, translated from the French by R. Howard, (New York: Hill and Wang, 2010, originally published in 1977) and Michael Foucault, *Technologies of the Self: A Seminar with Michel Foucault* (eds) L. Martin, H. Gutman and P. Hutton (Massachusetts: University of Massachusetts Press, 1988). For further reference to how critics of diary have described this type of approach see Desirée Henderson, *How to Read a Diary: Critical Contexts and Interpretative Strategies for 21st Century Readers* (London and New York: Routledge, 2009) and Margaretta Jolly, 'But the Author Is Dead! Life Writing in English Studies', *Council for College and University English News*, no. 19, 2005.
- 10 Diary-writing and self-writing nomenclatures are widely discussed amongst critics and remain undecided. The family of characteristics outlined here builds on taxonomies produced by

- Philippe Lejeune, 'Composing a Diary', in Philippe Lejeune, *On Diary* (Honolulu: University of Hawai'i Press, 2009), 168–174 and William Matthews, 'The Diary: A Neglected Genre', *Sewanee Review*, 85, no. 2 (1977), 286–300.
- 11 Spacks and Redford, 'How to Read a Diary', 45–62.
 - 12 Spacks and Redford, 'How to Read a Diary', 62.
 - 13 Susan Greenfield, *You and Me: The Neuroscience of Identity* (London: Notting Hill Editions, 2011).
 - 14 Katherine Mansfield, *The Journal of Katherine Mansfield (1910–1922)*, (ed.) John Middleton Murry (London: Constable & Company Limited, 1954). Acknowledgement to The Society of Authors as the Literary Representative of the Estate of Katherine Mansfield.
 - 15 Peter Elbow, 'Voice in Writing Again: Embracing Contraries', *College English*, 70, no. 2 (2007), 168–188.
 - 16 Fragmentary diary-writing can also be identified in the preparatory drafts for diary entries or in final entries that have then been edited and include, for example, in-text deletions or the fragments of notes written in hindsight.
 - 17 Michel de Certeau, *The Practice of Everyday Life* (Berkeley and Los Angeles, University of California Press, 1984), 108.
 - 18 Diurnal order has been described as lending order to and, in effect, stabilising what a diarist feels to be disordered, and/or beyond their control. The time-structured document may also and usefully show moments as being in flow: the diary issues a tacit daily call. There is also the idea that life's anxieties are not so easily soothed, or silenced. As Jennifer Sinor writes, in 'Reading the Ordinary Diary': "[We] know that the rhetorical opportunities afforded by the diurnal form conceal a far more complicated and messy 'innerscape' than what is acknowledged by and within the daily entries. [Secondly] the result of such regulation is the lurking presence of that which was ordered out, a presence that continues to haunt the text and threaten disruption." Jennifer Sinor, "Reading the Ordinary Diary." *Rhetoric Review* 21, no. 2 (2002), 123–149. Finally, and as Sinor suggests, the diary's tacit daily call, its temporal structure, may be felt to be oppressive: time (in the dated diary) waits for no-man.
 - 19 Peter Quennell, *Byron, A Self Portrait: Letters and Diaries 1798–1824 Volume 1* (London: John Murray, 1950), 234.
 - 20 Patricia Meyer Spacks, *Privacy: Concealing the Eighteenth Century Self* (Chicago: The University of Chicago Press, 2003), 20–24.
 - 21 Spacks, *Privacy*, 2.
 - 22 Mansfield, *Journal*, 254.
 - 23 John Locke, *Essays on Human Understanding* (Oxford: Clarendon Press, 1975), I/i/6.
 - 24 Spacks and Redford, 'How to Read a Diary', 48–55.

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12

FILLING THE GAPS

Michael Moss and David Thomas

Introduction

The main themes emerging from this book are that silences are often the result of the exercise of political power, particularly under dictatorial regimes. As would be expected, some silences are the result of war, fire flood and simply poor records management. However, other silences occur because archivists and librarians see some subject areas as beyond the pale, or as too vague or inchoate. Clearly, silences do lead to the suppression of voices and there are particular issues with the digital.

Protecting archives against fire and flood, and improving records management are the subject of a huge literature and will not be discussed here. In this chapter we will be examining ways in which the issues of a failure to collect or to release material can be addressed. We will demonstrate that new technologies for news gathering and new and more radical approaches to archiving will provide more and better sources to help fill in the gaps in the official narrative. In addition, there are some approaches that can help overcome the silences – the use of alternative resources and the application of a critical reading approach to archives to enable every piece of available information to be extracted. We will argue that archivists should take a bolder and more unruly approach to their work. However, although there are positive signs and new techniques can be tried, there are limits to what can be discovered and we will finish by looking at Arlette Farge and Michel Foucault's conclusions about the limits of archival research. We will begin with tyranny.

The paradox of tyranny

As several chapters in this book have demonstrated, silences and absences in the archives are frequently due to the exercise of political power, particularly under dictatorial regimes. As Iyra Buenrostro, Renato Venancio and Adalson Nascimento

have demonstrated, particular difficulties can arise when regimes change, but new democracies fail to preserve, or provide access to the archives of the previous regime. However, there are some reasons to be hopeful, partly because it seems to be a general rule that the worse the regime, the better the record keeping.

Controlling subjects requires careful tabs to be kept on their activities. We can see this in the case of the former East German Ministry for State Security (Stasi) archive, which comprises 111,000 m of records of the Stasi and precursor organisation as well as about 15,500 bags, boxes and cartons of torn up or shredded documents, some of which are being painstakingly restored.¹ In a number of cases, regime change has led to the release of previously closed records. The release of the Stasi archive after the fall of the East German government and the opening up of the Mexican intelligence records after regime change in 2000 are cases in point.² Sadly, in some cases records have been destroyed before a change in regime. Wisser and Blanco-Rivera have a melancholy litany of records of oppression that were destroyed – part of the Stasi archive, police archives in Chile, surveillance records in Bulgaria while the records of pre-World War II police surveillance of perceived subversive groups (communist, democratic, socialist) in Japan no longer survive.³

While tyrannies can shred or burn their files and even less extreme governments can destroy records, deny access or even tell lies about what exists, it is possible to explore other resources, to go beyond the archive to radically subvert officially imposed silences.

Exploring other resources

The clearest example of what is possible is the United States of America's attempts to achieve 'full spectrum dominance' in warfare. From the 1990s, the US armed forces sought not just to dominate the battlefield by force of arms, but also to impose silences by dominating the broadcasting spectrum and news media to prevent any production and distribution of information not sanctioned by or supportive of the US military. When the news organisation Al-Jazeera broadcast images of civilian casualties from US airstrikes on two villages on 23 October 2001, Donald Rumsfeld accused them of creating false news and the US destroyed their Kabul office in a missile attack on 13 November.

The US control over the media in Afghanistan had a chilling effect. According to Philip Knightley, 'In the history of war reporting, Afghanistan will, I believe, be regarded as a turning point, the moment marking the military's final triumph over the media'.⁴ Silence had descended.

When the US and Britain invaded Iraq in 2003, their policy towards the media changed somewhat. There were daily briefings to journalists in Qatar by a US general – these were tightly controlled PR exercises. More important, however, was the decision to embed journalists with the military, thus reversing the policy in Afghanistan. This proved to be an extension of the system of media control because journalists became part of the military, making friends with the soldiers and identifying with their lives and missions. Any independent journalists were regarded

as unpredictable and dangerous and were fired on by both sides. Seventeen were killed or died in the six-week invasion. Al-Jazeera's Baghdad television station was bombed by the Americans and, on the same day, two journalists were killed and four wounded when an American tank fired on the Palestine Hotel, the base for independent journalists in Baghdad.

