



Afterglow: Conceptions of Record and Evidence in Archival Discourse *

BRIEN BROTHMAN

Rhode Island State Archives and Public Records Administration, 337 Westminster Street, Providence, RI 02903 USA (E-mail: Brienbro@hotmail.com)

Abstract. In the last ten years, influential voices within and on the periphery of the record keeping community have succeeded in establishing the preservation of “evidence” as the governing purpose of contemporary archival theory and methods development. Afterglow offers a critique of the concept of evidence in archival discourse. Its main contention is that one can put records into evidence; one cannot set out to put evidence into records. The argument rests on the following assertions: (1) current discussions of evidence rest on a blindness to certain contradictions embedded in claims that record keeping principally involves evidence keeping, or “evidence management”; (2) a politics of temporality, under which an interplay of disciplinary knowledge claims and professional interest is discernible, helps to account for the contemporary rhetoric describing the relationship between “record” and “evidence”, and (3) the late-twentieth century legal, political, and cultural climate, along with the technological environment, explain the increasing prominence of “evidence” in these knowledge claims and professional ambitions. The essay concludes with recommendations for addressing these issues.

Keywords: concept of record, evidence truth

This essay examines some concepts of record and evidence in archival discourse. Not surprisingly, the concept of record has been an important one in the archival profession almost since its beginnings. Only in the last few years, however, have modern era archivists given a central place to the concept of evidence. Certainly, in the first decades of the last century, Hilary Jenkinson, one of the modern profession’s founding theoreticians, clearly wrote of records as important for the evidence they provide. In mid-century, Theodore Schellenberg reintroduced and popularized Jenkinson’s term, “evidentiality,” which he construed to refer to the inextricable link between a document and the particular action that produced it. In addition, Jenkinson’s phrase, “the sanctity of evidence,” has been a shibboleth among archivists for a long time too. Still, evidence has never before attracted

* Thanks go to Terry Cook, Visiting Professor in the Archival Studies Programme, Department of History, University of Manitoba, and co-editor of this series of essays, for his close reading and detailed comments on this essay. Particularly invaluable was his knowledge of historical and contemporary archival thinking on the notion of evidence.

the kind of attention in archival writings, at professional conferences, and in official archives documents that it currently enjoys.¹ Evidence has only become part of the archivists' every-day vocabulary within the last ten years. Why it should have achieved such prominence now after languishing nearer the edges of professional consciousness for so long is a matter worth investigating. Its increased visibility is indicative of a marked advance of the profession's intellectual sophistication. However, the influence of wider contemporary developments also accounts for the timing of its ascent to its present popularity.²

The meaning and significance of this change form the main interest of this essay. What follows is the articulation of three hypotheses concerning the notions of record and evidence, each of which deserves deeper probing than is possible here. The first hypothesis states that significant differences exist between these two concepts, record and evidence, and that these differences are, in a crucial sense, temporal in nature. The second hypothesis proposes that archivists have in different ways been attempting to bridge these temporal differences by arranging and standardizing the relationship. What has resulted, however, is a degree of incoherence between theoretical propositions and methodological developments in archival discourse. Finally, the third hypothesis states that more than intellectual and methodological matters are at stake in current efforts to establish the relationship between record and evidence. The relationship between records and evidence also exemplifies a complex politics of temporality. Underlying these efforts to fix these two concepts' semantic value and relationship are manoeuvres to bolster professional identity and to establish the nature of our social commitments. Archivists' efforts to give meaningfulness to record and evidence, on the one hand, and forces of professionalization and institutionalization on the other, have been shaping each another. The temporal order in which some archivists have been variously aligning record and evidence ultimately involves an intricate interplay of knowledge and power. It is a story whose plot features the pursuit of disciplinary knowledge, the making of professional boundaries, and a striving for social influence and recognition.

¹ For example, the word "evidence" appears neither in the table of contents nor in the index of Hilary Jenkinson's *A Manual of Archive Administration* (London: Percy Lund, Humphries and Co., 1966), nor in T.R. Schellenberg's *The Management of Archives* (New York: Columbia University Press, 1965). On Jenkinson's notion of evidence, see Terry Cook, "What is Past is Prologue: A History of Archival Ideas Since 1898, and the Future Paradigm Shift", *Archivaria* 43 (Spring 1997): 17–63.

² For a recent discussion of the record-evidence relationship, see Heather MacNeil, "Trusting Records in a Postmodern World", *Archivaria* 51 (Spring 2001): 36–47.

The image of an afterglow serves as a heuristic analogy for the discussion of the record-evidence relationship.³ Though afterglows clearly follow initial glows, the distinction between glow and afterglow is not always easily discernible. In some circumstances, it is difficult to determine at what point and moment exactly light emitted from a source ceases to strike the eye as primary and originary and becomes detectable as afterglow – the difference between effect and after-effect. On a phenomenological level, this analogy expresses the vitiating effect of time on efforts to ontologize. It captures the difficulty of defining the exact limits – the singular identity – of entities entering into the flow of time, be they physical objects or intellectual concepts. The image of afterglow represents the elusiveness of the temporal relations between “record” and “evidence” for archivists and other record keepers. That is, at the level of archival discourse, this image encapsulates the (often unacknowledged) epistemological conundrums that bedevil the profession’s concurrent discussions about the making, keeping, and using of records and the increasingly frequent summons to talk about measures to ensure the availability of evidence. This temporal complexity arises from the blurred borders separating the two concepts’ semantic domains. Between record and evidence, as between glow and afterglow, are problematical relations of temporal proximity and distance, sameness and difference, simultaneity and succession, and, finally, act and artifact.

This ambiguity, however, extends beyond theoretical concepts. It also emerges in the interrelated pursuit of institutional power, professional legitimacy, social influence and disciplinary claims of scientific methodology and access to truth and knowledge. This interrelationship – between influence and knowledge – implies that social negotiation is part of the process of the scientific discovery of the “nature” of the relation between record and evidence. The status of record and evidence takes shape in the profession’s institutional, cultural, social, and technological activity.⁴ This indeterminacy, in other words, means that the enactment of the relations between current ideas of making, keeping, and using records and making, keeping, and using

³ The afterglow analogy can become unwieldy. The richness of light as a metaphor and analogy can take us in many directions and open up many interpretive frameworks. Looking at the study of gamma ray burst (GRBs) in high energy physics, for example, GRBs and the spectra in their afterglows are providing scientists with evidence related to various original events in the history and structure of the universe. Physicists who study these phenomena also refer to “dead time,” an intrinsic feature of any system set up to detect events. Dead time refers to the moments when a system is not active. This minimum time is what makes it possible for such detection systems to delineate activities as discrete, separate events.

⁴ On the influence of cultural context on notions of evidence and knowledge, see “Introduction”, in Wallace Chafe and Johanna Nichols (eds.), *Evidentiality: The Linguistic Coding of Epistemology* (Norwood, New Jersey: Ablex Publishing, 1986).

evidence is not an inevitable one. That is, there is not one best way to conceive of their relationship. The nature of the interrelationship between the two concepts is manifested in a series of choices record keepers have been making concerning how and where they situate their own disciplinary orientation and professional activity – their education, skills, methods, and objectives – with respect to other social institutions and professions within the public and private sphere, including history and law, library science, records administration/management, and information (technology) management. With the advent of information technology, all of these institutions and professions have been individually and collectively renegotiating their respective roles in the creation, management, and usage of records and evidence. Consciously as well as unconsciously, record keepers have been helping to shape a social epistemology of sorts. Along with these other professions, in other words, they have been instituting anew a set of authoritative social ordinances intended to demarcate the realms of the knowable and the unknowable.

The scene of negotiation over the nature of important archival knowledge has been shifting in recent years to the increasing number archival academic establishments. Here the long search to establish a universally acceptable notion of a record has been taking place. However, success has always been partial at best. True, archival academics, professional associations, and archival public institutions now seem to be converging toward a single definition. Reflecting new and powerful forces of institutionalization and organizational isomorphism (for example, dramatic increases in collaboration and communication, the rise of influential centres of learning and practice, the universalization of practices, and a growing field consciousness),⁵ the archival community, like other professions with aspirations toward scientific rigour, has self-consciously embarked on the standardization of authoritative language, concepts, methods, models, and paradigms. Most definitions of records now roughly state that officials who inscribe and prepare information or recorded communications for purposes related to the achievement of an organization's business have created official records. In addition, documents received for purposes related to business form official organizational records. Apart from the frequent definitional foci on institutional settings, a major trend of recent years has also involved the elimination of the enumeration of specific kinds of media. Lawyers and professional record keepers have

⁵ On the process of institutionalization, homogenization, and imitation among social groups and organizations, see Paul DiMaggio and Walter W. Powell, "The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields", and other essays, in Walter W. Powell and Paul J. DiMaggio (eds.), *The New Institutionalism in Organizational Analysis* (Chicago: University of Chicago Press, 1991).

been working their way toward a media-blind definition to accommodate the complexities of records made using electronic means. Finally, of course, the notion of evidence has become much more directly implicated in the concept of record.

