

Articles

Hannah Arendt's World: Bureaucracy, Documentation, and Banal Evil



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RÉSUMÉ Ce texte applique la théorie de Hannah Arendt sur la banalité du mal aux pratiques de documentation et de gestion de documents. Il postule qu'en dépit des critiques, la conception du mal telle qu'élaborée par Arendt peut contribuer énormément aux études en archivistique. Tout en étant influencée par la métaphore marxiste du rouage dans la machine et la cage d'acier de Weber, Arendt offre une toute nouvelle voie pour la conception du mal. Alors qu'Arendt n'acquiesce pas les bureaucrates de leurs responsabilités morales, elle éclaire les façons dont les bureaucrates peuvent devenir inhumains et détachés du but ultime de leur travail par l'entremise des régimes de gestion de documents. Des critiques importantes de cette théorie telle qu'appliquée aux documents d'archives accentuent l'importance du contexte, le rôle du créateur des documents, ainsi que la capacité que comporte la documentation banale de créer une bureaucratie de bien plutôt que de mal. Pourtant, l'analyse d'Arendt sur la nature du mal continue de fournir un aperçu de l'esprit des individus qui, même s'ils ont l'air ordinaires, s'adonnent à des actes de mal extraordinaire, comme nous le montre l'application de cette théorie à la commission d'enquête actuelle sur les Khmers rouges. La conception du mal d'Arendt met au défi les archivistes de placer la primauté du mal insidieux au premier plan de leurs décisions d'évaluation, de conservation et d'accès, et elle nous rappelle de ne pas devenir complices des bureaucraties de la mort.

ABSTRACT This paper applies Hannah Arendt's theory of the banality of evil to documentation and record-keeping practices, and posits that, despite its critics, Arendt's conception of evil has much to offer archival studies. While influenced by the Marxian metaphor of the cog in the machine and the Weberian iron cage, Arendt presents a radical departure from previous conceptions of evil. While Arendt does not absolve bureaucrats from moral responsibility, she sheds light on the ways in which bureaucrats can become dehumanized and alienated from the ultimate goal of their labour through record-keeping regimes. Important criticisms of this theory as applied to records stress the importance of context, the agency of the record maker, and the

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ability of banal documentation to create a bureaucracy of good rather than evil. Yet, Arendt's analysis of the nature of evil continues to provide insight into the minds of seemingly ordinary individuals who commit extraordinary evil, as its application to the current Khmer Rouge tribunal shows. Arendt's conception of evil challenges archivists to keep the primacy of insidious evil at the forefront of appraisal, preservation and access decisions, and reminds us not to be complicit in bureaucracies of death.

Introduction

Politically speaking, it is that under conditions of terror most people will comply *but some people will not*.... Humanly speaking, no more is required, and no more can reasonably be asked, for this planet to remain a place fit for human habitation.¹

As long as ordinary people can be transformed overnight into mass murderers, we are still living in Hannah Arendt's world.²

In the forty-six years since Hannah Arendt's reports on the trial of Adolph Eichmann were first published, her views on evil have been the subject of much heated debate in fields as wide-ranging as political science, history, psychology, law, and philosophy. Similarly, Arendt's theory of the banality of evil has much to offer the study of documentation and record-keeping practices. Arendt's theory, which was greatly influenced by Marx and Weber, presents a significant departure from previous conceptions of evil and has larger implications for understanding modern mass atrocities. Using the Nazis as a specific historical example, Arendt's theory of evil explains how obsessive documentation in a totalitarian bureaucracy can help facilitate mass murder by alienating decision-makers from the violence of their decisions. Critiques of Arendt's theory as applied to archives emphasize the ways in which it overlooks the importance of specific historical and socio-political forces, denies the agency of recordkeepers, and fails to recognize that acts of documentation can be used for the greater good. Despite the validity of this criticism, Arendt's theory is still a useful lens through which to explore documentation practices in genocidal regimes, as shown by its applicability to Khmer Rouge record-keeping practices. Finally, Arendt's conception of evil reminds archivists to be vigilant against banal evil within the bureaucracies that employ us and actively document instances of such evil in our societies.

