[AUTHOR’S NOTE: What follows is an updated segment of a paper that I presented in November 2007 at the “Archives and Ethics: Reflections on Practice” conference hosted by the Center for Information Policy Research, University of Wisconsin, Milwaukee. In this paper I explore how other disciplines and professions have problematized the construction of their own professional ethics, towards an eye to how such critiques can assist the archival profession in developing a richer and deeper analysis of its own professional ethics and practices. I have extracted the sections most relevant to the SAA forum I am participating in at San Francisco (Archival Ethics and Social Justice: What is Our Professional Responsibility?) as a means to stimulate dialogue on the shaping of a social justice ethic for archives and the responsibilities of archivists. I do believe that there is much of value to be obtained from the perspectives of other professions and disciplines that have grappled with the challenges posed by professionalized ethics, as such issues are transcendent. The essay that follows is offered with this spirit in mind.]

I present this paper in conjunction with the following assertions:

- It is unsuitable to talk of a unified singular archival profession. Instead we should focus on unpacking and examining our diversity in light of the pressures, obligations, and claims that shape practice in our divergent environments and the prospect for advocating and supporting social justice within them (vis a vis public/private; institutional/collecting; relatively resource rich/relatively under-resourced)

- There is a wide awareness of memory shifts and memory politics in the growing memory studies industry. For example, Steve Stern’s trilogy “The Memory Box of Pinochet’s Chile” identifies describes a rich typology of memory: personal, emblematic, counter, memory as salvation, memory as unresolved rupture, memory as persecution and awakening, and memory as a closed box. It is imperative that archivists understand social memory as a locus of ongoing contention, contradiction, and change and examine the roles they play in the politics of legitimizing and denying different forms of memory and their relationships to social justice.

- Given the diversity of memory types and awareness of the cultural and political forces shaping the tapestries of memory, it is clear that power structures and subjectivity play central roles for understanding the cultural forces behind memory formation, legitimation, and rupture. This is not to tout subjectivity as an excuse for a benign or malignant relativism. Nor to offer power as a singular and universal controlling mechanism. Rather, it is to offer a platform for critique of methodologies which absent roles for subjectivity and power as a gateway to
understand how individual societies convene shared preferred belief systems about the past and the present, irrespective of their accuracy.

- Archival domain expertise and authority, including guiding ethics, have come under increasing scrutiny from the outside. This is clearly evidenced in a widening range of analyses, such as Ted Gup’s *Nation of Secrets*, Edwin Black’s *Internal Combustion*, Gretchen Schafft’s *From Racism to Genocide: Anthropology in the Third Reich*, and William Wright’s *Harvard’s Secret Court*, to name just a spare few. Archivists need to meaningfully engage such critiques as reflective of wider social perceptions of the roles and responsibilities, and even the shortcomings, of archivists and archival institutions.

- Deeper analyses are needed that explicitly address, across time and space, the duality of recordkeeping as a technology of control and oppression and as a technology of resistance and liberation. With this knowledge archivists can begin to better understand how recordkeeping and archiving has both denied and facilitated social justice. It is critical that such processes are examined in historical and contemporary contexts.

- The mainstream mass media is the dominant shaper of both social memory and contemporary belief systems. All too frequently these outlets serve the most powerful and best resourced societal actors as fora for agenda setting, public relations manipulation, debased public discourse, and shaping viewer beliefs irrespective of accuracy. Such structures represent ongoing threats to social justice lessons from the past and signal significant challenges to present-day social justice endeavors.

- Archival content is rich in potential and actuality to challenge dominant narratives from the past, narratives that often maligned contemporaneous struggles for social justice. In light of these dynamics of the politics of the past, efforts should be directed to harnessing archival content to engage controversial contemporary social issues with an eye towards illuminating the politics of the present.
Professional Ethics the Outside View

This paper examines how voices within disciplines beyond archives have engaged their own professional ethics. They have done so by recognizing and acknowledging professional ethics as a terrain more complex and difficult than normative constructions allow. While I point to this problematizing of professional ethics from a range of disciplines external to the archival profession – including anthropology, sociology, business, medicine, bioethics, philosophy communications, history, post modernism and even the maturing ethics practitioners profession – I do not offer them as direct analogies to archival contexts per se. Instead, I offer the knowledge and insights obtained from these literatures and discourses as suggestive of key processes and questions that are vital and relevant to the construction and reconstruction of archival ethics.