To establish a shared frame of reference, academic and practising record keepers have been augmenting these definitional efforts with detailed supplementary statements. These statements focus on ideal forms, conditions, and processes necessary for the creation of bonafide records. These efforts, in other words, aim to provide idealized accounts of the nature of record formation processes and to specify those attendant properties which are inherent to records. In doing this, they seek to penetrate to an essence of a record that, somewhat ironically, transcends the effects of historical contingency. They aim to arrive at a naturalized concept of record that is untethered to any particular social or historical context. Reflecting these essentialist Platonic tendencies, archivists have coined the term, "recordness." Moreover, with a few exceptions, theorizing and research in the archival community has been largely conducted under the assumption that there must be only one concept of record with a single cluster of properties.⁶ So far, virtually no one in the community – one with a tradition that has fostered only sporadic dialectical exchanges – has aggressively or prominently advanced the possibility that there may be several, multiply interpretable concepts of record.⁷

Nevertheless, reflecting the community's diversity, practising archivists' variable usages of the term record belie the monism underlying many of the profession's theoretical and methodological writings. In their use of the term, one can discern a number of conceptions of record ranging between what we will call a *strong sense* and a *weak sense*. Briefly, "strong sense" here is not meant to imply a superior status. Rather, the phrase is taken from David Bloor's sociology of science to refer to theories that feature highly limiting, exclusionary criteria of a record. In other words, "strong sense theories" are those statements of criteria that tend to "come on strong," indeed perhaps a little too strongly. Equally, "weak sense" is in no way meant to suggest inferior status. Instead, the phrase connotes less rigidity, an openness to multiple constructions, to the possibility of contextually determined theories and methodologies, and truth. Weak-sense conceptions broaden the definition and display an openness to possibly multiple notions of record

⁶ For one such exception, see the analysis in Terry Cook, "The Impact of David Bearman on Modern Archival Thinking: An Essay of Personal Reflection and Critique", *Archives and Museum Informatics* 11(1) (1997): 15–37.

⁷ See, however, John McDonald, "Research Issues in Interfaces for the Capture of Business Processes", Section 3.3: paper given at Electronic Records Meeting, University of Pittsburgh, 29 May 1997.

that demur from the strong-claim's tendency toward positivism and idealistic essentialism, of which "recordness" is the embodiment.⁸

A useful way to begin to draw out the spectrum of issues arising out of the above discussion is to pose some questions about truthfulness. No claim can be made here that the various views of truth we are about to report correspond exactly to individual views within the archival community. In fact, it has been necessary to do a great deal of inferential work here because archivists rarely allude to the concept of truth, instead routinely (and tellingly) preferring to use the term "credibility." What follows, therefore, is necessarily a series of rough, composite sketches that others will surely want to amend and refine. Even if there is some oversimplification and misconstrual, however, marking out these positions may still help to clarify significantly what is at stake in current discussions of the relationship between record and evidence. In any case, the account bears enough resemblance to certain strands of thought within archival discourse to serve the purpose of this essay, which is to draw out and explicate the various factors that have been shaping current views of the relationship between record and evidence in archival discourse.

Is truthfulness a necessary property of the concept of record? As crucial as this question seems, members of the archival community rarely express concern about it. Seldom do archivists embark on philosophical debates about the significance of truth and truthfulness for record keeping. Archivists' attitudes to truth usually remain hidden within various specifications they make and surrogate language they use to address those conditions under which records may be said to have been made. It is from these specifications – one of which, as we shall see later, concerns evidence – that archivists' various commitments to truth must be gleaned. The "strong sense" of record entails the demand that documents, to be considered records, must possess truth. Under the strong sense, calling a record "untruthful" would be deemed perverse, indeed oxymoronic. That is, for those who would adhere to the strong sense, it seems self-evident that documents function as records only to the extent (if matters of degree are even allowable) that they purvey the truth about something from the past. Yet these statements do not really take us very far at all. One might well observe that this still leaves the status of truthfulness itself obscure. Raising the issue of truth in this way only raises further questions about what it might mean for archival discourse.⁹

⁸ This distinction between strong sense and weak sense is not entirely original. Hilary Jenkinson similarly distinguished between a "highly technical and narrow" sense and an "exceedingly loose" sense, which is found in "ordinary usage." Part of the argument of this essay is that Jenkinson underestimated the significance of any but the narrow, technical sense. Jenkinson, *Manual of Archive Administration*, pp. 2–3.

⁹ We will not be using the philosophical language of theories of truth here – coherence, correspondence, and pragmatist theories of truth, for example – though one of the main points

Let us begin to uncover the several notions of truth one might be justified in imputing to archival discourse.¹⁰ Not surprisingly, strong-claim archivists impose stringent conditions upon document creators to meet their notion of record.¹¹ Though, again, they rarely raise the issue of truth explicitly, some archivists subscribe to some idea of it by implication. By a (truthful) record, what we are calling strong-claim archivists mean to include only those writings that provide accurate, complete, and credible information about real actions or events that have passed into some inaccessible past, such that their contents depart in no significant way from what actually transpired – what some would term “the facts.” In other words, it is in their accounts of record formation that archivists reveal a “realist” and “objectivist” position: truth entails an exact correspondence between the written word – recorded propositions and statements – and a single worldly reality of now-inaccessible past people, actions, and events, “non-propositional” facts. These are unobservable entities (people, actions, events) believed to have really existed outside and independently of the records themselves. Such a notion of recorded truth invariably depends upon assumed relations with several other key interdependent archival concepts, notably authenticity, integrity, and reliability (which themselves exhibit different shades of meaning in their use).

One “strong sense” of record comes from ancient Rome. Here, records refer exclusively to public, or “official”, documents, or documents of the state. That is, only documents created within institutions of the state directly governed by public laws possess the status of records. Lying behind this requirement, as it has evolved, is the presumption that recording done within the state and under the juridical authority of public laws and regulations makes truth-telling most likely. Thus, this strong definition of a record is indeed a narrow one, for it encompasses exclusively those documents created by state institutions under obligation of public law to systematically and

of this essay is that facing this matter might help to elucidate the several epistemological standards embedded in archival discourse that still need flushing out. For a succinct description of the several philosophical positions on truth, see Crispin Wright, “Truth: The Traditional Debate Revisited”, *Canadian Journal of Philosophy. Supplementary Volume Series. Pragmatism* 24 (1999).

¹⁰ One might argue that archivists’ preoccupation with evidence arises out of concern with justifiable belief rather than with truth. Philosophers have been arguing about the substance of the difference between an interest in truth and an interest in justification for many years. Unfortunately, it is not something we can undertake here, even though it certainly has a bearing on the claims that will be made in this essay and, more generally, on what work archivists believe records and evidence do. My sense is that the archival community routinely makes statements that imply some sort of commitment to one or the other.

¹¹ For example, the notion of reliability, which comes from diplomatics, specifically addresses concerns about the controlling of conditions under which record creation takes place.

reliably record all official, public actions with accuracy and completeness. Only documents made under these institutional conditions, therefore, carry sufficient guarantees of truthfulness in the sense mentioned above to qualify as records.¹²

More recently, the legal system's rules of evidence have provided another important resource for archivists.¹³ The legal rules of evidence, however, include the claim that documents need not necessarily be created by institutions of the state to qualify as truthful records. Private businesses operating under the constraints of public laws – including public laws governing the creation and keeping of corporate records – may also produce (truthful) records. According to legal wisdom, businesses motivated by self-interest, that is, by a desire for profit as well as an aversion to legal and financial risk, are also predisposed to take steps to make accurate, complete, and credible records of their “transactions” using defensible, trustworthy systems to make and keep them. This ascription of proper motivation makes business documents admissible into courts of law to help settle matters of truth (though some would argue that Western legal systems are more precisely concerned with matters of proof than with truth). Again, this view harbours archival concerns about conditions for truth-telling: it is built on an assumption that two or more self-interested parties entering into a mutually binding business agreement will together further provide assurances of conditions that promote truth-telling. (Such legal conceptions, of course, do not take into account such sociological factors as disparity of power between contracting parties involved in setting the terms of the record.) This view, then, does not relinquish the “strong” idea of truthful representation; it merely relaxes the social conditions under which a high degree of adherence to truthfulness in recording (accuracy, completeness, and, ultimately, credibility) is deemed likely.

Even “stronger,” that is, even more exclusionary, is the version of the concept of record that stipulates two prerequisites: these stipulations concern document-making processes as well as institutional identity. This version specifies that records include only public or business documents made during the course of, or as a means of, completing an action – or a business transaction. This additional requirement rests on a critical archival differentiation (shared by historians) that is rooted in a particular psychology of deposition: it purports to be able to make a categorical distinction between

¹² In the interest of brevity, we will be ignoring discussions of differences between the notion of “records” and “archives” within any one and across several archival transitions.

¹³ On the mutual influence of “domain-specific or institutional sub-system specializations in evidentiary standards,” see Susan U. Phillips, “Evidentiary Standards for American Trials: Just the Facts”, in Jane H. Hill and Judith T. Irvine (eds.), *Responsibility and Evidence in Oral Discourse* (Cambridge: Cambridge University Press, 1993), p. 258.

moments of historically conscious, self-reflective action and moments of natural, unself-conscious behaviour. Here, the most truthful recorded representation of events is likely to emerge under conditions in which historical actors making documents harbour a degree of intentionality, but an intentionality with truncated temporal self-consciousness. We might call this, after Jacques Lacan, the little-man-in-the-man theory. It posits that records – true records – provide indications about the core of the matter at hand, which is the public, written expression of invisible workings of the mind underlying historical agents' actions, workings invariably hidden from the agents themselves.