The consequence was that the reality of war was not present on our televisions, 'viewers saw live firefights but no casualties, no injuries and no dead bodies'. Effectively, by the time of the Iraq invasion, independent reporting on warfare had been silenced, like many of the archives we have been discussing.

However, remarkable new means of obtaining information about the progress of war sprang up in the period after the invasion of Iraq, giving researchers access to information that had previously been tightly controlled. It is the growth of these new means that gives some hope that silences in the official archive can be subverted.

The main developments in accessing information about warfare have centred round the development of social media and digital photography. Now virtually every member of the military has the capacity to take photographs of the battlefield or elsewhere and to make them widely available. The most notorious example of this concerns the photographs of the torture of Iraqi prisoners at Abu Ghraib prison and their broadcast on CBS in April 2004. The photographs had been taken by American military police, copied onto CDs and shared with colleagues.⁵ Since then, developments in internet technology (Web 2.0) have made it easier to share photographs online with a consequent increase in revelations. In 2014, President Putin denied that Russian armed forces had been deployed in eastern Ukraine. His statement was rapidly undermined when western journalists found photographs geo-tagged in eastern Ukraine that had been posted by Russian soldiers on Instagram and the Russian social media site Vkontakte.⁶

Reports from soldiers on the battlefields could also be supplemented by leaks of official records. Probably the most significant were the Afghan War Diary and Iraq War Logs released by Chelsea Manning to Wikileaks. These did much to reveal excessive use of force against civilians. Wikileaks has continued to release large quantities of documents, although mostly about politicians, rather than military, including the well-known leaks of material concerning Hillary Clinton and President Macron.⁷

Surprisingly, perhaps, in a major judgement in 2018, the UK Supreme Court ruled that a cable from the US embassy in London to the State Department that had been released by Wikileaks was admissible as evidence in court. The case concerned a challenge by the Chagos Refugees Group to the British government's decision to establish a marine protected area around the Chagos islands, preventing the islanders from continuing their fishing businesses in the region. A lower court had said that the cable was not admissible because it formed part of the archive of the US embassy and was therefore protected by the 1961 Vienna Convention. The Supreme Court ruled that the cable was not part of the mission archive since it had been obtained (albeit illegally) from the State Department and its subsequent publication by Wikileaks and by newspapers had put it into the public domain.⁸ What the court

was not doing was commenting on the evidential value of the leaked document. It was saying that such a document could be used as evidence, but, by implication, like all evidence, it would have to be tested in court.

In addition to battlefield reports and leaks, recent years have seen the growth of citizen journalists and those of us in the UK became familiar with ones who reported the depredations of Islamic State. The most famous was Raqqa is Being Slaughtered Silently (RBSS) a nonpartisan, independent news organisation set up in response to the Islamic State take-over of Raqqa. By October 2017, its Facebook page had over 668,000 followers and its Twitter account had more than 80,000.⁹

William Merrin has argued that within a few years we have moved from the US concept of full spectrum dominance to the new reality of full spectrum access.¹⁰ However, while these new sources provide an alternative to the official narrative, there is still a need to read them critically. Merrin has raised concerns about some images generated on the battlefield, claiming that the YouTube video showing a US soldier, Ted Daniels, being shot in Afghanistan in 2012 with its helmet-cam origins and edited highlights was a selected and framed version of war, which places the viewer on the side of the US military and inadvertently echoed contemporary video-game first person shooter point-of-view aesthetics.¹¹ Daniels survived and, at the time of writing, his YouTube video had received 44 million hits.

The development of these new sources of information and the move from full spectrum dominance to full spectrum access has revealed much information that was previously tightly controlled by governments. In the next section we will describe how existing research methods, notably a critical reading of records, can be used to maximise the amount of information which can be obtained from limited resources.

Critical reading

Probably the most important way of dealing with silences is to use traditional detailed research methods to extract as much information from a limited dataset as possible. In Chapter 11, we talked about the textual analysis of Shakespeare's plays, which has led to scholars arguing that the two earliest printed versions of King Lear are, in fact, separate plays. Detailed work on the texts of Shakespeare's plays has been carried out since John Heminges and Henry Condell began editing them for publication sometime between his death and the printing of the First Folio in 1623. Similar scholarship has been applied, since the seventeenth century, to the Bible, particularly to the three synoptic gospels, Matthew, Mark and Luke. Equally, since very early times, Islamic scholars have studied the hadith, the collections of the words, actions and the silent approval of the Islamic prophet Muhammad. These were not written down immediately after his death but many generations later and since some contain questionable or even contradictory statements, scholars have sought to identify those that are authentic, good or weak.

It is possible to extract more information from archives by applying these sorts of rigorous scholarship. One example is the work that was done on the Historical Archive of the Guatemalan National Police by Tamy Guberek and Margaret

Hedstrom.¹² They used a statistically valid sample of the over 80 million pages in the police archive, which contained records of the activities of the national police during over 30 years of military dictatorship. The archive itself had been silent for a number of years. The police force had been disbanded as part of the 1996 peace accord that ended the civil war, but the government denied the existence of any archives. In 2004, in response to local complaints about suspected explosives in some warehouses in Guatemala City, the government's Human Rights Ombudsman stumbled upon more than a century's worth of rotting records. The estimated 80 million pages were the historical documents of the Guatemalan National Police.¹³

Guberek and Hedstrom focussed on the death records in the archive by analysing a sample of its content. They combined quantitative analysis of terminology used by police to record deaths with qualitative analysis of policy statements and directives. It is estimated that approximately 200,000 people were killed during Guatemala's 36-year armed conflict. By situating the different terms used to describe deaths: 'homicide', 'assassination', 'cadaver' and 'death', the authors were able to suggest a practice of changes in the application of death terminology consistent with each regime's overarching information policies of the visibility and invisibility of violence. They concluded that:

this leaves little doubt that despite ongoing military dictatorship throughout the period, there were particular changes in the political and institutional environments and practices that influenced what was included in the official records, how they were written, and how those records were read at the time.¹⁴

They noted that:

Detecting silences in records requires careful attention not only to the immediate context in which records were created but also the larger social and political context of public relations and information policies that govern censorship and release of information to the press.¹⁵

Seidelin and Larsen explain in Chapter 10 that the voice of children who had been subject to abuse is rarely explicitly recorded in the archives. However, they argue that if one applies a careful reading of the archive and a broader understanding of 'the voice of the child', one 'hears' the children; not just through the retelling of the child's experiences by adults but also from the emotional utterances that emerge in the source material.

Writing about silences in diaries, North (Chapter 11), argues that 'Conundrums that might arise from ambiguities and silences need not be anxious spaces'. They are, with a ready and spacious focus, revelatory. She advocates the use of deliberate eclecticism. A critical approach to reading that she sees as:

a brisk reminder of the merits of different critical positions (including those of the relativist and the critically assured stances). It is a centred and open-minded state that allows for well-evaluated arguments and points of view.

Critical reading is very much an activity for researchers, but there are a number of things that archivists can do to overcome silences. This is a method for users of archives, but new thinking about ways of archiving information is helping to capture more material even in unpromising situations. In the next section we will look at two of these approaches – rebel and rogue archives.

