Review Articles

Still Fuzzy, But More Accurate: Some Thoughts on the "Ghosts" of Archival Theory

TOM NESMITH

Archival Theory, Records, and the Public. TREVOR LIVELTON. Lanham, Maryland and London, The Society of American Archivists and Scarecrow Press, Inc., 1996. 177 p. ISBN 0 8108 3051 5.

Jonathan Culler's valuable little book *Literary Theory: A Very Short Introduction* (Oxford, 1997) contains a cartoon which depicts three people in conversation, no doubt about literary theory. One turns to another and says, "You're a terrorist? Thank God. I understood Meg to say you were a *theorist*." The cartoon says much about the oftentimes unsettling, even disturbing, impact of theory on people. And while neither Trevor Livelton nor I intend to threaten anyone, it may be the fate of the authors as well as reviewers of theoretical publications to be seen as worse than terrorists. As the cartoon implies, a slightly perverse and self-deprecating sense of humour may well be essential to those seriously interested in theory. It is certainly welcome. Humour, however, should be just one ingredient in what Culler (terror aside) aptly calls "the pleasures of thought" available to those who explore the theoretical side of things.[1]

Livelton is an archivist at the City of Victoria Archives in British Columbia. He has written one of the few book-length treatments of archival theory. *Archival Theory, Records, and the Public* is based on his 1991 thesis, which was written for the University of British Columbia's Master of Archival Studies programme. The book is a considerable credit to the UBC program, a prime example of the best scholarship fostered there. Its welcome overarching aim is to refute the still hardy notion that archival work has little or no theoretical dimension. To demonstrate this general point, Livelton pursues three particular aims: he discusses the character and role of archival theory; applies his conception of archival theory to some of the key terms of archives (the definitions of archives, records, and public records); and then concludes by testing his theoretical view and definitions with some hypothetical case examples.

Livelton gives us much to think about. A book of this sophistication well

merits another full book to permit adequate comment. In this review essay, however, I can only summarize his position and my critique of it, briefly offer another view of the place of theory in archival work and, based on that view, propose different statements of his key archival terms. None of this is starkly incompatible with his definitions. I think I go farther, however, by attempting to account for characteristics of the archival world that he appears to miss. That said, what I am trying to articulate about the archival realm, and how we think or theorize about it, will in important ways inevitably be still fuzzy, but will, I submit, present a view that is more accurate than Livelton's.

Here I borrow from historian of science Paul Thagard. He comments that, especially since Thomas Kuhn's *The Structure of Scientific Revolutions* appeared in 1962, efforts to understand the way scientists think have departed from the more seemingly straightforward idea that scientific knowledge moves toward greater clarity simply through empirical observation. Those who study scientific thinking usually now concede its much greater complexities, some of which are not easy to state or explore. The understanding of scientific thinking, says Thagard, thus "became much more fuzzy – but, I think, much more accurately descriptive of what goes on in scientists' minds."[2] And so, too, understanding of archival theory can still be fuzzy, but more accurate.

Livelton rightly challenges those who minimize or dismiss the place of theory in archival work by reminding us that ideas (no matter how poorly or carefully formulated) "always and inevitably underlie archival practice." Ideas are the key ingredients of theory (p. 35). However, the theory of archives, he argues, is not simply any and all thinking about archiving. Archival theory is "organized conceptual knowledge" which is "normative" and "explanatory." Theory guides us in choosing practical courses of action and in learning "the nature of things" and "the nature of human actions" (pp. 11, 25–26). In other words, archival theory is that well articulated and understood set of ideas about archiving – settled and agreed upon knowledge – capable of directing an archivist's day-to-day work.

In Livelton's view, such theory is not speculation about the reasons why archivists do things in a certain way or about the meanings of their key terms or concepts. Livelton maintains that "theory as hypothesis or speculation is too broad in scope and too limited in substance to contribute much besides confusion." Speculative theorizing is "dangerous" unless it is disciplined by "elaboration, development, and testing" (pp. 11–12); only once substantiated by testing can the resulting knowledge become part of the established body of archival theory. Uncertain, untested thinking is excluded. And beyond this, Livelton's analysis of theory does not give much further attention to speculative thinking, although he notes, significantly, that "it will none-the-less [sic] lurk at the edges of the discussion" (p. 12). For him, it appears that some types of "dangerous" speculative theory, that seem "fuzzy" or without "substance," thus "ghostly" – and which perhaps remain, lurking in ambush – still hold

their terrors. But according to Livelton, such fear can be eased by recognizing that such theory only exists in "wraithlike sterility" or as "works of imagination" (pp. 11–12).[3]

With the spectre of speculation consigned safely, it seems, to the margins, Livelton feels able to say there is "no mystery" and nothing "high-falutin" about his concept of theory. Its aim is precise knowledge, gained by paring away speculative "confusion" and sheer error with careful logic and learning, until the clearest, most definitive understanding is reached of what something is. Archival theory's primary goal is to elucidate certain "fundamental entities" or "basic archival ideas" – such as the concepts of archives, records, and public records (pp. 25, 50). This view of theory, he says, is a "conservative" one (p. 3).