Perfect conditions of truth-rendering, then, entail that record creators remain in some deep state of Heideggerian “concern” – that is, oblivious to all but time beyond life's present moment, current challenges, and immediate predicaments (which would, of course, encompass thoughts about the future). Thus, truthful record creators are necessarily those actors who are ontologically situated outside history because they are utterly (and inevitably) enclosed within the context of the present. What they write forms – as it can only do – an integral part of the present event, this notwithstanding those record creators who attempt to anticipate the views of future readers and the judgment of history. This version partakes of the traditional distinction historians have made between primary and secondary sources, or, as Benedetto Croce (who rejected the distinction) phrased it, between document and narrative, life and thought, document and account, between writing and representation of writing.¹⁴

The strictest application of the above requirement takes temporal parochialism to its limit: it denies the status of record to any documents made before or after the delineated beginning and culmination of events. For example, the revised minutes of meetings, retrospective narratives of events, memos of comment or explanation, correspondence and memoirs referring to past or upcoming actions and decisions would all be deemed to be lacking in recordness because such documents variously fall outside the restricted temporal boundaries of the event – in other words, outside “the present.” As such, they lack the state of absolute presence which these particular archival requirements of record making entail. Any document deemed to have been made outside the pale of the “event” – what “strong-claim” archivists have come to isolate (and label) as the “transaction” itself – and also outside the psychological state of inevitable human subjectivity – lacks reliability because of its presumed extended temporal distance from the actual event. This idea of record rests on the psychologically abstract notion of unself-conscious

¹⁴ Benedetto Croce, *Theory and History of Historiography*, Douglas Ainslie, trans., (London: George G. Harrap, 1921), pp. 11–26.

objectivity; it requires complete enclosure in the present. It follows that the status of record must be withheld from any writings of anticipation, prediction, or retrospection – or historical reconstruction. Some archivists distinguish, in Croce's sense, between life and reflection, acts and thought. Obviously, this view raises – and has raised – many questions about the relativity of the context in which a document is a primary or secondary source.¹⁵

Here, then, truthfulness is guaranteed by process. The record is a document that is tantamount to the action itself. The record not only documents action. In best cases, it embodies the action. That is, the act of writing itself coincides with the action. Hegel similarly characterized this as non-reflective writing. By this he meant that “the influences that have formed the writer are identical with those which have molded the events that constitute the matter of the story. The author's spirit, and that of the actions he narrates, is one and the same”. A variation on this theme can be seen in philosopher J.L. Austin's reference to performative speech. Genuine record making is performative – acts of speech in which “saying it makes it so.”¹⁶ Contracts and treaties offer prime examples. Under these conditions, the gaps and delays between authorship, document, and act virtually disappear. Such coincidence between action and document denotes a record in its purest form. Thus, the truth-bearing power of records is measured by proximity – but strictly proximity to dateable events.

A range of “weaker-sense” conceptions of record forego one or another of the above institution- or process-based conditions and requirements. Some notions of record encompass not only government and business documents, but other documents that may meet various criteria of uniqueness. Some archivists will open up the temporal boundaries in the concept of record to include any document relating to an action or decision concerning the “affairs” or “business” of any natural or juridical persons. Even at this point, however, some notions of record making retain the idea that the records which private individuals make, they make as juridical persons, as persons inevitably acting within a societal framework where it is still law which bestows

¹⁵ Jenkinson writes of archives in their “primary sense” to convey the view that “archives” include those documents made during the event (*Manual of Archive Administration*), p. 4. Schellenberg similarly refers to historically unself-conscious record production as perhaps not necessarily truthful, but nevertheless “more likely to be impersonal and impartial” (*Management of Archives*, p. 92). For a brief discussion of this issue in the context of archival practice, see Susan Grigg, “Archival Practice and the Foundations of Historical Method”, *Journal of American History* 78 (1991).

¹⁶ J.L. Austin, *How To Say Things With Words* (Cambridge: Harvard University Press, 1975), p. 6; Georg Wilhelm Frederick Hegel, *The Philosophy of History* (New York: Dover, 1956), p. 2.

legitimate social identity upon them. After an interval lasting from the early nineteenth century to the late twentieth century, during which an historical-cultural notion of archives challenged the legal paradigm that long governed the concept of record, and archivists saw it as their primary duty not merely to faithfully store records for legal reasons but to process and filter (interpret) them in the cause of proper historical interpretation, the law has once again returned in full force to operate as the determinant context of archival record keeping – indeed, as the only social context that imbues a document, any writing, with the standing of a record.¹⁷

In its “weakest” sense, that is, in its most inclusive sense, several hierarchical structures in archival discourse might be overturned. For example, in weaker senses, the law loses some of its determinative power with respect to shaping the concept of a record and record making. Records become something more (or less) than products of a juridical being, and human actions take on something more or less than legal significance. Conceivably, other interpretive contexts – economic, institutional, political, sociological, philosophical, psychological, cultural, historical and so on – would do as well to define the significance of the parameters of human agency and record keeping. Indeed, these other contexts might determine the nature of those very documents that have served to entrench the primacy of juridical conceptions of record and record making in the first place.

Thus, many archivists would probably be willing to repudiate partially the strict construction of the strong claim – that documents, to be considered records, must form integral components of juridically-laden institutional “acts,” the transactions and events they describe. Under the weak sense, a record might include any unique inscription on any medium created in the past, any writing related to public affairs or private life, any and all private-sector institutional records and personal manuscripts, even those documenting processes leading to “events” or “transactions.” Moreover, it is even possible to invert the value-laden notion of primary and secondary records. Everyday, record users use temporally “secondary” documents to establish the temporally “original” significance of “primary” records of original transactions.

Finally, archivists have long distinguished between “archives,” which some still view as exclusively public institutional records, and “manuscripts,” which usually refer to private documents. Manuscripts arguably fall farthest from the epicentre of truth-telling conditions – those conditions that public laws create or animate. As one moves toward the weaker sense of record, strong-sense concerns about truth no longer occupy the centre of attention.

¹⁷ Mike Featherstone, “Archiving Cultures”, *British Journal of Sociology* 51 (January/March 2000), p. 169.

Or, as we shall see, truth begins to connote something quite different from the burden – accuracy, completeness, and credibility – that strong-sense prescriptions impose on the concept of record, that is, recordness.¹⁸

It is necessary to briefly look at one other issue about the relations between “records” and “truth.” We can call it the archival dream of transparency. The enormous efforts archivists have expended to specify the conditions for truth-telling carry one crucial implication: the qualifying test for whether documents meet the “strong” standard of records is the degree to which they can be left to “speak for themselves.” This involves seeing in records what Croce called “the phantom of the ‘thing in itself.’”¹⁹ That is, to be records, documents must possess the capacity to convey exactly what originators said, or intended to say – even in their (that is, the originators’) absence or death.²⁰ On top of this quite traditional notion, which received its best-known formulation from Hilary Jenkinson, archivists have added several layers of sophistication in electronic environments. This is quite evident, for example, when archivists today urge organizations to embed the making and keeping of records into regular “business processes” and “work flows.” Here, some archivists have been promoting the establishment of techno-administrative machinery aimed at automatically registering and capturing records.

In these conceptions, some archivists envision what amounts to computerized “expert” record-keeping systems. These are self-registering evidence systems that virtually eliminate human choice and idiosyncrasy – almost as if technique will obviate the need for decisions. As in any scientific endeavour, such systems are meant somehow to depersonalize the capture of records and, thereby, to eliminate risky reliance on human discretion. By such means – routinized techniques, automated record classification, standardized forms of communication and documentation, and automated computerized processes – unadulterated truth-telling conditions may be established to the point of virtually “disintermediating” the making and using – the writing and reading – of records.²¹ One gets the sense, in other words, that strong-sense definitions of records are premised upon minutely controlled, highly scripted human performances.

This dream of transparency or disintermediation lies at the heart of the pursuit of recordness. It implies a view of record keeping that recalls literary

¹⁸ Schellenberg, *Management of Archives*, p. 91ff.

¹⁹ Croce, *Theory and History*, p. 63.

²⁰ On the paradoxes involved in this issue, see Brien Brothman, “Declining Derrida: Integrity, Tensegrity, and the Preservation of Archives from Deconstruction”, *Archivaria* 48 (Summer 2000): 65–84.

²¹ Bearman’s strategies for record keeping, for example, run from “policy” to “design” and cover a spectrum of options from patterned human decisions to automated record-keeping systems.

theorist E.D. Hirsch's view of textuality. Hirsch's theory posits that each text possesses one true meaning, the author's. To reveal itself, this meaning only awaits the one true reading.²² The dream of transparency harbours similar views: it is a dream of keeping records in such a manner as to preempt the possibility of discovering or questioning anything other than the *one* meaning each individual record or set of records must surely possess, or to prevent any possibility of deviation from the identification of the one set of facts to which the record undoubtedly refers. In such formulations, the implicit goal of archival practice is to eliminate mediacy and preserve immediacy. Such measures presumably aim to ensure – and to promote – authorial control of inferential possibilities, and to prevent interpretive flux with the onset of record use. The production of records by completely objective recording systems (controlled creation and capture, verification, security, maintenance, and information quality/systems auditing) would make it possible to dispense with the necessity for interpretation (or to fall into misinterpretation) – the questioning of records' singular sense or challenges to their power of reference by historians and all others who might later consult the records. According to this view, records, at least those documents worthy of the name "record," impose their presumptive content on subsequent readers²³ in such a way as to constrain doubt and compel belief concerning whether things might have happened or been intended otherwise than as the record reports them.