Rebel and rogue archives

Based on writings by Genevieve Carpio and Abigail De Kosnik, we have characterised these new approaches as rebel and rogue archives. Rebel archives are, in Carpio's definition, community-based ones that collect material that normally falls outside the purview of conventional archives and which do not operate from brick and mortar building but in other, more informal settings. Like rebel archives, rogue archives operate outside established memory institutions. Their essential features are that they are digital and that they reject the selective traditions of conventional archives and attempt to be non-selective and universal.

Both models are, in some senses, sub-sets of the community archives model. Like that model, both approaches have potential weaknesses – they may only represent one point of view and may have difficulties surviving in the long term. But this may be missing the point. It may be the approach and not the outcome that is important.

Rebel archives

Genevieve Carpio researched the history of the Inland Empire, the region of Southern California which is inland of and adjacent to Los Angeles. She found it difficult to find relevant sources. Partly this was due to the nature of the area she was studying – there is no clear agreement as to the boundaries of the Inland Empire and, of course, archives tend to be organised by place – state, county and city. Moreover, the approach of local history societies tends to reflect the views of individual members and consequently can:

amplify historical absences and reinforce hegemonic understandings of regional belonging. As I write in my book, pioneer and historical societies have often fostered selective visions of the past that decentered Native claims, restricted nonwhite membership, and centered the period of Anglo American migration to inland Southern California.¹⁶

She found examples of rich community history resources being lost, sometimes due to failure to retain public records or because material was destroyed by families after a death. Some material, such as the archives of the Los Angeles Police Department is difficult to access.¹⁷ Her experiences are a parallel to the issues described by Michael Piggott in Chapter 2, of archiving the Australian bush, which is also more a concept than a neatly defined geographical area.

Carpio's solution is to utilise what she calls the 'rebel archive'. For her area of study, this comprises novels, songs, photo albums, popular media, gated lots with modest traces of buildings constructed long ago, and maps. She also collaborated with a community archive project, the Inland Mexican Heritage (IMH) archives, an oral history and photography project concerned with the lives of Mexican-descent families in the Inland Empire.

The project consciously works in a different way from conventional archives. Rather than existing in a brick-and mortar institution, it was shared in traveling pop-up exhibits, public screenings of Panchebek films and public events such as 'History for Breakfast', where community members were invited to have conversations over collected materials and where they were invited to contribute their own. By meeting people where they already were, such as community centres, American Legion halls and churches, IMH moved past institutional walls and into spaces of everyday life. Events were often designed to promote conversation around archival objects, rupturing the more prevalent model of solitary review that is commonplace at archival institutions.¹⁸

Similar approaches to that adopted by Carpio were used as a way of dealing with tyranny in Brazil. Venancio and Nascimento (Chapter 5) describe how the Brazil Nunca Mais project began amassing documents to block the unfair amnesty of torturers. The Catholic Archdiocese of Sao Paulo assembled a secret team of lawyers and researchers that obtained copies of the records of 707 authoritarian political trials. In Argentina, few archives of political police have been found and the National Argentinian Memory Archive was founded in 2003 to institutionalise memories of repression by the Argentinian state.

In Chapter 6, Iyra Buenostro describes a similar approach in the Philippines. By using photographs taken by a former political detainee-turned freelance photojournalist, stories were revealed about the Marcos era. Looking at photographs is more than a visual activity, but it can lead to the discovery of various contextualities of the record, its surrounding social conditions and the stories and various forms of affects that are normally not expressed and included in conventional archives. The photographs (and the associated oral histories) are not yet deposited in an established archives.

In Chapter 9, Swapam Chakravorty describes the growth of non-formal, crowd-sourced archives. These include the digital 1947 Partition Archive and the Indian Memory Project, as well as the largely physical Kolkata Little Magazine Library and Research Centre. Chakravorty asks the vital question as to whether the 'people's histories' add up to a history of the people. He urges that the documents and oral histories in these archives should be subject to the same critical analysis as government documents.

Rogue archives

Abigail de Kosnik has a very similar view to Carpio, but her new model of archiving is firmly placed online. Taking her cue from Derrida's rogues, which described the

role of the *roué* in the French Revolution, she has described a radical change in public collective memory. From the nineteenth century until the birth of the internet, this had been the domain of the state with its museums and archives. Now however, the ties binding public memory to the state have begun to loosen and memory has started to forge links with many other masters: people who never underwent training in library and information sciences (LIS) but designated themselves ‘archivists’ anyway, built freely accessible online archives and began uploading (or assisting users with uploading) whatever content they deemed suitable for digital preservation.¹⁹

In her pioneering book, De Kosnik defines rogue archives as having a number of essential characteristics. They are available online and allow users to view or download texts in their entirety. They are not constrained by copyright laws and are dedicated to the persistent publication and preservation of contents. They are usually found outside traditional memory institutions and are normally staffed by volunteers who are not trained in archives or librarianship.²⁰

The essence of rogue archives is that they reject the selective tradition of archives – a system whereby a minority of experts chooses what records are selected. They are about proliferation, not selection. Because of that, they are against the idea of a canon, particularly a Global North, white, male-authored high-culture canon.²¹

De Kosnik describes three categories of rogue archives, not in a prescriptive way, but as a way of opening up discussions. These are universal archives (such as www.archive.org) that try to collect everything, community archives and alternative digital archives that collect defined, non-mainstream genres of cultural material.²²

Both rebel and rogue archives are forms of community archives – an approach to collecting material that has become one of the most significant forces in archives over the past few years. Verne Harris has argued that mainstream archives only represent a small section of society in their holdings, and these records are further restricted because funds and space restrictions frame selection decisions. The benefit of community archives is that they allow groups within society to have control over selection decisions, enabling them to control the collective memory of their own pasts, and control the means through which stories about their past are constructed.²³ Whether we are talking about the archives of particular groups within society, for example UFO witnesses or Carpio’s collections of novels, songs, maps and even the remains of abandoned buildings, or De Kosnik’s online, non-selective, universal archives, we are witnessing the development of an approach that means that, potentially, much more relevant material is saved.

In Chapter 4, Stanley Griffin has explained how the community archival efforts of the Rastafari Coral Gardens Benevolent Society are vital for presenting a balanced and tempered representation of Rastafari adherents and experiences in Jamaica. More importantly, the Rastafari community archives affirmed the record keeping value of Rastafari culture. Their unique oral traditional expressions have been validated as forms of, and sources for, knowledge of the Rastafari community. Their language, dress, hairstyles, food, rhythms, songs and reasonings have proven capable of detailing and representing the struggles and triumphs of the early pioneers of the movement.

There are issues with this approach. First, archives created by communities can be tools of self-validation, if not self-justification. Verne Harris said that record keeping is, in a sense, storytelling, a way of constructing a narrative of the self.²⁴ Lachlan Glanville in his article on the Germaine Greer Archive describes how Greer on her return to Australia in the early 1970s, heard stories of her past that bore no relation to her memory of them. She saw the archive as a bulwark against the public idea of Greer ‘the mythical beast’ as she called it. Glanville said:

While the Greer Archive may have originally been intended to combat the myths born from Greer’s celebrity status, it also creates a counter-narrative in which the archivists who have worked to preserve, catalogue and cross-reference the archive are complicit.²⁵

But this may not be much of a problem. Anyone visiting an archive that describes itself as the archive of the Mutual UFO Network would probably know what to expect.