The results of this conservative approach to theorizing will create no surprises. Livelton focuses on what would conventionally be expected to be among the fundamental points of departure for theorizing about archives – the concepts of archives, records, and public records – and affirms familiar definitions of these key terms and concepts. Records as well as archives are defined as "documents made or received in the course of the conduct of affairs and preserved" (p. 83). (He prefers this "traditional" European view over Schellenberg's idea that "archives" are distinct from "records" [p. 80].) Public records are "documents made or received and preserved in the conduct of governance by the sovereign or its agents" (p. 140). Livelton explains that in democracies, what constitutes the "sovereign" is the citizenry or public when acting through governments and other "public bodies," such as those schools, colleges, universities, hospitals, and corporations which receive their mandate and most of their funding from governments (pp. 127–28).

Livelton raises and prompts very important questions for archivists. How should archivists think about theory? With what does theorizing start, if it "starts" at any particular point at all? What is the purpose of theory in archiving? To what should theory be applied? How should theory guide our thinking about archives? I want to discuss these questions further by travelling a road that Livelton enters but does not proceed down far, for down this road lie the alternate views I wish to offer.

I begin by returning to his treatment of speculation's role in the development of theory. As indicated above, Livelton emphasizes speculation's peripheral, even "nonproductive" role, but paradoxically, in that light, also acknowledges (mainly implicitly) the great importance of speculation. He says that speculation is "largely a preliminary step" toward the surer "normative" and "explanatory" varieties of theory (p. 12), but later adds, "It may be dangerous at best to think of ideas in their rudimentary state as theory in its own right, but the very notion of developing theory assumes a continuum from speculation to organized conceptual knowledge" (p. 34).

Speculation still clearly has a role in Livelton's mind, even if it is usually a modest "preliminary" one. Livelton says it can in fact sometimes be a power-

ful force in theorizing, as he illustrates in mentioning speculation's contribution to major intellectual breakthroughs by figures such as Descartes. Interestingly, Livelton notes, Descartes' discovery came while he "was dreaming of a visitation from the Angel of Truth" (p. 33). Although speculation holds no ghostly terror here, strangely Livelton does not explore its evidently positive role. For him, there is no mystery underlying such "visitations." And even given acknowledgment by Livelton that speculation can play a useful role, its contribution remains tightly confined to the periphery of thought (unless, of course, it offers us the occasional spectacular "apparition" or breakthrough).

Livelton's own difficulty in reconciling the "nonproductive" and yet powerful roles of speculation is itself an indication that the various aspects of the way we think are hard to characterize and distinguish one from the other. Can we in fact confidently recognize speculation and hold it in check, keeping it from contaminating "normative" and "explanatory" theory? As Livelton points out, "normative" theory "is mainly about right and wrong, good and bad, appropriate and inappropriate actions. ... In the broadest sense, theory of this sort embodies some idea of the good" (p. 11). If that is the case, does normative theory not embody the ghostly speculation, since no one can know "the good," or even try to define it without heavy reliance on abstract and speculative thinking? If speculation cannot be easily identified and sequestered largely within one corner of theorizing, is Livelton's attempt to confine it not itself a highly speculative, perhaps even a little "high-falutin" philosophical decision? This once again suggests that speculation, perhaps often imperceptibly, pervades our thinking, and thus archival theory too.

Ironically, theory which unduly restrains the role of speculation ends up being *more* speculative and less empirical than theory which is more open to it. The first, ostensibly more discriminating form of theory actually limits a key means of helping us to arrive at what we can know. The latter theory constantly prods and helps us to see more and differently than we previously did, from vantage points we had not foreseen. In so doing we can acquire new practical information, devise improved working statements of our key terms and concepts, and formulate better questions about how and where to look for knowledge and interpret our findings. We seldom obtain full and settled understandings, so the results may still be fuzzy (indeed, even fuzzier than what we once thought we knew), yet also reflect the actual complexities of reality more accurately or empirically than approaches which probe the complexities less.

