

When Good Archivists Go Bad: The Role of Ethics and Values in Everyday Archival Decision-Making¹

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Archivists all have bad days at work. Internally, in the face of static or dwindling resources we are consistently asked to do more, faster, better, and cheaper; while external expectations, such as those of users seeking greater digital access to the collections we care for, are also intensifying. These may lead to decision-making situations where we feel compromised, stressed and/or pressured, generating the potential for poor choices. For some of our fellow archivists the consequences of their actions in these instances have included, at worst, a criminal conviction and a prison sentence.

Some of us may have identified problematic legacies arising from the decisions of those archivists who have gone before us, but because of the nature and volume of our work, often any failings in archival practice may go undetected for very long periods, if ever.

As Ray Edmondson wrote for UNESCO in 2004: “So much of an audiovisual archivist’s work can never be checked or validated, and the potential for conflicts of interest are considerable. A strong sense of personal ethics and integrity, therefore, underlies the profession. Clearly visible lines of accountability, transparency, honesty and accuracy are all elements of this.”²

We know that a professional archivist is an ethical archivist, but how helpful are existing codes of ethics in enabling us to make good decisions on a day-to-day basis? What role do values (personal, professional, organisational and cultural) play in enabling us to safely negotiate archival dilemmas?

This paper will reflect on the way archival ethics and values inform our ability to reach good professional outcomes. It begins with an examination of some case studies in the public domain of archivists who have made poor choices; following through with observations on ethics and values in the workplace, and concluding with a useful decision-making framework and a reminder about the importance of preventative self-care to enable us to deal with situations where we are tempted to

abandon critical thinking.

The yellow bumper-sticker that reads 'Be Nice to Archivists – They Can Erase You From History'³ features a furtive looking character about to file a document from their desk into an adjacent recycling bin. This darkly humorous image encapsulates the risks of the profession – where a stressed, overworked, underpaid and under resourced archivist considers the consequences of professional anarchy. A closer look at individual acts of archivists in the public domain who have received convictions through the course of their work can provide learning opportunities to ensure a greater level of awareness and protection for ourselves and the organisations we work for.

"You take our history if you take the thing to sustain our history," Judge Peter Messitte reportedly told archivist Leslie Waffen, former Chief of the Motion Picture, Sound and Video Branch of the U.S. National Archives in Maryland.⁴ In May 2012 Waffen was found guilty of stealing and selling sound recordings from the National Archives and Records Administration, for which he received 18 months' jail, two years' probation and a \$10,000 fine. He was a highly respected audiovisual archivist who had made a great contribution to the profession. According to media reports, in court, Waffen said that his "passion" for historical audio had become an "obsession".⁵ Over an eight year period, he took collection recordings home without returning them. He was found out when a donor discovered a 1937 recording of Babe Ruth which he'd given to the Archives, being sold by Waffen on eBay under the name 'hi-fi gal'.⁶

In an open letter to his colleagues of the Association of Moving Image Archivists, Waffen stated: "I am deeply ashamed and embarrassed by my actions ... I got too close to the audiovisual collection and especially to the sound recordings (my specialty). I lost archival perspective and made wrong choices."⁷ He reportedly admitted in court that he had "violated, personally, the archivist's code of ethics".⁸

An eBay user also alerted the authorities to the activities of Shawn Aubitz, who had been a Curator at the U.S. National Archives in Philadelphia for 14 years. Aubitz resigned in 1999 during a three-year investigation into the disappearance of 100 items of documentation, including presidential pardons, photographs and Civil War documents.

According to contemporary media reports, Aubitz took the documents home in his briefcase over a three year period, selling them online to cover personal expenses and credit card debt.⁹ Fifty-nine items were recovered, and Aubitz received a 21 month jail sentence for the theft in 2002.¹⁰ In court, Aubitz allegedly told Judge Jan E. DuBois that "it

went from a period of conflicting ethics to criminal activity ... I have a mental illness, a compulsive need to amass collections for self-esteem and approval."¹¹

Denning McTague was an intern at the same institution. In 2006, he removed 164 items of unaccessioned Civil War documentation from the collection by interleaving them in his pad of paper. Around half of the items were sold on eBay.¹² In the 2007 court case, his lawyer claimed McTague, a mature student, had been despairing and despondent because he had been unsuccessful in searching for paid employment.¹³ Reporter Steve Twomey observed:

"In a statement to the court, Allen Weinstein, the Archivist of the United States, wrote that the theft had undercut "the fundamental integrity" of the Archives ... The judge agreed that "this is an offense against everyone in this room". Original documents have an "absolute uniqueness", he said, and people "must be deterred from even thinking about stealing them".¹⁴ McTague was jailed for 15 months.