While much has been written recently on the role of archives and archi-

- 1 Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil*, 5th ed. (New York, 2006), p. 233 [emphasis in the original].
- 2 Adam Kirsch, "Beware of Pity: Hannah Arendt and the Power of the Impersonal," *New Yorker* (12 January 2009), http://www.newyorker.com/arts/critics/atlarge/2009/01/12/090112crat_atlarge_kirsch (accessed on 3 June 2010).

vists in both documenting human rights abuses and in contributing to justice and reconciliation after such abuses, very little has addressed the role of records in facilitating recordkeepers to commit these abuses in the first place.³ This paper attempts to fill this gap by shedding light on why recordkeepers in certain totalitarian bureaucracies commit such abuses using Arendt's ideas on the banality of evil as its primary theoretical lens.

Arendt's Theory of Evil

In 1961, Hannah Arendt, a German-born, Jewish philosopher who fled Nazi persecution twenty years earlier, was contracted by *The New Yorker* to cover the trial of Adolph Eichmann in Jerusalem. Eichmann had been a high-ranking Nazi official entrusted with the logistical enactment of the Final Solution, and thereby oversaw the deportation of Jews and others deemed undesirable to death camps in Eastern Europe. Having escaped to Argentina after the collapse of the Nazi regime, Eichmann was kidnapped by the Israeli Secret Service in 1960 and brought to Israel, where he was tried, found guilty, and sentenced to death for crimes against humanity and the Jewish people. Replete with political motivations, the televised trial galvanized international support for the fledgling nation of Israel, and generated popular and academic interest in the Holocaust.

Like many observers of the trial, Arendt had difficulty coming to terms with the ordinariness of Eichmann, who did not fit commonplace notions of how a monstrous mass murderer should behave. Instead of the wild-eyed, anti-Semite that everyone expected, Eichmann claimed to have neither hatred of Jewish people nor a steadfast belief in Nazi ideology. (In fact, one of the six psychiatrists who evaluated Eichmann's mental status before the trial pronounced him "more normal than I am after examining him."⁴) Eichmann portrayed himself as being so gentle a soul that the sight of blood made him

3 For examples of recent work on archives, social justice, and reconciliation, see: Verne Harris, "The Archival Sliver: Power, Memory, and Archives in South Africa," *Archival Science*, vol. 2, nos. 3–4 (2002), pp. 63–82; Eric Ketelaar, "Archival Temples, Archival Prisons: Modes of Power and Protection," *Archival Science*, vol. 2, nos. 3–4 (2002), pp. 221–38; Bruce P. Montgomery, "Fact-Finding by Human Rights Non-Governmental Organizations: Challenges, Strategies, and the Shaping of Archival Evidence," *Archivaria* 58 (Fall 2004), pp. 21–50; Richard Cox and David Wallace, eds., *Archives and the Public Good: Accountability and Records in Modern Society* (Westport/London, 2002); and Margaret Proctor, Michael G. Cook, and Caroline Williams, eds., *Political Pressure and the Archival Record* (Chicago, 2006). For the author's own work on how archives are being used to achieve justice and reconciliation, see Michelle Caswell, "Khmer Rouge Archives: Accountability, Truth, and Memory in Cambodia," *Archival Science*, vol. 10, no. 1 (2010), pp. 25–44.