This knowledge and insight revolves around a number of key themes: professionalism; professional codes of ethics; social and individual psychological connectedness; historically informed analyses, and; strivings towards justice.

Professionalism

Professionalism is seen as one of the cornerstones supporting and enabling modern society and its institutions, and of the trust and legitimacy granted to them. However, in the new millennium, professionalism, its loci of operationalization, and its practice, have come under increasing societal skepticism.

Sociology has offered us a view of a fracturing professionalism. Evetts (January 2006) identifies two “different and contrasting forms of professionalism” evident in “knowledge-based, service sector work: organizational and occupational.” Organizational professionalism is characterized by “rational-legal forms of decision-making, hierarchical structures of authority, the standardization of work practices, accountability, target-setting and performance review [that] is based on occupational training and certification.” The alternative -- occupational professionalism -- has deeper historical roots and is more closely aligned to the types of professionalism archivists have striven towards: “discretionary decision-making in complex cases, collegial authority, the occupational control of the work….based on trust in the practitioner by both clients and employers. It is operationalized and controlled by practitioners themselves and is based on shared education and training, a strong socialization process, work culture and occupational identity, and codes of ethics that are monitored and operationalized by professional institutes and associations.”

It is worth exploring to what extent organizational and occupational professionalism operates within different archival contexts and whether, organizational professionalism may be trumping occupational professionalism in certain institutional settings -- where
the archivist is expected to align their values more with those of the parent / employing institution as opposed to that of professional archival associations and what the implications such shifts have for social over organizational allegiances when they come into conflict.

Despite whichever of these trends are ascendant or paramount, one thing has become clear in regards to broader societal views of professionals: the traditional bonds of trust and belief in professional competency and ethics have been eroding for at least two decades. (Evetts, July 2006; Hauptman and Hill, 1991). Hauptman and Hill points out that it the professions themselves that are the primary cause of this erosion. One need only review the widely available and commonly reported vivid breaches of professional trust to amply demonstrate this point. This phenomenon and its social consequences of loss of trust is viewable across multiple professional landscapes -- from medicine to law to financial management to governance to journalism and yes, even to records management and archives.

It is apparent that “experts,” “professionals,” and “professionalism” no longer hold the unwavering support of the public as disinterested maintainers of the highest of ethical standards. And in fact such monikers frequently ring hollow as emblems of authority duly deserving of public trust. In contemporary contexts, strivings or pronouncements of professionalism do not, in and of themselves, coincide with lauded claims of integrity and trust. Such claims have to be earned and demonstrated through actual practices and in how violations are dealt with by the concerned professional communities. The archival field is long overdue for a detailed and systematic examination of the complexities associated with strivings for legitimacy via professionalism in light of these challenges.

**Professional Codes of Ethics**

Schwartz (2003) notes the increasing interest in the study of professional codes of ethics, highlighting studies from law, medicine, accounting, auditing, safety, health, environment, and information systems professionals. The Center for the Study of Ethics in the Professions has created an online compendium of some 850 codes of ethics from professional societies, corporations, governments, and institutions of higher learning (http://ethics.iit.edu/codes/coe.html). These developments have even extended to the development of an “ethics practitioners’ profession” whose professional association maintains a 1,000 plus membership with representation from one half of Fortune 100 companies.

While there is increasing interest in professional ethics and codes of professional ethics internationally and across sectors, the codes themselves have not escaped critical scrutiny. Codes need to be actively engaged and cross-examined, as opposed to implicitly accepted or explicitly pointed to, in order for them to achieve meaningful substantiveness. Kelley (2002) asserts that retreat to codes alone is insufficient in educational settings. To her, codes need to be supplemented by “concrete examples, analogous situations, and factoring in pragmatics alongside socially disconnected moral edicts.” In this respect codes serve as a starting point and not as a terminus for evaluating
ethical challenges.

van Meijl (2000) draws on insights from postmodernism for evaluating codes, by advocating that morality is “essentially ambivalent and not universalizable.” Such a perspective stands in direct contrast to the edicts embedded in professional codes which sees morality as “non-ambivalent and universal.” van Meijl persuasively argues that pretenses towards non-ambivalence and universality allows individuals to unfortunately substitute professional ethical codes for the “moral self.” van Meijl approvingly quotes Karl Popper, who has contended that codes provide ‘a form of escape . . . from the realities of moral life, i.e. from our moral responsibilities. [Codes] . . . destroy all personal responsibility and therefore all ethics’. Echoing this sentiment, van Meijl contends that the search for a “fool-proof, non-ambivalent, universal and objectively founded ethical code” is a fantasy. In place of this van Meijl calls for an embrace of ambiguity, multi-vocality, subjectivity and the “emancipation of the autonomous moral self and the vindication of its moral responsibility, which can only be achieved without seeking refuge in a self-defeating, quasi-unambivalent and universalizing code of ethics.”