It is time to point out what some readers have undoubtedly already noticed: the above discussion of different concepts of records has, with difficulty, actually been trying to straddle two versions of truth. This above confusion simulates much of archival discourse about the meaning of record and the nature of record keeping. There has been little acknowledgement that alternate notions of truth have been embedded in the theories and methods archivists have elaborated. Alongside the requirement of *objective truth* in the "strong" claim is the search for *subjective truth* one finds in "weaker" claims. More precisely, writings on method cut across several important distinctions – between methods for preserving the *sense* of, or expressiveness in, documents, and methods for ensuring their power of *reference*. Philosophers distinguish between statements that accurately (truthfully) convey moods, thoughts, beliefs, actions, and intentions, and statements that accurately – truthfully – report on some actual natural or social state of affairs in the world. Without explicitly acknowledging this distinction, the principles, theories, and methods archivists develop rest on one of two intentions: the preser-

²² E.D. Hirsch, *Validity in Interpretation* (New Haven: Yale University Press, 1973).

²³ On the paradoxes of the archivist's position with respect to contexts, see Brothman, "Declining Derrida: The Preservation of Archives from Deconstruction."

vation of the *truths of meaning* or the preservation of *truths of fact*,²⁴ or, put another way, between hermeneutic objectivity and scientific objectivism. Each member of the above pairs arguably implies radically different kinds of teleology for archival practice: at one extreme, a preoccupation with truthfully conveying exactly what is said and, at the other, a determination to intervene and help construct what should be said and how it can be effectively recorded or captured.

Meanwhile, the rise of postmodernism and poststructuralism – and the consequent widespread questioning of the possibility of establishing foundational epistemologies among the humanities and social sciences – has prompted increasing numbers of archivists to downplay the preoccupation with truthfulness and to mute references to objectivity. Few archivists today would abide the suggestion that archival practice sets out to preserve truth in records and to achieve absolute methodological objectivity. For example, what might be called social theories of archival practice now frequently assert the contingent nature of archival practice. Nevertheless, the acceptance of recent critiques of foundationalism, truth, and objectivity has been largely uncritical.²⁵ It is true that a few of the growing numbers of university and postgraduate programmes in record keeping that teach archival methodology have begun to explore the implications of foundational *versus* anti-foundational epistemologies for archival methodology and practice. Yet most academic programmes get their perspective on records and truthfulness from information management literature and the legal preoccupations of public institutions. Thereby, they cultivate a blindness to arguably more fundamental long-term trends.

To sum up, archivists have been treading across several important boundaries, each of which variously implicates them in different, potentially contradictory, philosophical versions of truth and meanings of representation. These range across several methodological concerns: (1) the preservation of the truly inscribed; (2) the preservation of the truly expressed; (3) the establishment and preservation of the truthfulness of what was truly expressed; and (4) concern to ensure the evocation of agent truthfulness in expression. These different concerns can also be stated as follows: the *preservation of inscription*, the *preservation of true meaning*, the *preservation of referential truth*, and, finally, active *production of referentially truthful statements*. Below are

²⁴ It is necessary to point out that the relationship between meaning and truth has occasioned arguments among philosophers: whether truthful statements necessarily imply that their terms are understandable, or, conversely, that if a statement is meaningful, it must be so because it is true.

²⁵ There are exceptions, however. See, for example, Terry Cook, "Fashionable Nonsense or Professional Rebirth: Postmodernism and Archival Records", *Archivaria* 51 (Spring 2001): 14–35.

brief synopses of the range or continuum of archival stances on these critical issues:

1. *Indifference*: The passive, disinterested acceptance of whatever inscriptions historical agents feel prepared to deliver into archives' hands, and determination to preserve their physical integrity. (Weak Sense)
2. *Anticipatory Hermeneutics I*: Concern about access to subjectivity. Attempt to identify, acquire, and arrange records from historical agents in a way that reliably reports instances of authenticated expressions of intended meaning about actions and events. (Weak Sense)
3. *Anticipatory Hermeneutics II*: Same as #2, but with an additional concern to capture and keep *all* instances of thought and action relatable within the context identifiable as a living agent's field of operations and interest, and with a concern to document intentionality and meaning as it relates to *all* significant actions and events. (Weak Sense)
4. *Scientific Positivism*: Concern to elicit objective historical truth. Activist development of explicit rules and processes that guarantee production of forms of expression that both *guarantee* authentic records, the content of which records then accurately corresponds to a real world of agent actions – transactions – and events beyond records themselves. This position entails the centrality of the concept of evidence. Here truth only exists when it can be confirmed. (Strong Sense)
5. *Technocratic Positivism and Technocratic Hermeneutics*: A reliance on technique as technology. This position tries to simultaneously advance agendas of scientific positivism and hermeneutic objectivity. Vision of design of legally intelligent desktop systems that both achieve meaningful records and also implement processes for truthful – incontestably credible – evidence production and objective record keeping about corporate and business behaviour. The ultimate aim is to remove record content creation, capture, and preservation decisions from unreliable discretion of interested, inconsistent, illogical, living agents and to transfer them to indifferent, neutral, non-human, technological agents of inscription. This fifth position makes it difficult to reconcile the centrality of both accessibility to authentic, intentional human expression and automated capture of truthful assertions, or data. The connection or difference between the two remains virtually unexplored in archival discourse. The term “trustworthiness” glosses the difference between truths of fact and truths of meaning.²⁶ (Strong Sense and Weak Sense)

The above schema indicates that, in essence, the archival profession's social theory and methodology now harbour a number of divergent, indeed,

²⁶ As we noted earlier, philosophers have been arguing for some time about the relations between meaning and truth, particularly about whether one necessarily implies the other.

incoherent epistemological positions. Its social theory now often states that it is impossible for archivists to establish a foundation upon which archives practice can ever develop the methodological capacity – notwithstanding perfectible capture, maintenance, security, and auditing techniques and processes – to guarantee the preservation and transmission of documents whose meaning/truth is (and will remain) available as unmediated information. Uncontestable, objective knowledge and singular meaning – accurate, complete, credible information – about a real past are intrinsically illusory goals partly because archival practice itself is conducted under the influence of historically contingent conditions.

The epistemology implicit in recent formulation of “scientific” record-keeping methods, on the other hand, makes bold knowledge claims: it implies that the purpose of archival methods and technical systems is precisely to make and keep records in an unmediated condition of truthfulness incontrovertible to a degree that transcends historical contingency. Implicit in this position is the claim that future users will have virtually no room or reason to dispute their report. Thus, many archivists today would agree that archival practice is itself historically contingent, and that there is no hope of ever achieving the capture of an objective, truthful record. Pronouncements concerning the methods now under development, however, frequently betray a persistent belief in transcendent concepts and the archival dream of transparency and truth of one sort or another.

The advent of advanced electronic forms of information technology, as we saw in the fifth above-described position, has heightened the perplexity about the relations between meaning and truth, between sense and reference, and between explanation and understanding. It remains moot, therefore, whether archivists are in the business of taking measures to preserve records as vessels reliably carrying intended *meaning* or in the business of evoking and then proficiently capturing *incontestable organizational truthfulness* of fact as expressed by injecting “recordness” in “information” systems.

Methodological discourse has shown no consistency in distinguishing between records as sources of subjective truth and as repositories of objective truth. Moreover, this technology-induced confusion is also manifest in the mixing of normative and descriptive accounts of making and keeping records and evidence. The normative perspective speaks from the “strong” view and concerns record *making*: normative approaches aim to prescribe how creators should make records, and how properly *made* records exhibit certain properties that will convince others of their objective truthfulness or single meaning. The descriptive approach from the “weak” view adopts the empirical view of record *users*: throughout history, a record has been any document – perhaps truthful, perhaps not – from which useful historical information may be profit-

ably *extracted* by various means. Though some documents named records might turn out to fulfil some or all of the strong claim's set of truth criteria, some others might not. However, the usefulness of the records – what truths they may ultimately contain – does not necessarily hinge on their objective truthfulness.²⁷ It hinges on subsequent purposes and perceptions.

This confusion of aims and intentions also manifests itself at the level of professional boundary-making. Many archivists and other record keepers have begun to identify more closely with the record-makers' perspective and to relinquish the record-users' perspective, to implicate themselves more deeply with author/creator than with reader/interpreter. This is not an absolute change. It is more like a shift in the difficult equilibrium that archivists have always needed to establish between the two poles. This most recent change arises, as mentioned earlier, from the demands that electronic environments have seemingly placed on archivists. Archivists have felt compelled to intervene early in the record-creation process. This has resulted, however, as we have already suggested, in a significant drift from a concern about the faithful recording of human or corporate expression, to specifying when such recording should take place, and, then, to developing specifications for truth-telling when recorded expression does take place – these are huge philosophical jumps. Indeed, one does not have to look very far ahead to envision archivists verging on describing what content needs to be recorded for each kind of action.