As the irony implicit in Livelton's thought suggests, speculation occupies far more room in our thinking than he allows. His narrow characterization of speculation, as typically being dangerous, vague thinking which – if not clarified – should be excluded from knowledge erects barriers to understanding its attributes and ongoing role in knowledge formation. In my view, speculation

is not simply vague conjecture nor is it typified by the seemingly inexplicable flashes of insight, such as Descartes had while dreaming. Speculation is not endless abstract wondering about what is or might be, lacking effective application. Livelton acknowledges that speculation can be a practical tool which can lead to knowledge, but I suggest further that what we know is in fact rarely free of important speculative elements. That is so because, to paraphrase Edward Said, reality is greater and more complex than anything that can be said about it.[4] Our knowledge will be ever haunted by what we do not perceive and articulate, and what we cannot prove or know. If we are to respond to questions that matter most to us about human experience generally, or in archiving specifically, we cannot connect the pieces of knowledge we have into larger patterns of meaning (such as some overall notion of the archival "good") without recourse to the threads of speculation. And here speculation includes reasoned inference about the unknown or unknowable from what we may know. But what we "know" is usually only partly known, and often tentatively; it may well be inaccurate or be understood in very diverse ways at many different times, depending on the context in which it is seen.

For example, one of the most common concepts in archiving today (though, significantly, it has not always been so) is the idea that archivists base their work on knowledge of the provenance or origin of records. But what truly constitutes the origin or cause of something (for example, of an assembled body of records). Where do we locate its true beginning? What enables us to account for something? What is its cause? Here we move into the most complex and unsettled problems of philosophy and knowledge. Before archivists or anyone else can sort out the question of origins (naively assuming, I think, that we can actually do this), we must act on some view of origins many times a day. We must begin somewhere, but where do we even start? What *is* the beginning? What comes next, and why?

And in any event how *do* we think about origins? The weave of theory becomes more intricate and the role of speculation more prominent as the questions about origins become more probing. It is probably impossible to prove any specific view of how we understand the world about us. In assessing any such understanding, I doubt that we ever move easily or surely along the continuum when theorizing, let's say, about origins, from the simply speculative "preliminary step" to definitive theory or "organized conceptual knowledge." I think it is more likely that speculation and knowledge are closely intermingled, and that such a mix is integral to all aspects of thinking.

This is not to say there can be no refinement of and improvement in what we know. (Obviously, I am suggesting one here.) Yet I am not sure what linear progression occurs within this process, or of our ability to identify the different elements of thought correctly. Nor am I sure how to keep them from mixing and merging with one another, and how to deploy the right pieces in the proper sequence to move from "speculation" to "knowledge." The characteris-

tics of our thinking seem to me to be less structured and less under our control than we might like to think. Nonetheless, while in my opinion this leaves our understanding of how we think still somewhat fuzzy, it is now more accurate and true to reality.

This point is illustrated by Richard Coyne's comments on the origin of a photograph (which apply to other types of recordings as well). Coyne lays out a wide range of social and technical processes which shaped its creation. He questions whether there is "an originary moment" when the photograph is created, such as when the shutter is activated:

> Perhaps it is not the click of the shutter that is the originary moment but composing the picture and arranging the camera and the subject matter. Composing images through the viewfinder of a camera is, in turn, conditioned by a vast legacy of photographic practice instilled through the traditions of painting, particularly the picturesque tradition, and through photography itself, with picture postcards, the use of designated scenic vantage points for tourists, notions of genre, and conformity to "standard shots," such as "the standard wedding photograph," "the standard mountain shot," and so on. Taking a photograph is mimetic in two senses. It purports to be a copy of what is before the camera, and it imitates the conventions of photography. In this case, the originary moment of the photograph seems to have escaped us.
>
> But the originary moment may be a crucial step in a technological process. In the case of photography, there is the substantial technological investment in the moment at which the shutter opens and closes. The quality of the image depends substantially on what happens to the light as it passes onto the film at that moment. The moment is a consummation of several processes, many of which are often automatic, such as adjusting duration, aperture size, and focus. In this case, the originary moment is actually the end of a series of measurements and adjustments, all of which find their consummation in the opening and closing of the shutter.[5]

As Coyne says, we can "know" many things about the technical, cultural, historical, commercial, and other related aspects of the creation of a photograph, but we are not likely to be able to discover them all, or agree on the significance or meaning of what we can learn; in one way or another, *the* full origins of the record elude us. In their daily work archivists still make decisions about the origins of a record. For whatever reason, they focus on certain aspects of it which seem meaningful to them and omit much else which may or may not be knowable. Although this still gives us considerable knowledge about the origins of a record, the speculative element remains strong, if often neither highly visible nor recognized; the meaning of what we have found is contingent on further awareness of a much wider array of unknowable, yet to be known, and neglected factors. If we look at things from this angle, it is obvious that our knowledge is in important ways bathed in hypothesis.