Bowden and Surma (2003) offer a similar critique, contending that codes harm the value of “contextuality”: code “determinacy, uniformity, externality and authority run a serious risk of producing th[e] sort of self-protective estrangement from interactive ethical engagement.” They focus on the disjuncture between practice and codification. The object of their analysis is on the reader/user of the code where ambivalence, ambiguity, and multiple meanings are possible. However, “despite the commonalities of circumstantial and personal conditions that may occur in homogenous groups, no set of rules can ever hope to provide comprehensive coverage of all the situational and personal factors that any practitioner may encounter….ethical meaning and sufficiency cannot be reduced to a solitary self-sufficient, unambiguous, authoritative statement that pre-judges action and leaves no place for consideration of multiple motivations or outcomes or points of view.” Codes also fall short by being static and not adapting to “new situations and new configurations of responsibility” that are characteristic of the “grain of practical ethical life.” For codes to be more meaningful, Bowden and Surma insist that they must “invite interpretation, debate and discussion about its potential for meaning / value in relation to ethics and specific ethical conduct.”

This dimension of dialogue and openness to multivocality is reinforced by Harper and Jiménez (2005) in their review of the Association of Social Anthropology’s ethical guidelines. They contend that “trust works best not when it is institutionalized but when it is engaged and challenged.” Ethics therefore, and by implication, codes, “should be continuously renewed as an ongoing project, rather than being subjected to sporadic updates by either individuals or committee.”

The current SAA code of ethics falls squarely into the traps highlighted by the above authors, and even moreso when considering that the current code appears to have been altered in part due to threats posed to association liability and legal compliance.
Social and Individual Psychological Interconnectedness

Tightly coupled with conceptualizations of professionalism are the ethics that guide them and which serve as a visible proclamation to the public as to how individual professions serve them by upholding the highest standards of conduct and care. Despite the allusion to autonomy and trustworthy expertise, many professions are seeing their efforts actively engaged, challenged, and questions by other social actors.

van Meijl (2000) points to the need in anthropology to contextualize discussions of ethics within crises of identity, representation, and authority in light of postmodernist critiques, and a reintegration of ethical awarenesses with the “the political context from which it cannot be separated.” Connected to these challenges is a move away from a concern with “absolute truth” to a more nuanced recognition of “partial truths,” “multivocality” and “perspectivism.” In tracing the value of a postmodernist perspective towards anthropology, van Meijl asserts that such an initiative does not abandon the classical concerns of ethics: “human rights, social justice, and tolerance.” Rather postmodern ethical concerns with multivocality and perspectivism reinforce these traditional objectives. The break with the past is rather concerned with an explicit rejection of “absolutes [and] universals” which are commonly ascribed within professional ethics.

While archivists may claim strong efforts towards multivocality and perspectivism in the increasing diversification of collecting and collection shaping, I argue that much remains to be done to understand this history more deeply and how they can manifest in ethical codes.

This shift towards nuance in anthropology is further highlighted by Harper and Jiménez (2005), who call upon their peers to “embrace broader contemporary issues” more deeply recognize that the work of anthropologists is “entangled in complex institutional and political structures….” In particular they call upon the field to become more “politically conscious and aware of the political conditions under which our knowledge is produced….” This self awareness invites the profession to have the courage to “face up responsibly to what it does not know…[and embrace] ethical uncertainty.”