Admittedly, the question of appraisal significantly complicates the issue. It is perhaps no coincidence that it is this issue that has provoked some of the most heated and protracted debate in the past. For views on appraisal ultimately reflect deeply held beliefs about professional identity – about whether archivists' role is primarily as record producers or primarily as record consumers, whether archivists are part of the corporate authorship-creator process or part of the consumer-interpreter process.

²⁷ For example, the International Standards Organizations's November 1999 draft standard for Records Management lists authenticity, reliability, integrity, usability, accuracy, adequacy, and completeness. In the discussion of these terms, the draft talks about interpretation and understanding, and requires that a record "correctly reflect what was communicated, decided or done," as if the three did not each imply important differences for practice. *Draft International Standard: Records Management*, ISO Committee Draft 15498-1, Section 4.

In addition, the insistence that authenticity, reliability, and credibility, for example, are (presumably necessary) "characteristics" of a "record" is constantly undermined by tautological references to "authentic records" and "reliable records". Thus, the language of discussion simultaneously makes claims about record as an entity with certain natural or necessary properties, while also referring to "authentic records" as if it was a subset of the class record. If the claim is that records are *necessarily* authentic or reliable, there is no need to say "authentic records" or "reliable records." Such apparent tautology, which permeates the entire discourse, betrays the conceptual confusion about records we have been describing.

Archivists have been moving from a position of relative distance, detachment, and powerlessness and closer to one of engagement, interest, and powerful influence in record making. Technology-sensitive developments in archival methodology signal the abandonment of archivist-as-mediator-interpreter, which involves the interpretive appraisal, selection, arrangement, and rendering of faithfully recorded forms of human expression, regardless of their truthfulness. Instead, there is developing a closer identification with the organizational, corporate business of constructing and promoting convincing truth-telling technology to satisfy all kinds of requirements and interests.²⁸

This new equilibrium change – or perhaps, more accurately, this new disequilibrium – goes a long way to account for the vague synonymy of the concepts of record and evidence that one now finds in archival discourse. Not only are archivists being urged to actively promote the recording of what is truly said, but they have also taken on the job of intervening to somehow ensure that what is truly said – written – is true, and, finally, that it is incontrovertibly, that is, persuasively, true. Between the concern for the accurate and complete capture of instances of meaningful human expression and the concern for truthfulness in such instances of authentic recorded expression, a new professional posture has been emerging: the seemingly inevitable role for archives participation in the construction of processes purporting to make possible the creation of records as irrefutable evidence.

Why has this happened? The answer to this question is complex and has many factors. The reasons extend beyond the above-mentioned technological ones. Briefly, four reasons, each of which merits its own study, may be adduced for the unprecedented pervasiveness of the concept of evidence in archival discourse. First, there is the increasing importance of the concept of accountability, a morally charged concept that causes problems, to which we will can only briefly allude below. Secondly, the permeation of legal discourse in contemporary culture and the frequent resort to instruments of law, rather than to rules of civility, to manage social behaviour and relations, and to regulate conflict, also undoubtedly accounts for the general awakening of consciousness about evidence beyond and within the archival community. Lawyers have been making the possession and proper care and disposal of records an increasingly important corporate and personal resource. From corporate documents to prenuptial contracts to receipts for personal purchases, the maintenance of bits of paper in anticipation of

²⁸ The ISO's draft international records management standard, shaped largely by members of the records community, offers an interesting juggling of record-making and record-keeping roles. It talks about the advantages of identifying those business processes susceptible to improvement from "better records creation or management." See Section 4.7, and note 28 above.

complaint and litigation has become incorporated into every-day individual psyches as well as into institutional life. As was previously mentioned, archivists now know the rules of evidence. As never before, they have become acquainted with the notions of hearsay evidence, best evidence, relevant evidence, and “laying a foundation” for evidence, not to mention the crucial role that evidence plays in institutional audit processes. Evidence is thus as much a cultural form as a legal one.

Thirdly, the appearance of electronic documents has compelled legal scholars, social institutions, and governments to revisit their legal and institutional definitions of record as well as their notions of evidence. Ironically, our evidence-conscious culture has emerged precisely at the same moment when technological change is making recorded evidence more complex and elusive than it has ever been. One consequence of this is that status, power, and influence await those who can claim some expertise in the social management of evidence. The ability to “manage evidence” rather than simply “records” lends to record keepers, at the disciplinary level, an aura of legitimacy in the form of scientific authority and objective control, and, at the professional level, economic gain and social empowerment. For many years, many archivists have felt unsatisfied languishing in the backwaters of the institutional and corporate world. These archivists have felt frustration over their relative powerlessness to preserve properly the “historical” records for their jurisdictions. At the same time, others have also found few opportunities – as “mere” preservers of records for historical research – to satisfy personal ambitions to rise to positions of influence in various academic establishments and corporate hierarchies. The increasing prominence of information technology and the growing recognition of “information” and “evidence” as vital institutional and corporate assets, however, has arguably shifted the profession’s centre of gravity. Many opportunistic archivists and other record keepers have been turning from a principal interest in records as potentially useful for historical research to a preoccupation with anticipatory strategies of evidence production for purposes of corporate defensibility and organizational risk management.

Thus, many in the record-keeping community have sought to take advantage of the elevated contemporary status of information, information management, and information technology, particularly as mechanisms for the anticipatory *production* of a now much valued resource – evidence, to find unprecedented academic and professional opportunities. Popular concern about the survivability of electronically-created documents in particular has enabled archivists to parlay their knowledge of records into professional opportunity. In increasing numbers they have been moving from the “backwater” of archives and history to the “front end” of knowledge management

and corporate memory,²⁹ promoting “records as evidence” for corporate defence and risk management, and thereby bringing attention to the problems of preserving records as evidence in electronic information systems environments.

The fourth and final reason for the rising professional focus on accountability and evidence may be the waning of faith in symbols of public authority and public institutions in recent years. No longer do ordinary people assume the beneficence, reliability, and trustworthiness of government and other public and private institutions. The Viet Nam experience, Watergate, Enron, and many other scandals involving public officials and corporate executives; a widespread belief in the inefficiency and wastefulness of public bureaucracies (and the concurrent rise to hegemony of “entrepreneurship,” “business,” and “commerce” and “enterprise” models of organization and organizational behaviour); and a loss of faith in effectiveness of government-driven social and economic engineering during periods of financial duress and social distress – all these have resulted in strong campaigns to redefine and limit government’s role in society. In response, government officials have felt compelled to adopt the language and example of entrepreneurial and business models of organization and management, to develop more scientific means of documenting the important rights and interests they serve and protect, and to keep and publicize proof of the benefits they deliver, and how they deliver them. The rising prominence of “accountability” and “evidence” constitute in many ways a response to this situation.

For all these reasons, the concept of evidence is more visible in archival rhetoric than it has ever been. Archivists have travelled a long way – from passive record keeping to the development of authenticity requirements, on to the development of presumed evidence construction apparatuses and methods. Once questions of evidence predominate as primary preoccupations of the archival profession, issues of truth, truthfulness, and proof come to displace concerns about meaning, understanding, and interpretation. And so, archivists have been crossing several lines without adequately recognizing that they have done so, or, at least, acknowledging the significance of having done so. Their traditional mission, reflecting society’s expectations of them,

²⁹ The rise of the notion of corporate memory offers an opportunity to promote the value of archival records to address current corporate concerns. According to some, the concept of memory has little to do with the past. Archivists might be able to demonstrate that old records concern the present, and, within the framework of memory, have nothing to do with the past. This is the focus of a current research I have undertaken on the nature of memory, and what place archival records might occupy in the various memory models that philosophers, organizational theorists, neuro-scientists, social psychologists, cognitive psychologists and neuro-psychologists have been developing.

has been to preserve a selection of records that best represent what people have thought and done, said they did and thought, or said they would do.

However, this attitude of retrospection no longer governs archival theory and methods. Instead, a stance of retrospective anticipation is enveloping theory and methods. After being shaped by a concern with the past, archivists now frame their theory and method formation in the future anterior tense. From documenting and reconstructing what has passed, archivists have been drifting toward documentary channeling – construction – of what will have passed. Most importantly, they have gone from selecting and preserving significant records that have been made, to constructing systems for preemptively making evidence that may be needed. Out of great respect for the past, Marc Bloch once wrote, medieval historians came to construct – despite documentary forgery, reconstruction, and destruction – the past as it ought to have been.³⁰ Partly out of great concern for the future's past, and under the influence of technology, some archivists now believe they can or should help to construct it as they think the past should be. They have gone from selecting and keeping records to manufacturing and promoting evidence.

Intersecting legal, technological, disciplinary, professional, social, and cultural concerns, then, help to account for the growing importance of the concept of evidence in the archival profession. These events have taken archivists some distance from seemingly parochial – according to some, even misguided – preoccupations with the role of archives and records in the accumulation of hermeneutic materials for historical analysis and cultural interpretation, and opened up to them the worlds of accounting, auditing, strategic risk management, law, and corporate responsibility.