The suggestion by Livelton that our theorizing is bound up with our "idea of the good" leads us to his point that an archivist's theorizing is connected to the wider intellectual and societal context in which it occurs. He wisely maintains that theory's "domain is the world of ideas" and that an archivist's "worldview" shapes theorizing. That worldview is the archivist's understanding of "the archival world, in particular, of the whole of the things archival, and how it relates to the larger world of which it is a part." He adds that archivists' views on archives "are influenced by a host of cultural, legal, and political ideas forming part of the environment in which they think" (pp. 34, 49, 52). Although for Livelton these pools of information, knowledge, and hypothesis are understandably important, the way they contribute to the development of archival theory is not thoroughly examined: they do not shape to any great extent the definitions of "archival theory," "records," and "public records" which he proposes. His discussion does not range far within or beyond archival literature.

What would happen if we opened this line of inquiry much further into the relationship between archival thought and the larger world? What might become of archival theory and the key concepts of archives? The concern of archival theory would then shift emphatically to incorporate wider study of various understandings of that broader world. This would reorient some archival theorizing (such as Livelton's) from a focus on what the classic archival texts say an archives, a record, or a public record is in "nature," to a study of how human perception, communication, and behaviour shape the archives, records, and public records we actually locate and create as archivists and records creators. That would bring us closer to understanding what archives, records, and public records, as well as other remaining features of archives, are and have been, though would still not completely establish their full "nature."

To explore the wide terrain of human perception, communication, and behaviour in relation to archives would also require us to consult the leading works of theory in these areas. After all, it is only possible to think about broad areas of human experience using the guiding theory which the scholars in these fields offer us. We cannot cope with them adequately in any other way. If we did consult this wider body of theory, we would soon find the need to once again acknowledge the important place of speculation in theoretical discussion.

This wide range of theory is also valuable because it encourages us to think about familiar things in different and complex ways. As Jonathan Culler notes, if an explanation is obvious or easily proven, it will not have much of a theoretical dimension about which to be concerned.[6] The more venturesome theorizing will have a strong critical purpose. Widening openings to the larger world would allow far more hypotheses, information, and perspectives to enter archival thinking and challenge accepted views. Livelton expects theory to be critical, to question the "self-evident," and to pursue "alternative views." But it is hard to know how he envisages a significant critical role for theory when he also advises that it be kept in "its subordinate place within the whole."

"Theory consists of conceptual spade work," he continues; "it may be useful, but no more useful than all the other forms of work which contribute to the archival endeavor" (p. 53).

It is also difficult to know how Livelton sees much of a critical role for theory when he does not examine the ideas expressed over the last few decades by some of the world's leading theorists on the character of information or on the "archaeology of knowledge" and the "archive." These include studies by Michel Foucault and Jacques Derrida, or any work of their many interpreters and popularizers, such as Culler. Nor does he mention the ideas of archivists whom this thinking has influenced, such as Brien Brothman, Rick Brown, and Theresa Rowat. The omission of Hugh Taylor is even more puzzling. Although throughout his long career he has been the dean of Canadian archival theorists, and Canada's best known archival theorist around the world, he receives but one brief mention by Livelton, in a footnote.[7]

Livelton does discuss, in passing, the theoretical work of Terry Cook, who has also been influenced by postmodern theory, and more fully the writings of Frank Burke and Frederick Stielow. These three thinkers do propose a genuinely critical approach, but Livelton neither examines that element of Cook's work nor, after mentioning it in Burke's and Stielow's, does he follow up on their most critically centred lines of inquiry with his own application of such theory. As Livelton concedes, the book remains "remarkably conservative" (p. 2). The book's narrow focus is a major flaw, reinforcing my doubts about the methodology employed. The book claims to examine the realm of theory and archives as it actually exists, without the interjection of vague speculation. But out in the wider world, that realm also includes all these other philosophical and archival thinkers. Archival thinking is part of that wider intellectual world, as Livelton acknowledges. By ignoring those who may raise questions about his views, Livelton's work draws on what is in effect a much narrowed empirical base, and itself becomes all the more speculative as a result.[8]