The turn towards a broader societal gaze as a means for orienting and animating professional ethics has been powerfully offered by Preston (1996) in an address to the Australian Association for Professional and Applied Ethics, stating, at length:

“Is there not a tendency to turn professional ethics in this domain and others into a micro-exercise which neglects the macro questions of social responsibility?…The focus on micro-analysis within professional and applied ethics may give us insight into the particulars of ethical practice within limited spheres (say the practice of medicine or the law or the commercial domain). However, it may neglect the wider context within which those practices are pursued or the connections between them. In other words, how does the cutting edge of a critical morality with counter-hegemonic potential retain its potency when the focus is on an ethic of role or an ethic constrained by a particular social ethos? The possibility of ethics being used
for reactionary, coercive and authoritarian social purposes is real. Allied to hierarchical, centralised political systems, programs of social engineering have historically been paraded as ethically justified instruments, most notably in fascist Germany of the 1930s or more recently with South Africa's apartheid policy. Ethical deliberation and character formation must be complemented by social analysis. Ethics as philosophical reflection is never enough but must interact with a realistic and accurate interpretation of social conditions and the prospects for their transformation.

Citing Max Lerner, Hauptman and Hill (1991) note the value of promoting professional calling and the “reintegration of professional and personal lives or values.” They claim that the disunity between the latter two are the source of many professional ethical infractions. Echoing this theme, Kelly (2002) offers a powerful critique of professional ethics from the perspective of medical philosophy. Kelley takes to task two assumptions:

- “that we can can we can speak meaningfully about particular, insulated professions with aims and goals, that conceptually there exists a clear ‘inside and outside’ to any given profession,” and,

- the inheritance from “mainstream moral philosophy” that an “agent-neutral” orientation is the sole means by which to evaluate “professional moral aims, rules, and practices.”

To the contrary, Kelley, speaking from the health care sector, notes that the increase of critiques from sources external to the profession erodes a simple inside and outside duality of concern, and that internal “activism and dissent” within the profession (whom Kelley refers to as “moral entrepreneurs”) itself challenges agent-neutrality of professional practice; meaning that values and methods and means are subjected to interior critiques that challenge conventions towards neutrality and normativeness. Kelley asks her peers to reject the inside-outside and agent-neutral assumptions as they “fail to reflect the lives of real professionals in morally significant ways,” primarily by assuming that professionals can easily separate personal from professional and that professional mores can be easily discarded when operating as an individual outside of their professional role; causing a form of ethical multiple personality syndrome. In reality people may find it very difficult to disengage their professional ethics from their personal ethics. This can do damage to individual identity orientations as a means of identity, causing them to morally disengage the personal from the professional. Kelly draws the connection very clearly:

“why is it that we have set the professional aspect of our moral lives apart from our more personal moral commitments and goals? The bias in professional ethics has been toward neutrality, suppressing one's personal moral beliefs in the workplace. If professional life is largely inseparable from moral life, requirements to take the agent-neutral perspective in our evaluations of moral choices and actions can do violence to the moral commitments and moral personality of individual professionals. The standard models of the relationship between
morality and the ethical codes of professions have largely failed to include an account of the internal experience of the professional.”

Kelly also calls for a more open engagement beyond insular professional discourses and ethics; opening up to both other professions, disciplines, and clients can enable a “healthy cross-pollination among the different moral perspectives of the professionals, sometimes resulting in disagreement, but also resulting in a new appreciation for the moral assumptions of particular practices” Bowden and Surma (2003) also pay heed to the need for dialogue beyond the confines of the profession. To them, ethics “involves an open and inclusive dialogue between participants.”

Harper and Jiménez (2005) demonstrate the power of the new networked communications media for broader social engagement of professional ethics both internally and externally. They highlight one tumultuous ethical dispute within the American Anthropological Association (AAA) and note how web-based communications were used both within and external to formal professional channels in publicizing and mediating the dispute. In an amazing development, an Internet-disseminated AAA task force report was amended due to the high volume of online critical comments submitted, remarkably 75% of which were sent in by students. The report was then subsequently rescinded by a referendum-initiated vote of association members. Afterwards AAA created an “Online Comment Forum” to provide an environment to “debate and discuss the lesson learnt for the process.” This forum has also been used to initiate a discussion of the “ethics and politics” of the Pat Roberts Intelligence Scholars Program which had been initially debated in an official Association journal. This forum is open to non-AAA members and is seen as “yet another way of offering ethical and critical thinking.” The value of opening to non-members is seen as generating a “thick engagement” offering a supplementary source to an online “ethical self-description of the discipline.” This stance is explicitly chosen over the “false closed gates of a precautionary and defensive professional autonomy.”