These case-studies all reflect elements of dissociation and detachment: physically, collection items were either detached from their records (or not given one) and were cut adrift from their protective structures. Psychologically, the archivists themselves became disconnected from their previously held archival ethics and values at a stressful point in their lives. Poor archival decision-making can therefore occur when we prioritise our personal human needs of social acceptance, power and greed over safe professional boundaries and conduct at work. It is also supported by other factors such as a lack of openness and transparency in workplace cultures, inadequate internal security checks and balances, as well as shortcomings in collection documentation. As Howard and Korver observe:

"Ethical compromises both big and small hurt us, and we underestimate how much. For one thing, one compromise can lead to another as we let our standards slip. Once we cross the line, we may find it hard to resist crossing the next. We can get started going downhill on the proverbial slippery slope, where each compromise becomes easier, and we fall asleep to their consequences. As we develop bad habits, no matter our accomplishments and virtues, we may find ourselves in shocking situations."¹⁵

Given this, how can we use ethics and values to stay awake and aware; to ground and support our everyday archival decision-making processes, maintain appropriate professional boundaries, encourage openness in organisational cultures and prevent the dissociation and

detachment that is a feature of the case-studies above?

Ethics is not straightforward to define concisely, but for the purposes of this paper it has been usefully defined by Elijah Weber as “a reason based, cumulative system of moral decision making. It is built upon one or a few basic principles and requires that we be thorough, honest, and comprehensive in making statements about right and wrong.”¹⁶ As Sally Bibb has observed, it has a social and personal component. “Ethics is following social and moral obligations to a broader group of people ... [and] in order to be ethical a person needs to be aware of ... what, as an individual, you believe to be right and wrong.”¹⁷

Even though there are often no ‘right’ answers, informed decision-making requires an understanding of the different ethical perspectives and therefore options open to us.¹⁸ As archivists, we may select from a range of philosophical perspectives on how to act when faced with an ethical issue. For example we may favour the utilitarian view, or the ethics of consequence: the course of action that benefits the greatest number of people, even though we may have had to do something questionable, such as lying, to get there (‘the end justifies the means’). Another approach is that of deontology, the ethics of duty (‘what is the morally correct course of action?’) that derives the rightness or wrongness of our action from the character of the behaviour itself rather than its outcomes,¹⁹ for example, lying is wrong, no matter what the consequence. These viewpoints are often grouped with that of the ethics of virtue, which in this case would focus less on lying than on what telling a lie says about our character and moral behaviour, with the view that developing morally desirable virtues will help us act morally when making decisions.²⁰

As Iain King has observed, this does not necessarily help us solve a given problem: “ ... if I say one thing is right, and you say something different, how do we resolve the impasse? Saying one of us is thinking in terms of consequences, and the other is thinking in terms of good character or rules might explain the difference of opinion, but it doesn’t settle it.”²¹

The discipline known as ‘practical ethics’ has developed from the recognition that while pure philosophical ethics are valuable when it comes to decision-making, they cannot always be straightforwardly applied to solve a concrete problem.²² Practical ethics therefore takes a wider view, drawing on other disciplines as well as philosophy, including sociology, psychology and economics as well as knowledge of the particular profession. It also recognises the institution as the site of

many challenging decisions and engages with the political nature of decision-making, asking: who should decide?²³

This approach is exemplified by the 'new museum ethics', which moves away from a single, linear viewpoint applied to an ethical issue. This contingent perspective is characterised by flexibility, openness and debate with a diverse range of stakeholders around the context of each issue, a bespoke case-by case approach which can change as the needs of society change. It works through collaboration and inclusion and emphasises social responsibility, transparency and shared guardianship of heritage.²⁴

The trend towards transparency and accountability within museums and archives is reflected in the development of codes of ethics, "a systematic collection of the standards governing the conduct of the members of the profession".²⁵ As M.E. Guy writes: "A code of ethics should describe a standard of integrity and competence beyond that required by law."²⁶ Codes of Ethics aim to increase the professionalism and codification of museum practice, and are intended to act as a moral compass from which staff can take their bearings in challenging situations, but how helpful are they?