4 Albert Breton and Ronald Wintrobe, "The Bureaucracy of Murder Revisited," *Journal of Political Economy*, vol. 94, no. 5 (1986), p. 907.

nauseous, testifying that, “If today I am shown a gaping wound, I can’t possibly look at it. I am that type of person, so that very often I was told that I couldn’t have become a doctor.”⁵ Arendt, deeply troubled with reconciling the Eichmann on trial with the Eichmann who organized the Holocaust, shifted her own prior conceptions of radical evil (which were heavily influenced by Kant and professed in her 1948 work *The Origins of Totalitarianism*⁶) to explain how a new category of thoughtless bureaucrats can become capable of committing mass murder. At the heart of her theory lies the following claim:

The trouble with Eichmann was precisely that so many were like him, and that the many were neither perverted nor sadistic, that they were, and still are, terribly and terrifyingly normal. From the viewpoint of our legal institutions and of our moral standards of judgment, this normality was much more terrifying than all the atrocities put together, for it implied ... that this new type of criminal, who is in actual fact *hostis generis humani*, commits his crimes under circumstances that make it well-nigh impossible to know or to feel that he is doing wrong.⁷

In this new conception, the opposite of evil is not good, but thought. It is thoughtfulness, not goodness per se, that allows human beings to question the ethical basis of the larger society and to resist orders that run contrary to personal morality. The thinking individual, according to Arendt, maintains moral judgment and an ethical basis for action even when society’s values are skewed enough to endorse mass murder.

Cogs in the Modern Machine

It is important to note in the previous quotation that Arendt thought the murderous technocrat, as personified by Eichmann, represented a “new type of criminal” – one uniquely situated in the historical and cultural specificities of modernity. Repeatedly, Arendt uses the term “cog” to describe Nazi bureaucrats. Quoting Eichmann’s own defense attorney, Arendt writes that Nazi officials, “were ‘nothing but office drudges’, for whom everything was decided by ‘paragraphs, by orders, who were interested in nothing else’, who were, in short, precisely such ‘small cogs’ as, according to the defense, Eichmann himself had been.”⁸ Later in the text, she generalizes this “cog” analogy to all oppressive regimes, claiming that “the essence of totalitarian government, and perhaps the nature of every bureaucracy, is to make functionaries and mere cogs in the administrative machinery out of men, and thus

5 Arendt, *Eichmann in Jerusalem*, p. 87.

6 Hannah Arendt, *The Origins of Totalitarianism* (New York, 2004).

7 Arendt, *Eichmann in Jerusalem*, p. 276.

8 *Ibid.*, p. 57.

to dehumanize them.”⁹

While the word “cog” (meaning “a series of teeth or similar projections on the circumference of a wheel”) has been used in the English language since at least 1250,¹⁰ Arendt’s use of the term drew heavily on the Marxian analogy of the “cog in the machine.”¹¹ According to this analogy, the modern human condition is characterized by such profound alienation that, “The power of the human individual has disappeared before the power of capital, [so that] in the factory the worker is now nothing but a cog in the machine.”¹² Arendt’s argument takes the Marxian cog analogy a step further, positing that otherwise ordinary humans are so dehumanized by the mechanizations of modern bureaucracy that they are made capable of committing mass murder if sanctioned by the system. In this way, Arendt builds on Marx’s claim that modern industry “convert[s] the workman into a living appendage of the machine,”¹³ be the goal of that machine the production of capital or mass murder. Not only does the machine dehumanize the perpetrators, but they in turn, also dehumanize their victims.¹⁴ As Amos Elon wrote in the introduction to the 2006 edition of Arendt’s book, Eichmann “personified neither hatred or madness or an insatiable thirst for blood, but something far worse, the faceless nature of Nazi evil itself, with a closed system run by pathological gangsters, aimed at dismantling the human personality of its victims.”¹⁵ Thus while the perpetrators become dehumanized in Arendt’s view, they remain very much ordinary humans, and not the grotesque monsters they were portrayed as in previous characterizations.

If workers are cogs in a larger machine, Eichmann’s defense contended, they are not responsible for the totality of the machine; rather, they are alienated from the larger goal, whether that be the production of capital or an

9 Ibid., p. 289.

10 “Cog,” *Oxford English Dictionary* (Oxford, 1989).