**Historically Informed Analysis**

Historically informed analyses of professional ethics has also been proffered and promises to be a rich field for analysis.

A critique of bioethics offered by Baker (2002) finds the normative construction of the field to be “ahistoric and rationalistic.” Following the path charted by Thomas Kuhn, Baker points to the value of a historically informed bioethics, in particular, “suggest[ing] the fecundity of alternative conceptions of the bioethics that focus on the history of successful and failed attempts to negotiate moral change:…the process of consciously altering moral norms to create or to change the social evaluation of character or conduct. Morality may be said to have changed if what was once morally questionable, or impermissible, comes to be considered permissible, or, even exemplary – or visa versa.” For Baker historical analysis of bioethics will gainfully “open the door to new modes of philosophical reflection.”
Hauptman and Hill (1991) size up the behaviors of medical professionals from
generations past up through the present as evidence that “professionals can be uncaring,
socially irresponsible, untrustworthy, self-promoting, greedy, and dishonest and then
defend themselves by working the unacceptable or unethical behavior patterns into their
professional codes as ostensibly positive necessities.” A strongly worded condemnation.
Kelley (2002) points to the influence of historically charged racial resonances as shaping
medical professional and client interactions with miscommunication and mistrust. These
historical awarenesses should make us both cognizant of and humble about current mores
and values and their codification in absolute terms.

Strivings for Justice

A strong thread emerging from this literature analysis is the connection drawn between
ethics and social justice. van Meijl (2000) offers that a critique of anthropology’s
historical roots to colonial rule must now extend beyond resistance to that rule but
resistance framed as a “moral appeal to justice and righteousness” (italicization original).
Preston (1996) asks whether professional missions can incorporate “the cutting edge of
social justice and the call for fundamental renewal of our communities based on sound
social analysis.” Believing this to be necessary, Preston calls for “closer links with
social justice and environmental activists” and reflects on how the teaching of ethics can
contribute or not to “social transformation” and how our professional organizations can
“widen the agenda from process to policy, from the micro to the macro, from parochial
interests to social responsibility.”

White’s (1995) assessment of media ethics also draws a direct connection between
professional ethics and justice, outlining a methodology to identify the “moral claims” of
various engaged actors / stakeholders in order to demonstrate the “public construction of
cultural truth.” White points to dialogue and “mutual recognition of moral claims of all of
the actors” and enabling these processes. This process is the ongoing “formulation and
reformulation of the cultural public truth: … the systematic representation of the
‘problems,’ the proposed lack of justice, that the members of the society must
collectively be aware of and resolve of that society is to exist as a unity.”

van Meijl (2000) in critiquing the inadequacy of codes and the need to privilege context
and ambiguity, notes that the re-privileging of the moral self over retreat to codes may
return us to “premodern ethics in which politics and justice were intrinsically
interwoven.”

Conclusion

While no firm conclusions are offered here, it is clear that consideration of the above
complexities of professionalized ethics offer deep resonances to archival functions and
orientations regarding appraisal and selection, reference, access, and relationships with
employers, donors, users, and broader society. The above writings, culled from
perspectives beyond the archives, are worth acknowledging and grappling with, as they
ask us to engage complexity and ambiguity. They suggest, minimally, that:
a striving towards professionalism is not necessarily a worthy value in and of itself;

- professional codes can offer an easy retreat from questions of individual and collective morality and social responsibility and must be supplemented with concrete cases that demand an openness to uncertainty, ambiguity and multivocality;

- the “inside-outside” and “agent-neutral” orientation of the profession can offer a set of blinders that negate valuable contributions from other members of society and cause a confusing fracturing of personal and professional identities;

- the tremendous communicative potential of the networked society offers an unparalleled opportunity for deeper and wider ethical engagement both within and external to the profession;

- historically informed analyses of change and transformation in professional values and practices can caution us from over-valuing current mores and their codification in absolutist terms; and,

- professional responsibilities require examination of the relationship between parochial and insular orientations with broader social justice concerns.

These tentative assessments do not readily offer a new set of maxims to replace the old. Rather, they demand renewed analysis, dialogue, and debate on the archival endeavor. Such processes will challenge us in meaningful ways. They promise an opportunity for transcendence that links the profession to wider societal structures and concerns than are otherwise realizable through insular ethical ruminations.

**BIBLIOGRAPHY**