Often singular in focus, they do have shortcomings and may not help with complex ethical dilemmas, as they do not include issues of politics, power, allegiances and relationships in the workplace. Codes of Ethics tend to define tension rather than help provide ways to resolve it. For David Wallace they "provide a bureaucratic, insular view of our social responsibilities ... at the expense of a broader moral calling",²⁷ while in Janet Marstine's view they "focus on the individual [and] are based on Western ideals of virtue".²⁸

Codes of Ethics are changing though, like those from the International Council of Museums (ICOM),²⁹ which are proactive documents. They do not simply say what staff cannot do but they give very clear indications as to what staff should do, and why, reminding them what their obligations are to their communities, their collections and their institution. The 'new museum' school of ethics lays down a challenge for the cultural heritage professions: that all of our codes of ethics need to be widened in scope and invigorated by issues of social responsibility, diversity, debate and change.³⁰

A further support for making decisions is provided by values. As Michael Henderson observes: "Values are the mental concepts that make meaning possible; they provide us with motivation to act and a framework for decision-making. Every sane person has values whether

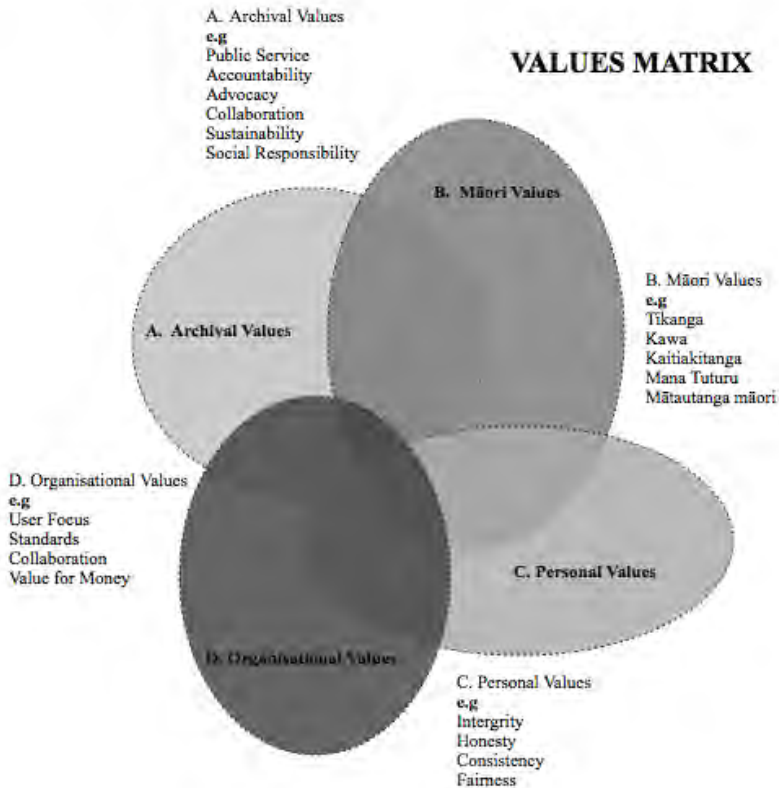
they know it or not. We can define values as our preferences (what you would prefer to experience in your life) multiplied by their priority (the importance you place on experiencing the preference).³¹ Values are the principles we believe are important to us; who we are and what we stand for. For Mark Greene, [archival] “power is grounded in our values. Values are the embodiment of what an organization stands for, and should be the basis for the behavior of its members.”³²

An organisation’s cultural values can be made manifest within their built environment. The values of the Museum of New Zealand Te Papa Tongarewa (Excellence, Knowledge and Learning, Guardianship, Community Responsibility, Relationships) are visible through bilingual posters in the staff entrance foyer, and in their meeting rooms. A more integrated representation of cultural values within a building can be seen in all Māori wharenuī, for example in the ten tukutuku panels and colourfully decorated tāhuhu (ridge pole) and heke (rafters) of the remarkable wharenuī at Hongoeka Marae in Plimmerton, alongside the whakairo (carvings) depicting the the whakapapa and history of Ngāti Toa Rangatira.³³

These visual representations of what an organisation stands for also need to be regularly discussed, reviewed and reflected on so that they are reinforced and integrated into all facets of its operation, including recruitment, induction and everyday decision-making. In this way they can serve as the foundation for the behaviour of those within the organisation.