Out of all this has emerged the claim that the archivists' primary role is to attend to the construction of processes for the production and preservation of "records as evidence," a phrase whose resonance with juridical concerns and scientific methods also arguably delivers more rhetorical punch than it does actual "records." The recent drive toward objectivist *methods* of capturing truth and the preoccupation with evidence management systems now form the centrepiece of an underlying archival *methodology*.³¹

However, uncertainty and inconsistency about its aims have left such archival methodology development in a state of confusion. The archival community's purposes, implicit and avowed, along with its theoretical pronouncements, and methodological efforts, reflect several co-existing stances: one of scientific validity and verificationism, one of hermeneutic

³⁰ Marc Bloch, *La Societe Feodale: La Formation de Liens de Dependence* (Paris: Editions Albin Michel, 1949), p. 146.

³¹ Justus Buchler, *The Concept of Method* (New York: Columbia University Press, 1961), pp. 124–129. Some have described methodology as an analysis of method.

competence, and one of legal defensibility. The first (scientific veracity) implies that methods and practice in archival science properly concern the scientific creation of conditions and the development of devices for capturing documents – for creating recorded artefacts – which bear incontrovertibly objective truth relations to a world of real people, decisions, events, and other phenomena. The second (hermeneutic competence) concerns the faithful documentation of instances of meaningful, significant, human expression open to hermeneutic interpretation, and which remain important, whether or not they are credible. The third position (legal defensibility) reflects the adoption of the stance of record creation and record keeping as a part of a programme of corporate survivability. It is open to question whether a coherent fit exists – or can exist – among these three stances within a single archival methodology. There is much sorting out to do before the archival community can decide.

Finally, the co-existence of scientific, hermeneutic, and legal-strategic aims in the methods discourse on evidence and on record also has a temporal dimension. Archivists present the two concepts as unproblematically coterminous. One authority in the field, Luciana Duranti, has observed, however, drawing from her analysis of diplomatics, that evidence is culled retrospectively from documentation; it is not something that can be manufactured beforehand. Promoting the self-conscious creation of evidence necessarily abrogates trustworthiness.³² This “evidence creation” perspective in fact violates archivists’ traditional ordinance concerning the condition of unself-conscious creation that some of the same writers have insisted is a necessary prerequisite to achieve “recordness”. This dilemma arises from the confusion of two purposes: the aim of acquiring documents in a way that preserves meaningfulness and the business of setting up processes and conditions for the active production of objectively truthful documents.

This confusion of purposes is discernible among a number of influential voices in the archival community, who express the abstract nature of evidence as if it emerges independently of any historical agents working in the flow of time. By some characterizations, agency disappears from the notions of evidence: evidence is somehow simply preserved when (good) records are kept. Under proper control conditions, records simply *are* evidence of something, or emerge *as* evidence. Among those influential figures is David Bearman. He has been instrumental in erecting an impressive, intricate conceptual edifice on the nature and techniques of record keeping. Undeniably valuable as a source of guidance on technical and strategic matters, Bearman’s methodology is nonetheless fraught with epistemological assumptions about the relations between meaning and truth, as well as assump-

³² Note however the contradiction highlighted in sources in note 34 below.

tions about the ontological status of evidence, problems it hardly begins to acknowledge. It would take some time to unpack the theoretical propositions, philosophical assumptions, and value judgments embedded in what is a complex and extensive corpus of methods and strategies.

The widely disseminated concepts in Bearman's popular *Electronic Evidence: Strategies for Managing Records in Contemporary Organizations* have played a major part in defining the relations of record and evidence, and in spelling out how record keepers are implicated in their appearance. He has declared that the preservation of "evidence" lies at the heart of what archivists do. But he means more than simple preservation. Bearman's writings, like Duranti's, reduce to the implicit claim that archivists have a role to play in the *creation of evidence*. Attempting to codify the relationship between records and evidence, Bearman eliminates temporality: "Records are evidence of business transactions" and "Content, structure, and content must be joined for a record to be evidence." And Duranti writes that evidence is produced on a medium by means of a writing instrument: in other words, creating a record seems coincident, if not synonymous, with creating evidence.³³

This view has been gaining widespread support.³⁴ Another view is even more explicit: "Evidence in the archival sense can be defined as the passive ability of documents and objects and their associated contexts to provide insight into processes, activities and events that led to their creation. . . ."³⁵ Others have stated, somewhat more subtly perhaps, that evidence is a "by-product" of record making. The latter view makes more explicit the belief

³³ David Bearman, *Electronic Evidence: Strategies for Managing Records in Contemporary Organizations* (Pittsburgh: Archives and Museum Informatics, 1994), *passim*. See also Luciana Duranti, "Reliability and Authenticity: The Concepts and Their Implications", *Archivaria* 39 (Spring 1995): 5–10. Also see the University of British Columbia's project, "The Preservation of the Integrity of Electronic Records," Template 1, "What is a Record in the Traditional Environment," which is available at <http://www.interpares.org/UBCProject/tem1.htm> (as of July 10, 2002). No definition of evidence was found in the template for electronic records.

³⁴ Two widely regarded electronic records preservation projects follow Bearman's formulation. See Philip Bantin, "Developing a Strategy for Managing Electronic Records: The Findings of the Indiana University Electronic Records Project", *American Archivist* 61 (Fall 1998). This project refers to records as those documents that comprise "sufficient content, context, and structure to provide evidence or proof of the [institution's] activity." The Australian Victorian Electronic Records Strategy's glossary definition of a record also pretty much follows Bearman's lead. In turn, the ISO draft records management standard draws inspiration from the Australian Records Management Standard AS4390. See also Charles Dollar, *Authentic Electronic Records: Strategies for Long-Term Access* (Chicago: Cohasset, 1999).

³⁵ Anne J. Gilliland-Swetland, *Enduring Paradigm, New Opportunities: The Value of the Archival Perspective in the Digital Environment* (Washington: Council of Library and Information Resources, 2000), p. 10.

that evidence, a particular set of confirmatory traces, somehow simply resides in the objects. Unfortunately, however, focusing on protocols for creating records as evidence has obscured the complex social actions that actually intervene between the making-keeping of records and the appearance or discovery of evidence. The use of intransitive verbs – the use of “is,” “as” (which Jenkinson also used), “be,” and “are” – betray not only epistemological confusion, but perhaps political bias as well. If records simply automatically contain and produce evidence, then this vaguely – and comfortably – implies a view of the “preservation” of evidence that conforms to what we already referred to as the archival dream of (unmediated) transparency, a professional ideal of active non-intervention in organizational record-making and evidence-producing programmes. Here, evidence does not appear to involve human choice or agency. In this scheme, appraisal would seem largely irrelevant, indeed deleterious to the cause of evidence making. Notwithstanding any appraisal methodology that may be used, evidence is somehow simply there for the preserving.

It is debatable whether evidence can so simply just be kept or preserved. One could object, as we do here, that evidence does not exist in or for itself. *Someone*, as Duranti herself curiously argues, has to come along (later) and discover and *use* records for a particular purpose and to serve an identifiable interest, to imagine and interpret what (and whose) interests and purposes they will serve.³⁶ Our claim is that records are arguably created by an almighty originator. Evidence however cannot be so created. Evidence rather arises out of processes of social negotiation *after the fact*.

Phraseology like Bearman’s harbours affinities with those early views that treated records as if they should be capable of speaking for themselves: bonafide records simply by their very nature impose singular factual truth on future readers.³⁷ This view of the relationship, in effect, returns us to the conventional view of records in which, as we have seen, the production of *the* meaning and *the* evidence lies in the hands of powerful record creators, which now increasingly includes record keepers (as evidence managers). It is a view,

³⁶ Michael Stanford, *The Nature of Historical Knowledge* (New York: Basil Blackwell, 1986), p. 64.

³⁷ On the relation between facts and evidence, Lorraine Daston writes: “Evidence might be described as facts hammered into sign-posts, which point beyond themselves and their sheer brute thingness to states of affairs to which we have no direct access. . . . Facts owe no permanent allegiance to any of the schemes into which they are impressed as evidence.” See her “Marvellous Facts and Miraculous Evidence in Early Modern Europe”, in James Chandler, Arnold I. Davidson, and Harry Harootunian (eds.), *Questions of Evidence. Proof, Practice, and Persuasion across the Disciplines* (Chicago: University of Chicago Press, 1994), p. 243. See also Mary Poovey, *A History of the Modern Fact: Problems of Knowledge in the Sciences of Wealth and Society* (Chicago: University of Chicago Press: 1998), ch. 1 and pp. 94–97.

to use the language of literary theorists, that ascribes determinative power and impositional capacity to the author and implicitly diminishes the reading subject or audience as an agent in the historical process of determining the content, or context.³⁸ This may not have been what Bearman meant, but it is what his writing – “records are evidence” – encourages one to infer. This view precludes the possibility that evidence is the outcome of negotiation, that, in a crucial sense, it emerges only *after* the completion of a piece of writing, that what evidence a record serves up – what it is evidence for – is something that only becomes manifest through later use, not during the present-centred act of record creation.