If these other authors have something of consequence to convey to archivists, what is it, and how can it affect archival theory? One of the key features of recent theory of human experience which is of particular relevance to archivists is the close attention given to processes of communication, such as inscription, transmission, contextualization, and interpretation. Culler, again, is helpful in summarizing important points. He notes, for example, that Foucault and Derrida suggest that how and what we communicate largely create, rather than simply passively "document" the things we "see." They suggest that our means of communicating mediate reality, or provide particular ways of interacting with reality which powerfully shape our understanding of it. A recorded mediation provides one way in which we interact with the world in order to understand it. The result of this mediation is not contact with the world simply as it is or was in the past, but the world as conveyed in human interaction with it. Reality is in significant ways an effect of our communica-

tion. This means that what we know is mediated by our representations of it, with all their strengths and limitations.[9]

For archivists, one implication of these considerations lies in the fact that these same general processes of communication create records and archives. Thus, particular sets of activities such as archiving, which consist primarily of communication processes, co-create records, archives, and the knowledge they convey. This runs counter to the seemingly common sense view that records and archives exist fully in a state of nature, outside or prior to communications processes, and that means of communication are simply tools which enable us to observe and define or transcribe the objective nature of records and archives ever more precisely. Archives are created largely by communications generated by the multiplicity of interactions created as archives are constructed and in the interplay between archives and the surrounding world; archives for their own part help create reality, rather than just document it.[10]

Although these theories cannot be proven, there are good reasons to use them as a guide. According to these views, archivists have a creative role; they do not passively receive, protect, preserve, and retrieve records and knowledge, which others are entirely responsible for creating. The functions which archivists perform are better conceived as communications processes, or as interactions with participants in recording activities and with the various users and sponsors of archives – these functions taking place within a given formative context of a social, historical, and material character. Archiving functions, always influenced by this shifting configuration of interactions, mould the ways in which records and archives are represented (hence shaped) and, because the configuration is ever shifting, constantly further re-shape them. Records "change" in this process because the process changes the context in which they are understood. A record is a meaningful communication, which means it consists of a physical object, plus an understanding, or representation of it. Some of what makes a record meaningful is inscribed within it, but often much of what makes it intelligible is not. Thus most of a record's "recordness" lies outside its physical borders within the context of its interpretation. The decisions archivists make (as well as the theories of archives they devise in order to make these choices) shape this meaning-making context significantly.

Archivists often have their greatest influence over representations of records and archives when shaping acquisition mandates and making appraisal decisions. When a record is designated as archival, it is assigned a special status, equivalent to the placement of a work in the literary canon. This very act often raises records which were once thought ordinary and humdrum to a new special status as "archives." For example, until fairly recently, women's records were not represented as archival records. The context for understanding these records changed, and thus changed what they *are*. Of course, not all archival records are equal. Some are elevated even further to the status of "treasures" by archivists and others. In description and reference, archivists

also significantly shape what counts as meaningful context, or what contextual information counts as meaningful to an understanding of the evidence. That is a considerable power and one which can clearly influence readings by users of archives. At the same time, archivists do not always agree among themselves on what counts as necessary context, or may not be aware of certain relevant contexts within which to place records when describing them; so, consciously and by default, archivists create various interpretive possibilities, and thus, in effect, various new records.[11]

If these activities are important features of archiving, they ought to be introduced into our working statements about our concepts and terms. How, then, do I represent some of the key archival terms which Livelton discusses? Again, I do not think his are wrong. My question is: are they sufficient? Are they the best way to state what these archival things are? In adding to Livelton's view that records and archives are "documents made or received in the course of affairs and preserved," I suggest the following:

A record is an evolving mediation of understanding about some phenomena – a mediation created by social and technical processes of inscription, transmission, and contextualization.

An archives is an ongoing mediation of understanding of records (and thus phenomena), or that aspect of record making which shapes this understanding through such functions as records appraisal, processing, and description, and the implementation of processes for making records accessible.

Livelton also discusses the concept of provenance, and his view of provenance reflects much of its complexity very well. He outlines four aspects: "archival provenance," referring to those entities and persons who "made *and* received the document in the conduct of affairs [emphasis in original]"; "diplomatic provenance," meaning those entities and persons who only authored the records; "custodial provenance," denoting those who maintained the records; and "transmissive provenance," or those from whom an archives has received records (p. 119). Livelton argues persuasively that archivists should know as much as possible about "these several kinds of provenance" and "the overall historical and administrative context of the records." He also argues, however, that there is only the one "kind of provenance which is distinctly archival" – meaning the "archival provenance" described above (p. 120).