More serious is the potential impermanence of such archives. One problem is the lack of long-term funding. Community archives investigated by Zavala and colleagues had significant challenges in terms of short- and long-term sustainability.²⁶ It is fine to set up an archive to represent a particular community or group, but fast forward 50 years and the community may have changed out of all recognition or the group ceased to exist. The archive may then be left as an unfunded problem rather than as a dynamic source of community identity. The Women’s Library, which was established in London in the 1920s, had decades of uncertainty and several homes before being rescued by the London School of Economics as part of the British Library of Political and Economic Science.²⁷

Rather than focus on the difficulties of a future, which will certainly not be as we imagine, De Kosnik takes a more radical and optimistic view. She argues that the rogue archives she describes are not permanent, because things on the internet are not permanent. Even the Internet Archive itself may one day vanish. Instead, she focusses not on the what, but on the how. She says:

what is clearly ascendant, what is being enacted with increasing frequency and sophistication, is a repertoire of specific styles of archiving.²⁸

Despite the millions of words and significant careers that have been built on digital preservation, maybe De Kosnik’s approach is the only one that will work in a post-COVID world. We should focus on building a repertoire of skills that enable non-selective, freely accessible digital archives to be built and rebuilt as necessary.

These new techniques of archiving may well ensure that more material survives and that there are fewer gaps and silences. In the next section, questions are raised about whether existing archives can do more to capture records.

What can archives do?

Be bolder

If archives are to retain their role in the information landscape, then they need to be bolder in their acquisition policies and to collect in fields that were previously regarded as beyond the pale.

Boldness involves being willing to take risks about what material is collected and to push the boundaries. Above all, it means to take action, rather than to write fine words. Let us consider the state of religious archives in the UK. In 2010, the National Archives conducted a survey of the archives of religious bodies in England. Although the introductory description of Britain's religious landscape is written from a rather English and Christian point of view, the survey was generous in its scope, covering most faiths and even including secularist organisations. Following this report, an action plan was drawn up and the National Archives appointed a Senior Adviser on Religious Archives. Links were developed by the National Archives and the Religious Archives Group with the Muslim community and Black Majority Churches.²⁹

Has all this effort had a long-term effect? If we take a crude measure and count the flow of records into local and national archives, we should, by now, have seen some impact. In 2018, the National Archives recorded 141 major accessions to repositories relating to religions. Of these, only two related to non-Christian faiths. As far as can be identified from the catalogue, none related to Charismatic or Pentecostalist churches. Maybe 2018 was a bad year, well, in 2017 there was only one accession relating to a non-Christian faith and in 2016, none.³⁰ In these years, there were more accessions of records relating to Christian missionaries overseas than to people of other faiths in the UK.

We are not making charges of institutional racism and there are no doubt good reasons for the situation and excellent work may be being done in some places. However, it does look as if the Christian churches have been encouraged to believe that local and national archives are suitable places of deposit and other faiths have not. Perhaps a bit more boldness, a bit more knocking on doors may be in order.

There are some encouraging signs. One of us recently investigated the archiving of records relating to UFOs. People who study UFOs have long been regarded with disdain by much of the scientific establishment. The parapsychologist George Hansen has argued that fields like parapsychology and ufology cannot be integrated into the institutional structures of the academy because they are working with a force or agency that only appears in the gaps and that is, by definition, anti-structural and anti-institutional.³¹ But perhaps the greatest threat to the academy, to ontologies, and to polity comes from Derrida's musings on telepathy and hauntings. According to Jeffrey Kripal, Derrida well understood that psychic phenomena dramatise and radicalise his 'deconstruction' in ways that nothing else can. They challenge pretty much everything we take to be real including self and other to the locality of space and linear time.³²

As outcasts, the UFO community began to develop its own archives – mainly web-based, but also including some physical ones, notably the Archives for the Unexplained (AFU), which is based just outside Stockholm, another example of a rebel archive. Their collection is large (3 km of shelving) and has a global remit. It collects archives of individual students and records of UFO organisations, as well as ones relating to other phenomena, such as crop circles. Clas Svahn's book about AFU with its tales of visits to recycling centres and searches through garbage containers takes readers back to the heroic days of archives.³³

More recently, a number of university and local archives have begun to accept collections of UFO related material, a situation that would have been unimaginable when we were young and worked for stuffy British archives. Some of these acquisitions were in line with existing collections policies. The earliest collection of papers of a student of UFOs is probably the Gray Barker collection at Clarksburg Public Library in West Virginia. This was in line with the library's plan to develop a collection of archives of local writers.³⁴

Barker is an enigmatic figure in ufology. He is famed for his books on the Men in Black and the Mothman, but was an unscrupulous fraud who mixed fact with fiction. The writer John Sherwood (who had collaborated with Barker on one hoax) wrote of him.

Until Barker's death in 1984 at age 59, he hawked his books and magazines by embellishing stories and encouraging others to fabricate more. He launched hoaxes, joined others' deceptions, and manipulated people's beliefs.³⁵

The University of Manitoba, which already had a large collection of material relating to psychical research has recently acquired the papers of Chris Rutkowski, a leading Canadian UFO researcher.³⁶ The papers include more than 20,000 separate UFO reports filed with various agencies since 1989, almost 10,000 Canadian government UFO documents, plus more than 1000 books from Rutkowski's personal library on UFOs and related phenomena.³⁷

A long way south, Rice University has also been acquiring material, largely driven by the interests of one faculty member. Scientist and UFO investigator Jacques Vallee approached Professor Jeffrey Kripal about finding a home for his archive and Rice agreed to take it, since when, Kripal has sought out the archives of other people in the field, notably Whitley Strieber's collection of letters received in connection with Strieber's book, *Communion*, which gave an account of his mysterious contact with a group of non-human visitors.

The decision to take UFO archives is a bold one, going against the secular and materialistic hegemonic view of the Academy. This was made clear by Shelley Sweeney, former archivist and head of special collections at the University of Manitoba who said that the University's collection of paranormal and UFO material signals to people that this is a place where we entertain collections that look at life in a different way, that we're open to at least considering that there might be some other alternative reality other than what we experience.³⁸

While a bold approach may help in ensuring that the range of material held by archives is extended and gaps are consequently reduced, it is also necessary to find

ways to deal with denials or obstruction by authorities. The next section will suggest one possible approach.

Be more unruly

The biggest scandal so far in UK archives has been the decision by the British Foreign and Commonwealth Office to deny the existence of the so-called Migrated Archive, a collection of records relating to pre-independence Kenya and other former colonies and dependencies. The records at issue, which were created in Kenya would, under normal circumstances, have been left there at the time of independence. However, they were returned to London and the Foreign and Commonwealth Office denied their existence. Eventually, they were forced to acknowledge that they held them following legal action by Kenyans who claimed to have been mistreated during British colonial rule. While all the records have subsequently been made available at the UK National Archives in London, the Archives has refused to return them to Kenya or to provide the Kenyans with images of the records, except on commercial terms.³⁹ As Paul Lihoma explains, exactly the same is true in Malawi, even though the records clearly represent an extension of the national archive holdings. The denial by the British government of the existence of these files was a political power play.

James Lowry argued that the staff of the UK National Archives (TNA) could have confronted the government over the Migrated Archive:

Using a critical theoretical approach, in the case of the Migrated Archive, TNA staff would confront power relations that can presently be dismissed as being bound up in geopolitics, government policy, and internal reporting lines outside of their control.⁴⁰

It is difficult for archivists to confront power relations, particularly in the case of those who are government employees and whose ongoing employment and funding depends on support from whichever government is in power. Moreover, archivists have to be mindful that good relations between the archives and the departments that create records is essential to ensure a future flow of material. However, a little more unruliness and challenge might be in order.