Thus, the relations between record and evidence are complex. Objects and people gather time, undergo movement, and experience change. Both objects and people are thereby constantly transformed. These transformations are tied up with each other. In effect, archival phraseology glosses the ambiguities involved between the glow of records and the afterglow of evidence. Between glow and afterglow, between the initial flaming of the match and the light it subsequently gives off, some archivists have eliminated time and difference from the relationship. In the wake of recent technological challenges and innovations, and the heavy impress of legal ideologies, some of the most influential voices in the archival community seem to have erased the distance and difference between two social acts: the making and keeping of records and the gathering and making of evidence. As symmetrical as the two sides of the equation $R = E$ (record = evidence) might seem, there is a subtle yet palpable implication of inadequacy or incompleteness in the subject (R) which only the predicate (E) completes – after a socially necessary delay, notwithstanding the appearance of their simultaneity on the printed page. The discovery of evidence involves an inescapable delay between the creation and use of records. The identification of evidence signals the passing of time.

We may better appreciate the issue by glimpsing historians’ – or other users’ – view of the idea of evidence. Our earlier discussion of Bearman and other archivists has emphasized the evidential power they impute to mere record keeping. Indeed, the archival preoccupation with accurate, complete, and trustworthy records seems to point to a determination to establish incontrovertible facts. This reading returns us yet again to the traditional elusive archival goal of empowering the records to speak for themselves, and to impose themselves on future users. Many archivists’ emphasis on *descrip-*

³⁸ In the field of diplomacy, for example, the adoption of the view of the records creator is quite explicit. In accordance with this view, archivists are instructed to submit to the record creator’s view of what evidence a record possesses. Luciana Duranti and Maria Guercio, “Research Issues in Archival Bond”, Electronic Records Meeting, University of Pittsburgh, 29 May 1997.

tion methods and *descriptive standards* and their wariness of *interpretive practice* reflects a determination to present facts about the documents, and to scrupulously avoid any appearance of weighting or interpretive activity. In the debate over whether thought imposes itself upon records, or whether records constrain historians, “strong-claim” archivists’ methods (though not their theories) betray a commitment to extreme forms of the first position. When archivists write about evidence, they are likely thinking about establishing facts, as for example, when Frank Burke writes that “History in the true sense depends on the unvarnished evidence.”³⁹ Like Bearman, many archivists use language that implies agreement with historian Geoffrey Elton: “The evidence is in the record.”⁴⁰ And as historical theorist Keith Jenkins has commented:

Elton gives the impression – which of course he wants to give – that such pristine pieces of evidence always already organise themselves into latent explanations, so that when enough of them have been found and collected together, then such ‘evidence-based’ explanations can simply become manifest by themselves, irrespective of the predilection of the humble historian who professionally then bows down before their mighty weight.⁴¹

Once again, the attempt to exclude subjectivity from the emergence of evidence is manifest here – reminiscent of the archivists’ vision of objective record-keeping systems embedded in automated work processes invisibly and disinterestedly registering the production of imposing, evidence-laden, truth-bearing records. Yet the relationship between evidence and facts, as historians have shown, is a complex one, for it takes its shape, ironically, in the crucible of historical (or temporal) context. Perhaps the only certainty that emerges out of the preservation of records is that the records attest to their having been made as a performance. In their concern for truthfulness, some archivists have misconstrued evidence for facts, thinking that record-keeping practices obeying proper protocols will produce evidence so strong as to be able to meet the standards of the “strong claim” – as fact,⁴² as incontrovertible truth.

Even so traditional an historian as Arthur Marwick states that historical documents do not simply contain truth; what the truth might be only surfaces

³⁹ Frank Burke, cited in Gilliland-Swetland, *Enduring Paradigm, New Opportunity*, p. 10.

⁴⁰ Cited in Keith Jenkins, *Re-Thinking History* (London: Routledge, 1992), p. 48.

⁴¹ *Ibid.*, p. 49.

⁴² Arthur Marwick, “A Fetishism of Documents? The Salience of Source-Based History”, in Henry Kozicki (ed.), *Developments in Modern Historiography* (New York: St. Martin’s Press, 1993), p. 121. See also R. Stephen Humphreys, “The Historian, His Documents, and the Elementary Modes of Historical Thought”, *History and Theory* 19(1) (1980), p. 6.

when historians “squeeze out the unwitting testimony of the document,”⁴³ This said, Marwick would deny, therefore, that his observation is contingent upon the imperfect nature of contemporary record creation. Instead, he would undoubtedly explain that the evidence is *inherently* dependent on record users’ capacities, not on the perfectibility of the record-creators’ intentions, methods, systems, and technologies. Imperfect evidence is not something that can be overcome with more scientific record keeping. Similarly, Michael Oakeshott suggests that a surviving record is transformed from performance into circumstantial evidence for a past which has not survived. Like Marwick, Oakeshott claims that historians are not interested in “the authentic utterance of the surviving object . . . but in what it may incidentally disclose . . . *what is not part of the design*. . . In short every survival is a *heterogeneous* object.”⁴⁴ Oakeshott emphasizes the open, interpreted nature of evidence by further proposing, intriguingly, that evidence involves transforming surviving objects into “something other than themselves.”⁴⁵

One could undoubtedly multiply examples of this kind. The main thing to note is that many historians, despite G.R. Elton and like-minded traditionalist “scientific-objective” historians, agree that evidence is somehow conceptually and indeed temporally distinct from records – from the surviving objects. Such views assert the categorical independence of evidence discovery from document creation and authorial imperialism. Record makers do not determine what the evidence is and what it is evidence for; record users do. As Paul Cohen has written, “The degree to which the meaning of the past is hostage to an as yet undefined future would appear to belie the common view among historians that, as one of us has enunciated it, ‘what comes after cannot influence what comes before.’”⁴⁶ Thus, some historians have been increasingly stressing the indeterminateness between record creation and evidence production. Thereby, they implicitly reduce the degree to which records place constraints on interpretation, and further empower historians and other record users to decide what records are evidence for – at the expense of strong claim archivists. According to this view evidence is something that record users elicit. Evidence appears as traces that record creators unknowingly leave. Record creators cannot set out to knowingly produce traces. Evidence is discovered by knowing agents and is a matter of *post hoc* interpretation to serve specific interests and purposes. In their methods development, some

⁴³ Marwick, “A Fetishism of Documents”, 120.

⁴⁴ Michael Oakeshott, *On History and Other Essays* (Totawa, N.J.: Barnes and Noble, 1983), p. 56, emphasis added.

⁴⁵ *Ibid.*, pp. 74–75.

⁴⁶ Paul A. Cohen, *History in Three Keys. The Boxers as Event, Experience, and Myth* (New York: Columbia University Press, 1997), p. 62.

record keepers have seemingly undertaken to develop methods that pull off the illusory feat of ensuring the provision of *sources* of truth rather than merely preserving *traces* of thought, expression, and activity.⁴⁷

Where, then, does this leave archivists? Does the ontological statement that records are evidence make any sense? Are archivists evidence users or record creators? Are they more closely aligned with record production or record consumption? Do they interpret records in order to extract evidence? Or are they implicated in the record-creation process? Are they present at the moment of glow or afterglow? In other words, in what state is archival practice today?

In the preceding paragraphs, the power of record users in the determination of the evidence in records may have been exaggerated, and the categorical distinction perhaps too sharply drawn. This has seemed necessary to compensate for the hyperbolic claims about evidence creation and the concomitant implicit commitments to certain notions of truth in archival discourse. As stated at the outset, the relationship between glow and afterglow is an ambiguous one; it is open to interpretation. Analogously, the relationship between record and evidence offers a kind of Rorschach test of professional disposition. How archivists have conjured the relationship between record and evidence provides a litmus test to a complex of political, professional, social, and intellectual commitments, biases, and beliefs which have been shaping archival discourse in recent years. Just as a mental model of the archival profession lurked behind Jenkinson's development of archival principles and methods, so the concepts in Bearman's work are similarly posited upon a particular image of the boundaries of the profession. (Methodologically, of course, Bearman and Jenkinson hold radically different views of "archivists.") It is not that Bearman's or Jenkinson's view is wrong; it is that different contexts shape the ways we represent reality and the concepts we create to explain it.

Notwithstanding the archival profession's recent postmodern affirmations, then, scientific positivism remains well entrenched in archives' methodology. At an unprecedented rate, professional methodologists have been developing

⁴⁷ The differences between source and trace are significant and complex. G.J. Renier, *History: Its Purpose and Its Methods* (London: George Allen and Unwin, 1962), pp. 96–105 and ch. 2; John Dagenais, "That Bothersome Residue: Toward a Theory of the Physical Text", in A.N. Doane and Carol Braun Pasternak (eds.), *Vox Intexta: Orality and Textuality in the Middle Ages* (Madison: 1991), pp. 246–259. Finally, the notion of trace is an important concept for Jacques Derrida. See his "Differance", in *Margins of Philosophy* (Chicago: University of Chicago Press, 1982). For an analysis of Derrida's notion of trace in the context of historical practice, see Marian Hobson, "History Traces", in Derek Attridge, Geoff Bennington and Robert Young (eds.), *Poststructuralism and the Question of History* (Cambridge: Cambridge University Press, 1987), pp. 101–115.

instruments for control: they have been establishing essentialist definitions, searching for one method ("best practice"), and setting standards, benchmarks, protocols, and functional specifications – that might transcend seemingly parochial interests and influences, and, finally, that equate "recordness" with "evidence" and evidence with truth. The relation between the first two concepts, we contend, remains murky in archival discourse. To our serious detriment, the third has been virtually ignored.