The values matrix on the next page is a representation of the values that inform my work at The New Zealand Film Archive Ngā Kaitiaki O Nga Taonga Whitiāhuia. It contains sets of values as decision-making filters, which overlap, shift and change over time so are not fixed or exclusive. While I am a Pākehā archivist I must include at least a basic understanding of Māori values³⁴ in my practice, and remain open and responsive to Māori perspectives, although decision-making around the Māori collection is now made by a group of Māori specialist staff.

Related sets of values are espoused by both the archival organisation and the archival community, with different values prioritised at any given time for professional or political reasons.³⁵ It is our personal values over which we have full jurisdiction: an awareness of these keeps us safe, enabling integrity. As well as aiding decision-making they help us set our professional boundaries as archivists against our personal needs as humans – a critical way to protect against making bad choices. While it might seem unnecessarily time-consuming and introspective



to stop and work out our individual values, it is a worthwhile exercise both personally and professionally and there are many resources to help, such as the 'Values Audit' promoted by New Zealand-based corporate anthropologists Values at Work.³⁶ They advise:

"The next time you have a few moments in your busy schedule, consider stopping long enough to think, 'What's most important to me? How do I express that in my decisions, my behaviour, and my communication?' The answers may surprise you. They may help you make more fulfilling decisions, relating to all manner of things ... Knowing your values can reduce stress levels, enhance meaning, realign and ignite your motivation, and unleash your passion for being alive. It may even enable you to be happier just being you."³⁷

When our personal values align with those of our profession and of our organisation, we are happy in our work, when they don't, we're not,

as the case studies above reflect. Organisational values, as reflected in the workplace culture, can either support or negate good decision-making. The latter is reflected in the title of a sell-out presentation at the Festival of Dangerous Ideas in Sydney in October 2012: 'My Workplace is a Cult'. In such organisations with a 'closed' culture, allegiance trumps ethics and honesty, there is no scope for critical thinking or challenging wrongdoing, and disengagement from personal and professional values is more likely. In this climate, whistleblowers can suffer: as documented in eminent audiovisual archivist Ray Edmondson's personal account of his experiences as an archival campaigner.³⁸

A well-documented case study of this type of workplace with a closed culture is that of the Australian Museum, from 1997 to 2002 when 2000 natural history items (specimens, skins, fossils, skeletons) were stolen by employee Hank van Leeuwen and added to his personal collection at home. In 2002 he was jailed for five years.³⁹ He was caught by the vigilance of interns who were auditing the collection, but it took some time to convince the director, a supporter of van Leeuwen's, to act. The case was investigated by the police and the Independent Commission Against Corruption (ICAC) and generated a raft of safety measures implemented in museums across New South Wales. One of the ICAC's recommendations was that "there is a need for the Museum to ensure that ... the values, culture, management, decision making and systems of the Museum are all strong, integrated and reflective of the principles of public duty".⁴⁰

Conversely, in a more open workplace, it is more straightforward to do the right thing – staff are supported in learning from mistakes, having difficult conversations, and challenging wrong doing. Staff understand the essence of the organisation and their contribution within it, which fosters a sense of purpose, meaning and shared values, and makes dissociation and detachment less likely.

When faced with a challenging situation, Sally Bibb offers a simple clear and practical methodology for ethical decision-making based on philosophical principles. Her approach poses sets of structured questions around four phases: understanding the situation, making the decision, checking the decision, and finally, asking 'acid test' questions.⁴¹

1. Understanding the Situation

Here, you are gathering information and going through a structured look at all the dimensions and perspectives of the problem.

- Do I understand the situation?
- Have I got all the facts and information I need?
- Are there any legal issues involved?
- In what way is this decision ethically problematic?
- Have I looked at the situation from the perspective of all involved?
- What is the truth of the situation?
- What is my intention?