Livelton does not include the archives itself as one of those elements that constitute the provenance of records. For reasons already given, I do include it. And here I elaborate further on the earlier discussion regarding the mix of speculation and knowledge necessary in pursuing an understanding of the origin of records, and on the suggestion that a record's provenance is bound up in significant ways with how it is contextualized. If a record's origins are inter-

preted or understood in certain ways rather than others, its provenance is altered. When archivists debate and define the record's provenance, they interpret or shape it. They construct it from the knowledge available to them, often emphasizing one or more of its aspects, as both Livelton and I are doing. This means that archives become a significant component of the provenance of the records. And so I offer the following statement of provenance as one which embraces Livelton's four components, but which is also meant to include archiving activities:

> The provenance of a given record or body of records consists of the social and technical processes of the records' inscription, transmission, contextualization, and interpretation which account for its existence, characteristics, and continuing history.

This definition highlights the interpretive element in determining contextual provenance. It does not consider any one aspect of provenance, however, to be *a priori* "distinctly archival," although such narrowing of provenance is typical of archival practice (which devotes little attention to what happens to records in the custodial, transmissive, and archival phases of their histories or provenance). Nevertheless, an archivist's research into the provenance of records may conclude that the aspects of provenance which deserve to be featured prominently in description may vary from record to record. For example, it may well be that the record's existence and characteristics have been shaped far more powerfully by what has happened to it during the custodial and transmissive stages of its life, as well as the archiving process, than by those factors present in Livelton's "archival provenance."[12] But that is not something preordained, but rather an outcome determined by the archivist's interpretive, contextualizing research into provenance.

Although Livelton emphasizes "archival provenance" as a key determinant of a record's character, one of the hypothetical scenarios he cites by way of example illustrates some of the broader fluidity and variety of a record's provenance. This case involves the history of a body of Canadian federal government committee records which, although not officially deemed archival, is thought to be important by the committee's chair, who copies them and leaks the copies to a newspaper. The newspaper uses them to prepare articles and makes them an integral part of its own records. It later places its records, committee documents included, in an archives. The newspaper may have destroyed some of the committee's records, altered the relationships between those that survived, and placed them in a new formative relationship with the newspaper's own records. Although their origins within the federal government are still an evident and important aspect of their provenance, the newspaper may well have become the more powerful force in the "creation" of these records by the time they reach the archives. As Livelton astutely notes, "provenance can change" (p. 139). That said, the provenance of these records, like

all archival records, seems to me to be all of those people, organizations, and entities whose decisions and actions account for the records' existence, characteristics, and continuing history, not just those which may have had the most impact on these things. Provenance does change, but, as Livelton's example indicates, it seems to evolve toward greater complexity and variety rather than consisting of simple shifts of custodial responsibility.

Livelton defines public records as "documents made or received and preserved in the conduct of governance by the sovereign or its agents." I see no objection to that statement as far as it goes. I would recast it, however, not only to take into account the formulation I have been working with throughout, but also to suggest some additional ideas about what public records may be. I propose the following:

> A public record, created by social and technical processes of inscription, transmission, and contextualization, is an evolving mediation of understanding about some phenomena which a given society deems to be in the public domain.

This "domain" not only includes, but also extends beyond the realm of actions taken by governments and the direct agents of government to include all actions that affect the public interest and thus fall within the public arena. Livelton describes what might be better conceived as a government record, or a type of public record, rather than the kind of "public record" I am considering, although I acknowledge that what he describes is what is commonly understood as being *the* public record in many jurisdictions. (My statement is more a proposed definition suggested for consideration than a legal reality.) That said, there may well be records that the public is beginning to think belong in what I call the public domain, but which are not yet formally designated as public records in Livelton's sense of the term. There are many institutions which have a tremendous impact on the public domain, but do not receive their mandate or much of their funding from governments. Many are business corporations whose activities profoundly affect the public interest and public sector policy and spending, these activities thus falling effectively within the public realm. Some, such as the chemical and petroleum industries, have had long-term effects on the environment and public health. Others, such as tobacco and pharmaceutical companies, also greatly affect public welfare. Many corporations hold vast quantities of sensitive personal information about their numerous clients. And recently we have been reminded of the "public" character of non-governmental organizations such as the International Olympic Committee (IOC) and some local Olympic organizing committees. None could be considered agents of the "sovereign" or of government institutions, but at the same time, they cannot be considered as simply being private institutions. Although they may be regulated to some extent by governments and required to provide informa-

tion to governments, their records have not been considered public records akin to government records.