Conclusion

Even when records are freely available, they do not always tell the full story. In the end, we have to accept that there are limits to what can be known from archives. Two approaches have been suggested to the inevitable silences. One, advocated by Lord Acton⁴¹ in his inaugural lecture and by De Kosnik, is to focus on the process and not on the outcome. In Chapter 11 Polly North argues that diary criticism may:

achieve a degree of fullness, responsiveness and subtlety if it is undertaken in the spirit of an open-ended exercise. The point of the exercise – is exercise.

The critic's quest for critical clarity and the deliberately introspective diarist's for self-knowledge are interpretative exercises: there is no endgame.

An alternative approach, that of accepting the limits, is explored in the *Lettres de Cachet*, edited by Arlette Farge and Michel Foucault. The letters are petitions to the French king asking that a member of a family be imprisoned to protect the honour of the family. The subjects of the petitions were accused of a range of offences including debauchery, drunkenness etc. The process was quite brutal since the petitioners were asking that their child or spouse be committed to an unpleasant prison or, in some cases, sent to the Isles, which meant almost certain death. While the petitions had to conform to rigid rules about process and begin and end with elaborate paragraphs written by scribes, the actual details of the petitions themselves are very much written in the authentic voices of the petitioners with all their misspelling and abandonment of grammar. However, beyond the simple fact that somebody had a grievance against a spouse or child, we cannot determine the inwardness of these petitions. Why were they sent, was the information in them true or false? Farge and Foucault wrote:

Presented in this manner, private life allowed itself to be seen, visited, rifled through, and yet it never showed its true face with any certainty. It stepped forward in disguise, cloaked in many colours by those who would defend it and those who would blacken it. It will not unmask itself to our overly curious and often distorted prying. At the end of the story, we will never know who these people screaming out of torment and asking for love truly were ... What is left is the visible, the words written, the investigations undertaken, the letters sent. They do not shed light on everything, but they can offer us an understanding of the singularity of these events.⁴²

Perhaps, in the end, that is all we can hope for.

We have one other observation, which is that the knowledge that there are silences should not be used to undermine the value of archives. The post-modernist rhetoric of much current archival discourse that seeks to problematise evidence encourages both left and right in their extreme opinions. Although David Greetham, the interdisciplinary textual theorist, has a point when he describes the archive [proper] in terms of 'loss/gap/garbage', taken out of context his exploration of the 'poetics of archival exclusion' seems to undermine the value of archives that have been subject to a selection process. He wrote:

And, yet more challenging, what cultural protocols can we use to demonstrate and check that the current principles of bibliographical conservation are not themselves so constrained and determined that, just as the neglected or actively destroyed documents have been superseded, so our very principles of selection may themselves be superseded by a later culture's very different standards?⁴³

Following the model of Herman Melville, he introduces his piece with a series of quotes, including one from Deanne B Marcum in which she says:

A search ... would yield an overwhelming mass of material, much of it erroneous or loony, a great deal of it flatly contradictory, and at the best, most of it endlessly, uselessly redundant.

The idea that archives do not tell us a truth about ourselves or our histories; that they, rather, construct idealised images of our supposed collective history, simply plays into the hands of those who value power above truth. Matthew D'Ancona in his book *Post Truth* described post modernism as 'a rust on the metal of truth' and went on to say Trump's:

rise to the most powerful office in the world, unhindered by the care for truth, accelerated by the awesome power of social media, was in its way the ultimate post-modern moment.⁴⁴

Is that where we really want to go?

Notes

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- 3 Wisser Blanco-Rivera, 142.
- 4 William Merrin, *Digital War: A Critical Introduction* (London: Routledge, 2019), 81.
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- 6 Merrin, 120.
- 7 <https://wikileaks.org/-Leaks-.html>
- 8 [www.lexology.com/library/detail.aspx?g = 14de2455-83da-431e-bd83-7b80b23b2bd6](http://www.lexology.com/library/detail.aspx?g=14de2455-83da-431e-bd83-7b80b23b2bd6)
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- 10 Merrin, 196.
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- 16 Genevieve Carpio, (2019), 'Tales from the Rebel Archive: History as Subversive Practice at California's Margins', *Southern California Quarterly*, 102, no. 1, 64.
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- 18 Carpio, 75-76.
- 19 Abigail De Kosnik, *Rogue Archives: Digital Cultural Memory and Media Fandom* (Cambridge, MA: MIT Press, 2016), 1.
- 20 De Kosnik, 76-77.
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Afterword

TALES FROM THE SOMETIMES 'SILENT' ARCHIVES

David D. Hebb

This afterward, like other chapters in this volume, is concerned with the 'silences' of archives, though it may differ slightly in that I am an historian, not an archivist, and am approaching the topic from another perspective, that of a user of archives, not the keeper or manager of collections of documents, though we may have the same objective in elucidating or exploring the problem of 'silences'. The perspective here is that of a research-oriented historian, who has spent nearly 50 years in archives seeking information and answers to questions of historical interest, during which I've gained an awareness of the 'silences' that at times seems to pervade archival research in them. My observations on the nature of these 'silences' and some of the remedial actions one may take to turn up the volume derive from undertaking research in the field of maritime history and in particular on topics relating to piracy and shipwrecks, working in archives literally stretching round the world. Indeed one such historical research project, locating Manila Galleons lost in the Mariana Islands, which will serve as the focus of archival experience in this chapter, took me into archives in London, Seville, Manila, the Marianas, Hawaii, San Francisco, Chicago, Bloomington, Acapulco, Mexico City, Simancas, Madrid and Rome.

My first thought on the 'silences' of archives is agreement with the one expressed by David Thomas and Michael Moss at the end of the introduction to this volume, that there is a universal (though often naïve) presumption by many users that archives will contain the information being sought and that this information can be easily identified at an early stage and quickly produced, thus satisfying those who venture into archives to undertake research. Closely related to this is a second belief, namely that archivists will have a deep or thorough knowledge of all the material in their archives, as well as understanding the nature of the enquiry and thus be able to guide users to the answers they seek. Perhaps I started my research life with such rosy assumptions, but experience soon turned them round 180 degrees: now I begin research on the basis that what I am looking for might not have been written down,

preserved, or certainly not in the form or completeness I would like, and that it is highly unlikely that the archivist sitting at an enquiry desk will be able to show me where the answers to my questions may lie. Increasingly, archivist personnel serving the public have little or no working knowledge with the documents in their charge. Moreover, the extensiveness of collections means any working familiarity would attend to only a tiny portion of the collection. Archival knowledge, these days, seems more focussed upon the guides appearing on computer screen with few individuals having research interests relating to the content of the documents they curate or manage, nor do they have the luxury of time to undertake research employing documents in their charge. Therefore, they are unlikely to be equipped to guide a researcher to appropriate sources for the information being sought, unless it is for simple tasks of the family history type. A researcher interested in some topic not in the mainstream will be on his or her own. Sometimes, even an understanding of the purpose of the research, let alone how it might be advanced, is lacking. Additionally, one soon learned that archival catalogues or indices will vary considerably in comprehensiveness with some providing little more than a superficial indication of an array of classes or files that could conceivably be useful that do little more than widen a search. Often, they contain only title lines or entries so vague, e.g., 'Documents and Papers, 1500–1800' of which there may be dozens with this same title listed in the catalogue. Catalogues and guides, where they exist, can never be comprehensive. They are a starting place with the titles or entries serving mainly to provide a date range for the documents available, not detailed content, though they help narrow down the search somewhat by eliminating obviously extraneous material.