Making the Decision

This stage is about the possibilities, strengths and weaknesses around your decision.

- Have I spoken to all the people involved?
- What are the options?
- Are there other possibilities?
- Have I got the courage to do what is right?
- How sure am I that this is the right decision?
- What are the downsides and upsides of this decision for all concerned?

Checking the Decision

What are the consequences of my decision for all concerned, including me, others, the organisation, family and friends?

- Is my decision the right thing to do?

Acid Test Questions

These questions enable us to see the wider perspective, consider our conscience and can help to confirm or deny that the decision we have reached is correct.

- Would I be happy for my decision to be published in the media?
- Would I be happy for my friends and family to know about my decision?
- Is there any part of me that thinks this decision is wrong or that I am ashamed of it?
- If I implement this decision is my conscience clear?
- What is the best decision for the highest public good for all concerned?

To this final set I would add the following question:

- What would the both archivist of the future and the archivist of the past make of this decision?

As archival professionals we all walk in the footsteps of those who have gone before us in making decisions about the collections in our care. We may ourselves have benefited or, conversely, suffered when we inherit issues that have been generated, unwittingly or otherwise, by good or poor decision-making by our archival forebears. In our everyday decision-making it is critical that we bear the archivist of the future in mind so that as far as possible we minimise the risk of leaving a legacy that generates confusion or re-work for those that follow, through measures such as documenting collection processing or management decisions. Checking decisions with your mentor or supervisor and/or reflecting on what your archival guide (defined here as an archivist who has supported and advised you in the past)⁴³ might have advised you to do can also assist the process.

So next time we are faced with a complex ethical decision, this tool can lead to a more grounded and sanguine frame of mind along with a more constructive and considered outcome. Taking time for preventative self-care is also another means to ensure we are in better shape to confront and work through the professional challenges we face.

In 1993 during an ethics workshop I co-presented for the International Federation of Film Archivists in London, we set out to identify pressures for archivists and take them through ethical decision-making outcomes. We marked out the body of an 'archivist' in string on the floor, and gave the participants sets of coloured cards to fill out: red for pressures ('bribing', 'not enough time', 'system bottlenecks') placed around the outside of the body; yellow for emotions arising from the pressures ('anger, fear, frustration, powerlessness, despair') placed inside, facing the pressures, and green for measures that maintain personal and professional safety ('support from colleagues', 'go on a course', 'know our core values', 'be diplomatic', 'laugh', 'keep cool'). These green cards were placed in a spine formation within the body of the 'archivist'. The metaphor of an archival spine is powerful – our backbone provides support strength and character, and it is vital to protect it in order to be more resilient and centred about ourselves, our work, and the decisions we make.

As archivists we are faced with a range of pressures. They might be aspirational but they are also daunting, stressful and at times, unrealistic. In workplaces which are not alive to the insights and benefits of ethics and values, there is greater risk of dissociation and detachment from the work which makes bad choices more likely. Alternatively we can stay awake, and take a more considered, open approach, working with

the deeper and wider considerations that contingent ethics and values provide, and ensuring we look after ourselves along the way. This way we are better equipped to make sound decisions, improve our workplace cultures and face the future with all the risks and opportunities it brings.

Endnotes

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34. Please note that these values are much wider and deeper than the necessarily condensed guide below indicates. Recommended reading in this area includes Hirini Moko Mead, *Tikanga Māori: Living by Māori Values*. Wellington: Huia Press, 2003.
Tikanga – customs and practice.
Kawa – protocols / etiquette.
Kaitiakitanga – guardianship.

- Mana tuturu – principles of indigenous intellectual property rights.
Matauranga Māori – Māori traditional knowledge systems including te reo, medicine and cultivation.
35. See, for example, values suggested for the archival profession by Mark Greene: 1) Professionalism; 2) Collectivity; 3) Activism; 4) Selection; 5) Preservation; 6) Democracy; 7) Service; 8) Diversity; 10) History (Greene, *ibid*).
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 43. For example, my own archival guides include the late film archivists Jonathan Dennis, Elizabeth Street and Harold Brown, and the living moving image archivists Elaine Burrows, Jane Hockings, Bronwyn Taylor, Anne Fleming and David Cleveland.