This often, still sharp difference between the records of public and private sector institutions may be blurring. The proposed federal *Personal Information Protection and Electronic Documents Act* (Bill C-54) would place strict controls on the use and disclosure of personal information gathered by private institutions. This law would not make these records public records like those of a government agency, but it does suggest they are beginning to be seen in the "public domain" because their confidentiality and use are of great public interest.[13] Controversies over control of the records of private institutions have recently made media headlines in various countries. New sensitivities may be emerging. The United States Olympic Committee's investigation into the scandal-plagued Salt Lake City bid for the 2002 Winter Olympics recommends that the IOC be considered a "public international organization."[14] A Toronto city councillor recently cautioned that, even though a possible city bid to host the 2008 Summer Olympics might be privately funded, its public character would have to be understood. "The public believes this bid is theirs and the public believes it belongs to the city," he said.[15] The Governor of Georgia, Roy E. Barnes, has wrestled with that issue in connection with the 1996 Atlanta Olympics, and has fought with the local organizing committee over access to its records. The games were privately funded; committee representatives assert that means that the games' organizers, not the state government, will maintain control of the committee's records. Yet the governor argues that the organizing committee "became a public entity," in part because there was public spending on services for the games such as law enforcement. He explains, "When private companies or private entities do public functions for which public money is used, which is exactly the way they worked, then the private entity is open for inspection."[16]

Since governments are privatizing some major functions, which nevertheless retain great public significance, and "private" institutions are likely to perform an increasing variety of functions of great public significance, the debate over control of the records created in this changing public domain may well heat up even further. One matter which may complicate the discussion is that it is sometimes very hard to predict which private institutions will be performing "public" functions (that is, again, functions having a public impact). The tobacco companies, for example, were not likely considered to be performing such functions fifty years ago, or before the health problems caused by smoking were better and more widely known. Should, then, the records of all private organizations be considered to be public in principle?

Archivists have a role to play in thinking through these issues and reconceptualizing the "public record." If they decide to play that role, they could actually help to "create" the public record in new ways. Perhaps archivists will resist change. But even if they do so successfully, they will still end up helping

to "create" the public record in the conventional sense. Even if they opt to be "neutral," they will still – by the very absence of their intervention – influence the creation of whatever public record emerges. A neutral stance is not likely, however, given the likelihood that the public will solicit archivists' views and because archivists have a long tradition of trying to shape the conception of the public record, as Livelton points out (p. 4).

Archivists have helped shape the public record through quiet lobbying, far from much public attention. To reflect in archival theory on such "invisible" interventions by archivists in communication processes, we should follow Derrida's advice to learn how to live "with the ghost ... how to talk with him, with her, how to let them speak or how to give them back speech."[17] In much archival theory, the "ghosts" are the largely dismissed realms of speculation and wider critical theory of human communication and experience. But if we recoil from these ghosts, disregard, or simply discount them, we also help make a "phantom" of the archivist, as the full substance of the archivist's role becomes much harder to see. The archivist's intervention in archiving is also one of the ghosts of archival theory. As Derrida concludes, "we must speak to the ghost."[18]

Notes

1 Jonathan Culler, *Literary Theory: A Very Short Introduction* (Oxford, 1997), pp. 16–17 [emphasis in original].

2 Canadian Broadcasting Corporation, "Ideas" series, program entitled "Modes of Thought," first broadcast 17 April 1995, transcript, pp. 27–28.

3 The metaphor of the "ghost" is borrowed from Jacques Derrida, *Specters of Marx: The State of the Debt, the Work of Mourning, and the New International* (New York, 1994). Derrida argues in this book that the "spectre" is the "other," or what we dismiss or sideline as insubstantial, but which we can never quite succeed in interring or marginalizing. He maintains that "the untimely spectres, one must not chase away but sort out, critique, keep close by, and allow to come back" (p. 87).

4 Edward Said, *Orientalism* (New York, 1978), p. 5.

5 Richard Coyne, *Designing Information Technology in the Postmodern Age: From Method to Metaphor* (Cambridge, Massachusetts, 1995), p. 344. For a further excellent discussion of issues related to the provenance of photographs, see Joan Schwartz, "'We make our tools and our tools make us': Lessons from Photographs for the Practice, Politics, and Poetics of Diplomatics," *Archivaria* 40 (Fall 1995).