As for what one might find of the past in archives, one needs to recognise that most of life, as now, occurred outside the purview of governmental bodies, the chief producers of documents found in archives. As a result, there will be many 'silences' on life as it was lived in the past. For example, work or employment, those activities that occupy most of our lives, go largely unrecorded: individuals or businesses seldom keep any records beyond some brief fixed time, e.g., seven years required for legal reasons. Record keeping is expensive and so most documents are destroyed fairly soon after creation or first use. Even well-funded state archives suffer from economic imperatives: documents are not collected in the first place or they are 'Not Retained' or 'Destroyed' as a result of some government edict or archivist's decision because of space and budget considerations. I once went to one of the local archives in the Azores, Fayal, to look at shipping-related material from the age of sail, but upon meeting the archivist, was told that I was '30 years too late', which brought a puzzled look on my face until he explained that a predecessor of his had been approached by a paper merchant and the collection had been sold for pulp. Occasionally, good sense prevails. When searching for some material at the old Patent Office Library, in London, there was a guide to a collection on the shelf but with a notice in it indicating this material had not been retained. Puzzled by as to why the guide was still on the shelf, I asked an elderly and friendly archivist. He replied,

Oh those, well in the 1970s the head declared we should destroy such material since it dealt with old technology and was just taking up space. Fortunately, he was retiring soon, so we just sent the collection to another repository, amended the guide with the notation 'Not Retained'. If you want to look at those, I can have the material returned to our archive since he's been gone for years, probably in his grave by now.

Without doubt, a major source for the 'silence' of the archives comes from the gaps or paucity of documentary material collected concerning various and vital aspects of our past, as contributors to this volume have so tellingly described. Thus, it may seem a conundrum, if not a direct contradiction to suggest another, perhaps equal, reason for the 'silence' of archives, namely that it lies in the extensive amount of material extant in archives. Time and again in my research, I've marvelled at the amount and variety of information about the past that actually has survived and been retained. For example, amongst just one class of the High Court of Admiralty papers at the National Archives, Kew, are the complete scores of six sonatas for two violins, as well as love letters, salacious drawings, pleasing watercolours of a range of cities or promontories, samples of cloth and buttons, as well as a range of commercial papers such that one could construct the price series for goods like copper or cacao or discover how the rate of insurance for shipping from London to Aleppo changed in the seventeenth century. An enormous amount of material from the past rests in archives around the world where shelf space for boxes or bundles of documents is measured not in feet or metres but in tens or even hundreds of kilometres or miles. The information one seeks is often in the archive: the problem – this source of 'silence' – is that it is seldom in the form one anticipates or easily identified from guides, indices or catalogues. Given all these obstacles, it is surprising how much about the past can be discovered.¹

A few years ago, I had a student intern who was bound for Oxford in the autumn to read history and wanted some experience working in the field to see what the subject was about beyond that which he had experienced as a schoolboy. I gave him several research tasks over the few weeks, which he performed admirably with keen intelligence and imagination. At the end of his work, I asked him what, if anything, he had learned from the experience. He replied that up until then he had not grasped that research really was searching, that one spent much of the time looking for documents that might provide an answer, or part of an answer to the question in which you were interested, rather than reading documents that contained the things you wanted to know. Research is active; it requires thinking, he added, as though surprised. That certainly has been my experience in archival research, though it took me longer to appreciate this truth.

Answers do not come quickly or easily, hence a sense of 'silence' associated with archives. Research not only requires thought but a considerable amount of time and labour. It may be enjoyable but it is seldom easy. Experience teaches that early expectations will not be realised. The documents appearing in an archive catalogue as most promising often disappoint upon examination. Then the real work of research begins. Often the 'silence' can only be overcome by searching for new

sources in alternative archives. Slowly over the weeks or months one collect bits and pieces before an adequate product emerges. Let me provide an example of this process. Years ago, when doing research on Spanish shipwrecks, I went to the Archivo General de Indias in Seville with a simple objective, that of obtaining information on some cannon, their features (weight, size, date founder marks, etc.), as a means of identifying wrecks of ships lost in a storm in the Caribbean in the first decade of the seventeenth century. This research appeared straightforward. Spanish administrators of the time kept such records; in fact, there was a dedicated class in the archive (*Mayordomos de la Artillería*)² that contained exactly the sort of material I was seeking. However, on consulting the guide in the archive, it appeared that the records in this class actually started more than a year after my ships had been lost and so would be of no use. I left the archive and sat on the steps pondering what I might do, other than give up and accept this as another ‘silence’. Fortunately, the phrase ‘gone out of court’ came to mind. This is used to refer to the process by which offices of state in England evolved; initially, certain activities were undertaken by members of the monarch’s entourage before eventually moving out and setting up an identifiable, permanent office, the sort of organisations that creates records, like Chancery. Ergo, offices or administrative bodies usually had pre-histories. With this example in mind I then went back in the archive, called up the earliest *legajo* or bundle of documents of the *Mayordomos de la Artillería* to get the names of its officials. Then, using these names, I went to another class of records that contain petitions for employment or promotion since these often included a sort of *curriculum vitae* for an individual seeking advancement. In the course of searching through these records, the name of an official of the *Mayordomos de Artillería* turned up and in his ‘CV’ was an indication that earlier in his career he had worked in a department provisioning ships with food. With this information in hand, I looked up the class of documents relating to the food provisioning office and sure enough amongst the lists of food and supplies, etc., was a list of the cannon of the ships I was seeking and the ‘silence’ was broken. The information was extant but not, as often is the case, in the obvious place or where one expects to find it.

Of course, research does not always turn out so positively. This volume contains a chapter on the silences of diaries that reminded of one of my research follies. Many years ago, in the course of doing research, I had learned that the Portuguese Resident Minister or Ambassador to England between 1642 and 1650, António de Sousa de Macedo, had left a collection of his letters covering his time in Britain, i.e. during the English Civil War. Here was a man in place, indeed at the heart of the conflict, professionally bound to write to his masters in Lisbon frequently, and thus I surmised his letters would provide a new and highly informative source for what was going on during these tumultuous times. Indeed, it seemed likely he may have been involved in or had acquired intelligence about the manoeuvring and plotting of the leading political figures of the parliamentary or royalist sides. De Sousa de Macado’s papers are in a provincial archive or library in Evora³ and I made my way there being pleased to discover quickly that there were something like four or five hundred letters covering his time in England. During the next couple of weeks,

I read through them all, only to discover there was hardly a mention of politics (Civil War, what Civil War?) and certainly nothing novel or revealing. Almost all de Sousa Macedo's letters were concerned with complaints about horrible weather and food, and what a miserable time he was having, and, please, could he not come back to Portugal, being topped off with one in which he claimed he 'had not seen the sun in five years' since coming to London. So much for my archival discovery, though it is a good illustration of an essential point every researcher needs to keep in mind, namely that the people writing documents were not writing for you; they had their own aims or purposes, so don't expect to find exactly what you want.