The dream of transparency, the attraction of some to a strong "technical" sense of record, the gravitation toward a single (scientific) methodology, and the erection of authorial mechanisms of perfect record control, the kind of control making possible perfectly truthful, evidence-imposing records, comprise the record-keeping community's version of "the game of perfect information," or the One True Inventory theory.⁴⁸ The discourse's emphasis on evidence entails the vision of a perfect record-making and record-keeping system, and such commitments point to an underlying concern with truth and truthfulness. This discourse is posited on a methodology capable of specifying ideal conditions for the emergence and conveyance of truth.

This perfectibilism is a particular form of the expression of a "will to power." A perfect record system embodies a shift from archival custodianship to record/evidence construction and subsequent classification. Such systems – ones that monitor authenticity, integrity, and reliability (information quality audits, for example) – during record-making processes carry strong intimations of disciplinary power. In this framework, accountability's effects are diffused and felt as much before records are made as afterward. An awareness of the presence of perfect record capture, maintenance, and retrieval mechanisms becomes cause rather than effect of action, origin rather than supplement, temporally primary rather than secondary. Here, evidence design precedes record making. More than documenting performance, records shape performance. Indeed, the perfect record-keeping system might be tantamount to an instrument that merely provokes and then preserves a record of its own institutional effects, actually creating the substance it supposedly reflects. As one archivist has perceptively wondered, were such perfection attainable, would any organization want it?⁴⁹

⁴⁸ See Kevin J. Porter, "'Games of Perfect Information': Computers and the Metanarratives of Emancipation and Progress", *Substance*, 79 (1996): 24–43. Hilary Putnam, cited in Richard W. Miller, *Fact and Method: Explanation, Confirmation and Reality in the Natural and Social Sciences* (Princeton: Princeton University Press, 1987), p. 386.

⁴⁹ See James C. Scott, *Seeing Like the State. How Certain Schemes to Improve the Human Conditions Have Failed* (New Haven: Yale University Press, 1998), *passim*; Keith W. Hoskins and Richard Macve, "Accounting as a Discipline: The Overlooked Supplement", in Ellen Messer-Davidow, David R. Shumway and David Sylvan (eds.), *Knowledges: Historical and Critical Studies in Disciplinarity* (Charlottesville: University of Virginia Press, 1993), pp. 29–

Traditionally envisioned, the archives stands outside – removes itself – from the classificatory systems of other institutions. It is not an institution like any other. It separates itself from the field of human action, like doctor from patient, and records this activity from an unobtrusive distance. Ironically, it also prevents the ossification of the state and other social institutions into “complete institutionalization.” The archives forms a potential source of disruption. By mere observation and record keeping, it shapes rather than simply reflects the activities and behaviour of institutions of state and society. Yet, as we have said, the record-keeping community has now increasingly been identifying itself as insider – as actor rather than ethnographer, note-taker, or record keeper. Archives methodology today stands amphibiously astride thresholds between observation and participation, protention and retention.

Current professional boundary-making – discussions of the limits of the meaning and the role of “archivist,” “record keeper,” “record manager,” and “information professional” – is at once a symptom and shaper of the disciplinary discourse on the methods of record and evidence.⁵⁰ As nebulous as the location of the boundary between glow and afterglow, the concepts of record and evidence, and record making and record keeping, have occasioned different interpretations of their relations of sameness and difference, proximity and distance, simultaneity and succession. These interpretations constitute artefacts of disciplinary interest as well as professional boundary-making. The very elusiveness of these relations opens up a creative space within which record keepers simultaneously assert moral authority, strive to establish epistemological certainty and scientific credibility, gain hermeneutic

34; Kevin Newmark, “Beneath the Lace: Mallarme, the State, and the Foundation of Letters”, in E.S. Burt and Jane Vanpee (eds.), *Reading the Archive: On Texts and Institutions*, Yale French Studies No. 77 (1989); Marc Berg and Geoffrey Bowker, “The Multiple Bodies of the Record: Toward a Sociology of an Artifact”, *The Sociological Quarterly* 38(3) (1997); Richard Harvey Brown, “Postmodern Representations, Postmodern Affirmations”, in Richard Harvey Brown (ed.), *Postmodern Representation: Truth, Power, and Mimesis in the Human Sciences and Public Culture* (Urbana: University of Illinois Press, 1995), p. 6; Ann Pederson, “Empowering Archival Effectiveness: Archival Strategies as Innovation”, *American Archivist* 58 (Fall 1995), p. 451. It may be interesting to note that Huizinga suggested that the scholar’s tendency to carry system to extremes that are detrimental to observation and inference is a form of play. See Renier, *History*, p. 97.

This series of inversions of cause and effect adds a wrinkle to Giddens account of the institutional basis of meaning generation. Here, records systems shape what institutions mean before institutions imbue records with meaning.

⁵⁰ For a sample of the nature of the discussion about the state of the profession, see Richard J. Cox, “Searching for Authority: Electronic Records in the New World at Fin de Siecle”, *First Monday* 5(1) (January 2000) available electronically at: http://FirstMonday.org/issues/issue5_1/cox/index.html

competence, engage in strategic positioning, and also, as just suggested, claim a share of political influence in the emerging information/knowledge society.

The essentialist, high modernist notion of transcendent “recordness” creates a hierarchy of difference in which *evidence for records* utterly determines – fixes – the nature of the *evidence in records*; it privileges external over internal criticism. It perpetuates the belief in the sovereign control of unchanging documentary form and initial context – what some archivists have come to call metadata – over a document’s latently untameable evidential content. “Recordness” is the record-keeping community’s attempt to archive the meaning of “record” for once and for all time. In deconstructive language, this term represents archives’ version of logocentricity. Efforts to capture the true meaning of “recordness” recapitulate in themselves methodological projects to construct the perfect record-keeping system.

For capturing the subtle relationship between record and evidence, form and content, context and content, I suggest that the action noun, “recordation,” might be more suitable. The term, “recordness,” with its proprietorial pretensions, seems inadequate to capture what is really a complex social process. “Recordation” points to a more subtle and flexible concept of records as tokens involved in an on-going social exchange process, one involving unending mutual cultural negotiation of meaning between people and objects. As observers have already suggested of electronic documents, recordation implies a subtle reading of the nature of the relations between fixity and fluidity, immutability and transience, context(s) and content(s), and document producer and document consumer. It requires some degree of recognition that, because it is a social object, “the document changes by virtue of staying the same.”⁵¹

In conclusion, the clarification of the theoretical and methodological treatments of the concepts of record and evidence will require that the archival community move to articulate more carefully of what amounts to its social and political philosophy of public affairs and public interest: a consideration of the numerous and sometimes conflicting claims upon archivists of politics, law, ethical principles, moral values, reason, scientific method, technological power, and epistemological issues in government, public administration, and society. Discussion of such philosophical choices must move from the periphery to the centre of archival discourse. The record-keeping community’s

⁵¹ See Chris Gardner and Yvonne Mitchell, “The Cultural Biography of Objects”, *World Archaeology* 31 (October 1999): 169ff. John Seely Brown and Paul Duguid, “The Social Life of Documents”, in *FirstMonday*, available at <http://www.firstmonday.dk/issues/issue1/documents/index.html>. On the interaction between ideas, objects, actions, and institutions, see also Barbara Czarniawska and Bernward Joerges, “Travel of Ideas”, in Barbara Czarniawska and Guje Sevón (eds.), *Translating Organizational Change* (New York: Walter De Gruyter, 1996), pp. 26, 46, and *passim*.

adherence to the ideal of serving the public interest is not a straightforward matter. From one work situation to the next, it frequently involves choices among different kinds of competing positive values. The true and the good, in other words, which most archivists undoubtedly seek, often involves complex choices and compromises.⁵² As most archivists would also undoubtedly agree, our professional social commitments and values take shape in the formulation of concepts and methods as much as in public avowals of missions and purposes. It would be a mistake to assume, therefore, that Jenkinson had his morals right and his methods wrong. As he might have agreed, the two – as with glow and afterglow – are not so easily separable.

⁵² Embedded in recent archival discussion of accountability, effectiveness, efficiency, community interests, and corporate responsibility, particularly that part of it focusing on the public sector, are several different views of the role of public administration in government, politics, and society. For a discussion of the issues, see, for example, Gary Walmsley and James Wolf, "Introduction," and O.C. McSwite, "Postmodernism, Public Administration, and the Public Interest", in Gary Walmsley and James Wolf (eds.), *Refounding Democratic Public Administration. Modern Paradoxes, Postmodern Challenges* (London: Sage, 1996); D.H. Rosenbloom, "Public Administration Theory and the Separation of Powers", *Public Administration Review* 43 (1983), p. 219; Gary Wallace, "Toward a Reconciliation of Bureaucratic and Democratic Ethos", *Administration and Society* 30 (March 1998); and David John Farmer, *The Language of Public Administration: Bureaucracy, Modernity, and Postmodernity* (Tuscaloosa: University of Alabama Press, 1995). Finally, see also selections from the on-line periodical, *Electronic Journal of Radical Organization Theory*.