6 Culler, *Literary Theory*, p. 2.

7 Note, especially, articles by Brien Brothman, "Orders of Value: Probing the Theoretical Terms of Archival Practice," *Archivaria* 32 (Summer 1991); Rick Brown, "The Value of Narrativity in the Appraisal of Historical Documents: Foundation for a Theory of Archival Hermeneutics," *Archivaria* 32 (Summer 1991); and Theresa Rowat, "The Record and Repository as a Cultural Form of Expression," *Archivaria* 36 (Autumn 1993). The festschrift for Taylor edited by Barbara L. Craig and entitled *The Archival Imagination: Essays in Honour of Hugh A. Taylor* (Ottawa, 1992) is a tribute to this most speculative and imaginative theorist. It contains a bibliography of his many contributions to archival theory.

8 For Cook, see "Electronic Records, Paper Minds: The Revolution in Information Management and Archives in the Post-Custodial and Post-Modernist Era," *Archives and Manuscripts* 22,

no. 2 (November 1994). Other archivists who have begun to explore critical or postmodern theory, but, granted, mainly after Livelton's book appeared, include Bernadine Dodge, "Places Apart: Archives in Dissolving Space and Time," *Archivaria* 44 (Fall 1997); Verne Harris, "Claiming Less, Delivering More: A Critique of Positivist Formulations on Archives in South Africa," *Archivaria* 44 (Fall 1997); Carolyn Heald, "Is There Room for Archives in the Postmodern World?" *The American Archivist* 59, no. 1 (Winter 1996); Schwartz, "'We make our tools and our tools make us'"; Hugh Taylor, "The Archivist, the Letter, and the Spirit," *Archivaria* 43 (Spring 1997); and Robert McIntosh, "The Great War, Archives, and Modern Memory," *Archivaria* 46 (Fall 1998).

9 Culler, *Literary Theory*, pp. 7, 12.

10 For a discussion of how efforts to preserve the past change or co-create it, see David Lowenthal, *The Past is a Foreign Country* (Cambridge, 1985), chapter 6. Although Lowenthal examines museum artifacts and historic buildings and sites, the archival parallels are clear.

11 I elaborate more fully on the variety and impact of the interventions of the archivist in the following recent conference papers: "Seeing With Archives: The Changing Intellectual Place of Archives," delivered at the annual conference of the Association of Canadian Archivists, 7 June 1997; "The New 'Noble Dream': Reflections on Archives and Knowledge Creation," delivered at the National Archives of Canada on 6 April 1998 at "'All Shook Up!': Reflections on Archives, Memory, and Society in Turbulent Times, A Symposium in Honour of Terry Cook"; "What is a Postmodern Archivist?: Can Douglas Brymner, an Unmuzzled Ox, and Star Trek Tell Us?," delivered at the annual conference of the Association of Canadian Archivists, 29 May 1998; and "The Ox and the Virgin: 'Ruminations' on the Metaphors of Archives," delivered to the faculty and students in the graduate program in archival studies in the School of Information Sciences, University of Pittsburgh, 6 November 1998.

12 See Ian Hamilton, *Keepers of the Flame: Literary Estates and the Rise of Biography* (London, 1992) and Denis Winter, *Haig's Command: A Reassessment* (London, 1991) for studies of the powerful impact of custodial and transmissive provenance on, respectively, personal records and government records. For a review of *Haig's Command* by Tim Cook see *Archivaria* 43 (Spring 1997), pp. 193–97.

13 For a discussion of the dangers which the bill, as initially tabled, presents to archiving, see Joanne Burgess, Terry Cook, and Bill Waiser, "How to Put a Lid on Canada's History," *The Globe and Mail* (13 April 1999).

14 *The Globe and Mail* (4 March 1999).

15 *The Globe and Mail*, (13 April 1999.

16 *Washington Post*, (28 February 1999), posted to the Archives and Archivists Listserv, 7 March 1999.

17 Derrida, *Specters of Marx*, p. 176.

18 Ibid. For Derrida, one of the key things that Western philosophy has sought to marginalize or "efface" is "the sign," or means of communication. See Peggy Kamuf, ed., *A Derrida Reader: Between the Blinds* (New York, 1991), p. 11. As John D. Caputo writes, this indicates a desire for "pure presence without representation," or clear understanding of reality without much consideration of the effects of communication processes on what we know. See Caputo, *The Prayers and Tears of Jacques Derrida: Religion without Religion* (Bloomington, 1997), p. 19. The effacement of the sign has made archives a "ghost" or all but invisible in the knowledge creation process, and thus society. Patrick J. Geary echoes this idea in his study of the processes of memory making and of forgetting in medieval Europe. He calls "phantoms of remembrance" those who helped shape the medieval record through their now little noticed and understood roles in archiving it. See his *Phantoms of Remembrance: Memory and Oblivion at the End of the First Millennium* (Princeton, 1994).