And on the subject of self-interest, users need to be aware that archives and archivists have their own agendas and these may not match those of the user or various user groups. Sometimes, self-interest may be expressed by the archive catering to the largest number or most vocal type of reader or researcher, devoting resources in terms of information or facilities to meet their specific needs. Depending on whether you are a member may affect how 'silent' or informative an archive appears. Sometimes, the agenda is more fundamental. A years ago, when searching for some World War I UK government documents on claims relating to a government-sponsored insurance scheme covering shipping losses, I learned that they were not in The National Archives (TNA), with all the other World War I material on shipping, as one might expect, but rather housed in a small office of a department of state in rural or residential Kent. Not exactly convenient, but I went to see the documents and found the atmosphere in the archive a quiet, relaxed, an unhurried place where I was the only researcher to have been there in months, the only one who had used the documents that this facility housed. An effort was subsequently made to get these records transferred to the TNA where logic indicates they should have been deposited years or decades ago. This effort was strenuously resisted by the department, leaving me to conclude that the only reason these documents were being retained there was that they provided a justification for the employment of staff who had a pleasant existence in this setting looking after documents that were hardly ever examined.

Archives also follow a variation of the Anna Karenina principle: they all may look alike, as do happy families but, in fact, are more like unhappy ones in that each functions in its own way. Minor procedures vary: in some you cannot use your own paper or writing instrument, while in other you must supply everything you need to take notes; loose sheets of paper in some archives, notebooks only in others; electrical outlets on desks in some, none to be found anywhere in others; in some you may photograph documents while in others it is strictly *verboten*. The variations are almost endless. The Naval Archive in Madrid had ashtrays on the desks for those who smoked, whereas in almost any other archive, expulsion would quickly follow anyone who attempted to light up. In some archives there is literally silence, while in others one works to a hum of chatty readers. My favourite is the Armada archive in Lisbon, or as it was some decades ago, where the archivist (there was only one then) liked to sit at her desk at the front of the reading room and sing along to music from the radio. Fortunately, she had a good voice, so the experience was not unpleasant.

In those days Portuguese archives had an informality that worked well for the few readers who worked in them. In the archive on Terceira in the Azores once, I was working my way through a series of records, with each rather large bundle or box being brought to my desk by an old and rather frail porter. After a while watching him struggle with each *pacota*, I asked the archivist at the desk if, possibly, I might go into the stacks and fetch the documents myself to save the porter the effort. It was soon agreed and I was shown through to the stacks and allowed to bring the documents back and forth, thus saving me time and the porter much effort. Such relations with staff are not always so relaxed or advantageous. Many years ago, when working in the *Archivo General de Simancas*, we non-Spanish readers or *investigadores*, noticed that our requests for documents were taking much longer to arrive and, indeed, any request after 11:00 a.m. was unlikely to arrive before the close of the session for siesta, hours after we had turned in our request slips. Fortunately, a most distinguished historian of Spanish history, Professor Geoffrey Parker,⁴ was present and took it upon himself to act as our shop steward and went to the head of the archive with our complaint. The following day, all the *legajos* we requested were brought with an astonishing alacrity. It seemed the porters, who then were all old Franco party hacks, had taken it upon themselves to treat us as second class readers. All this changed, if somewhat grudgingly, after Professor Parker had spoken with the Director, but soon even this grudging attitude disappeared when fortuitously the King and Queen paid a visit to the archive and graciously stopped at our tables to chat, an event that the old Falangists took as a sign that we were very much *persona grata*.

In this last section, I would like to explore another aspect relating to the ‘silence’ of archives deriving in part from the mass of archival material extant, by illustrating the sort of steps in research needed to overcome this ‘silence’, using as a case the research I undertook on a project to locate two Manila Galleons that had been lost in the early seventeenth century somewhere in the Mariana Islands.

For those unfamiliar with either the Marianas or Manila Galleons, here is a brief introduction. The Marianas are a chain of islands in the mid-Pacific some 1500 miles east of the Philippines and stretch roughly northwards for 460 miles. They are quite isolated, first being encountered by a European, Ferdinand Magellan, in 1521 and, except for the occasional shipwrecked sailor or Spanish missionary, the islands remained unsettled (and then only sparsely) by Europeans for over a century and a half. Nearly 50 years after Magellan, a circular, annual monopoly trade developed between the port of Acapulco on Mexico’s west coast and the entrepôt city of Manila in the Philippines with one or sometimes two ships making the circuit each year. These vessels were known as Manila Galleons, perhaps the largest and amongst the richest vessels in the world during their heyday, which lasted from the first voyage in 1568 until the final galleon sailed in 1815.⁵ The object of my archival research, while no doddle, was straightforward, that of locating where the remains of two such galleons, the *Santa Margarita* and the *Nuestra Señora de la Concepción*, might lie in the hope that they or some of their artefacts might be recovered to provide a more full and certain knowledge of this trade and early encounter of Europe and

Asia. What follows is a summary of the research steps undertaken. It will illustrate the many times and types of 'silence' a historian or archive user might encounter when seeking to answer what at first sight seems a simple question.

Initial research was undertaken in the British Library, reading through 55 volumes of printed documents relating to Spanish trade and rule in the Pacific written by ecclesiastics, administrators, military men and travellers.⁶ This provided an overview and useful information relating to trade and information on Manila Galleons and the names of officials involved, and contained brief mentions of the loss of the *Margarita* and the *Concepción*. Like many compilations of documents, it was not complete and the various documents provided contradictory information.

The next step was research in the Archivo General de Indias (AGI) in Seville, which houses over 15 million handwritten documents relating to Spanish trade and administration of overseas territories. These documents are bound in *legajos*, each containing roughly 300 and 1000 pages. The records are organised into different classes based on various criteria, geography and administrative function, etc. The 'silences' facing an investigator working in the AGI start with the catalogue, which seems cursory when compared to the extensive volume of records. To give you an idea of the uncertainty this produces, the initial list of records that appeared useful consisted of the following⁷: *Audiencia de Filipinas* 77 *legajos* selected from nearly a thousand in the class; *Audiencia de Mexico* 26 *legajos* from a series of at least 1250; 6 *Contaduria legajos* in a series of 1300; 5 *Contratacion* one; catalogue entries for *Ultramar* suggested 16 might be useful; *Escribana de Camara* had 16 that appeared relevant; *Indiferente General* 1; *Patronado* 1 and *Consulado* 2 *legajos* = 148 *legajos* in all. After about six weeks of working through these records, confirmation of the loss of the two galleons was obtained as well as many details about the ships, officers and crews, but the location was still not settled definitively. Indeed, for the *Santa Margarita*, these records added uncertainty to her location with different islands being named in the various documents. Part of this problem derived from the names of the islands. Three sets of names were in use at the time⁸: the island we know as Saipan was also called St Joseph, Saipana or Sarpana, the latter being almost identical with Zarpana, or Rota, as we know it today, which also appears in the documents as Çarpana, or Harpana or Santa Ana, another example of why research is not straightforward and why 'silence' is a feature of archival research.

The next step involved a search of records in the termini ports of the Manila Galleon Trade, Manila and Mexico (Acapulco). Work in the archives of Manila soon revealed that typhoons and flooding over the centuries resulted in the deterioration or wholesale destruction of the sixteenth- and seventeenth-century material, which had been stored in an old fortress. Nature accounted for much of the 'silence' pervading this archive. Research soon moved to investigations of documents in Mexico, where more useful information, especially on cargoes and contraband, was obtained. Little in the way of archival material from the colonial period remained in Acapulco, since many of the records of the trade had found their way to Mexico City, either at the time or later in periods of administrative consolidation. Two weeks of research in the archives, located in an old star-shaped prison, produced some information

from royal orders relating to salvaging the cannon lost with the two ships,⁹ but the sound of silence with regard to the location of the galleons remained (as did a desire to leave the former cell rooms where readers were seated).

A more salubrious place of research seemed to lie in an examination of records relating to the Marianas themselves. Though they were a subsidiary of the Philippines *audiencia* in administrative terms, the islands were a source for documents on local matters. Collections, however, appeared slim and few. Photocopies of documents were all that was found in in the MARC¹⁰ archive on Guam. The largest collection for the islands was located in the United States, in the Library of Congress. It consisted of the archival material on the islands seized when the islands were captured in the Spanish-American War in 1898. Examination of the collection resulted in more disappointment since most of the archival material consisted of the Governor's correspondence for the nineteenth century, courts of enquiry and material dealing with the garrison on the islands and evidence of whalers frequenting this part of the Pacific. In short, more 'silence' here.

By this time it had become apparent that the most fruitful tack in research was likely to be in tracking down letters and reports, mostly written or compiled by missionaries since they were in residence in the Marianas and reported on a regular basis. Many of these letters or reports were once part of the collections of sponsors of such religious work, the two main ones being the Queen Regent of Spain, Mariana of Austria, for whom the current name of the islands derives and the Dona Maria de Guadalupe of Lencastre y Cárdenas Manrique, Duchess of Aviero. However over the centuries these collections have been broken up, often with letters being sold, some by antiquarian book and manuscript dealers like Maggs Bros., Ltd, a London house that early in the twentieth century held an auction containing dozens of such letters. In fact some documents, it was learned, had not sold and remained in Maggs's vaults.¹¹ Others were purchased, chiefly by the Newberry Library, Chicago, the Lilly Library, Bloomington, Indiana, and amongst other archives, the British Library and the Harvard Library possessed some. The break-up of such collections is another example of why research now often brings only muted results since only a fragment of the evidence may be in one archive with other fragments ending up in a series of unrelated archives. Research often amounts to piecing together fragments from several archives. As it turned out, key documents from these collections in the Lilly Library and the Newberry Library in Chicago went a long way in answering the question. In the former was a letter by a Franciscan missionary, Juan Pobre de Zamora, who went ashore in 1602 to convert the natives to Christianity. In his report to his sponsors he confirmed that the *Santa Margarita* wrecked on Rota and named the village, Atiteo, near which the ship was lost, an exact position that settled the location of this ship.¹² This left only the location of the second galleon remaining silent. However, other letters from missionaries, one in the Newberry Library¹³ and another in the Jesuit archive at the Vatican, confirmed that the *Nuestra Señora de la Concepción* had wrecked on Saipan.¹⁴ Father Sanvitorio wrote to the Superior General in 1669 that he was going out to baptise some children on 'Saipan in the village of Aguingan (where the ship *Concepción* wrecked in 38)', thereby providing

a place name of the island off which the remains of the ship should lie. The only remaining piece of the puzzle was how far off the coast this would be. The resolution to this question was found during a return visit to the AGI in Seville where an examination of papers concerning royal property detailed the attempts to salvage cannon from this ship. This source illustrates how events have long tails. Although this ship wrecked in 1638, salvage of the cannon did not commence for many years after; only in the 1670s and 1680s were efforts undertaken; in 1703 a report attests to more guns being brought up, two being in sufficiently good condition even after 65 years under the sea to be put in use defending a fortress in the Philippines.¹⁵ Other documents in the *Ultramar* collection in the AGI show that salvage was still being undertaken in 1728!

That events have long tails needs to be kept in mind when researching since sometimes only the tail remains to break the 'silences' of the archives. Often these will be found in legal disputes that follow the event about which one is attempting to learn. If money or sex is involved in the event, then legal disputes may well follow and these records may be the only ones that have any information about the event one is seeking to discover. Take the case of the *Merchant Royal*, lost in 1641, when coming from Spain with a treasure meant for Spanish troops in the Netherlands, a scheme by which Charles I profited from a carrying charge. Research on the loss of this ship in the maritime records one normally would search produced nothing substantial. But an examination of Chancery Court cases and the Masters Exhibits in particular, soon revealed that the owners of the ship were taken to court following the loss of the vessel, the charge being they had put a faulty ship to sea.¹⁶ Included in the court record was testimony by the captain and officers of the ship and others, as the case dragged on through the court for years, like *Jarndyce v Jarndyce*, Dickens' fictional court case in *Bleak House*, providing sufficient evidence to determine a probable reason for the loss of the ship. Without this lengthy tail, nothing of her location would be known.

Hopefully, these tales from the archives have provided some evidence on the 'silences' of the archives and show that they come not just from material never produced nor because records went missing or were destroyed later. The 'silences' of archives often are a consequence of the mass of documents now extant, which can only be searched partially or inefficiently. Finding what lies behind the titles or entries in catalogues and guides requires time, effort and imagination, as well as an awareness that surviving evidence may be fragmented and scattered. Any collection or archive at best is likely contain only a part of the story. Perhaps one day, the hundreds of millions of handwritten documents will be digitised and readable at warp speed by computer-based machines so that searches can be sufficiently wide and thorough to eliminate the current perception of archives as places where 'silence' reigns.

Notes

1 The National Archives, (TNA) Kew, H.C.A. 15–19, Instance and Prize records.

- 2 Archivo General de Indias (AGI), Sevilla, Cuentas de Mayordomos de Artillería 1609–1706, leg. 3815–3855.
- 3 Biblioteca Pública de Évora, MSS, António de Sousa de Macedo.
- 4 Noel Geoffrey Parker, FBA, is a British historian specialising in the history of Western Europe, Spain and warfare during the early modern era. His best-known book is *Military Revolution: Military Innovation and the Rise of the West, 1500–1800*.
- 5 Schurtz, William Lytle, 'The Manila Galleon', *The Hispanic American Historical Review*, vol. 1, No. 4, pp. 389–402, and Fish, Shirley, *The Manila-Acapulco Galleons: The Treasure Ships of the Pacific, with an Annotated List of the Transpacific Galleons 1565–1815* (Milton Keynes, England: Author House, 2011).
- 6 Blair, Emma and James Robertson, *The Philippine Islands 1493–1898*. 1910–16., Vols Xi XII 599–1602 and 1601–1604; XXVIII 1637–8; 1638–40
- 7 AGI, classes examined.
- 8 AGI, Indies, 839, Caxon 8, 1682.
- 9 Archivo General de la Nación, Mexico City, Reales Cédulas Originales. 1671
- 10 Micronesian Area Research Center, University of Guam.
- 11 Letter of Father Solorzano to Joseph Vidal, 25 April 1684 and Father Solorzano to the Duchess of Aveiro, 25 April 1684.
- 12 Lilly Library, Bloomington, IN, Philippines MSS II, *Relación de la sobre la pérdida del galeón San Filipe (1598–1603)*.
- 13 Newberry Library, Chicago, Ayer MSS, Father Coomans to the Queen, 1574. Cédulas reales despachadas a Manila, 1682–1736.
- 14 Archivum Romanum Societatis Iesu (ASRI), Philippines 13, Narrative of those who were in the Philippines, 1667–1673; Philippines 13, Father Sanvitores to the Provincial in the Philippines 14 May 1671.
- 15 AGI, Ultramar 515, 116, 519, 520, 524, 561, 562, 622, 639, 640, 650, 657–9. Also, Reale Academia de la Historia, Madrid, Colección Cortes D. Juan de Santa Cruz to Governor of the Philippines, 21 May, 1670.
- 16 THA, Kew, Chancery and Chancery Masters Exhibits C1ChasI/C100/5, Among the ship's owners were Antony Adby, a leading London merchant, Alderman John Langham, Captain William Rainsborough and Alderman John Cordell.

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