11 I refer to this term as “Marxian” because it is commonly used to describe Marx’s philosophy of worker alienation rather than being directly and reliably attributable to Marx himself. While the phrase “cog in the machinery” appeared in the text of an 1867 leaflet authored by a committee on which Marx sat, it is unclear how much input he had on the composition of the English text. See International Workingman’s Association, “Prolétaires, parmi les correspondances, London, July 1867,” <http://www.marxists.org/archive/marx/iwma/documents/1867/lausanne-call.htm> (accessed on 9 October 2009).

12 Ibid.

13 Karl Marx, *Capital*, Vol. 1 as reprinted in *The Marx Engels Reader*, ed., Robert C. Tucker (New York, 1978), p. 412.

14 For a more thorough discussion of how the Holocaust forever changed the notion of “the human,” see Dan Stone, “The Holocaust and ‘The Human,’” in *Hannah Arendt and the Uses of History: Imperialism, Nation, Race, and Genocide*, eds. Richard H. King and Dan Stone (New York, 2007), pp. 232–49.

15 Amos Elon, “Introduction: The Excommunication of Hannah Arendt,” in Arendt, *Eichmann in Jerusalem*, p. xiii.

“administrative massacre,” as Arendt terms it.¹⁶ But while Arendt acknowledged that Eichmann and his cohorts were cogs in the Nazi machine, she found such arguments to be “legally pointless,” and insufficient to absolve Eichmann of moral responsibility and legal guilt. She wrote, “All the cogs in the machinery, no matter how insignificant, are in court forthwith transformed back into perpetrators, that is to say, into human beings.”¹⁷ She continued by calling the logical extension of Eichmann’s defense to be “the rule of Nobody, which is what the political form known as bureaucracy truly is.”¹⁸ In other words, totalitarianism is bureaucracy writ large where no individual claims responsibility for his or her own actions. Arendt ultimately asserts, however, that individuals, as cogs or otherwise, are morally responsible for their actions.

Weber and the Thoughtless Bureaucrat

While the genealogy of Arendt’s “cog” can be traced directly to Marxian thought, less directly traceable but just as influential, I contend, is Weber’s structuralist conception of bureaucracy. Writing in 1904, Weber described how “the care for external goods” (or the “pursuit of capital” in Marx’s terms), has come to dominate modern life, transforming from a “light cloak” to an “iron cage” that has the potential to imprison humanity in a state of “mechanized petrification.”¹⁹ Although Weber gives scant further attention to the “iron cage,” it has since been used repeatedly to epitomize the notion of the oppressive bureaucratization of modernity from which human beings are admonished to break free.²⁰ Furthermore, Weber denotes three key features of modern bureaucracy – detachment, rationalization, and calculation – that apply to the Nazi death machine with disturbing accuracy. While Arendt does not explicitly discuss Weber in her commentary of the trial, her portrayal of Eichmann as a bureaucrat thoughtlessly alienated from the ultimate goal of the Nazi machine draws heavily on Weber’s idea of bureaucracy. Thus Arendt constructs the banal, bureaucratic murderer, as epitomized by Eichmann, as a uniquely modern form of criminal, alienated from the impact of his murderous efforts in the same way modern men and women are alienated both from the fruits of their labour (as in Marx) and from the rigid goals of the bureaucratic system by which they are imprisoned (as in Weber).

16 Arendt, *Eichmann in Jerusalem*, p. 288.

17 *Ibid.*, p. 289.

18 *Ibid.*

19 Max Weber, *The Protestant Work Ethic and the Spirit of Capitalism*, trans. Talcott Parsons (2008), pp. 181–82.

20 Sung Ho Kim, “Max Weber,” *Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, <http://plato.stanford.edu/entries/weber/#IroCagValFra> (accessed on 10 October 2009).

The influence of Weber's ideas on bureaucracy can also be seen in Arendt's thoughts on rationalization and the Nazi regime, as many scholars have noted.²¹ To Weber, the fully developed bureaucracy was implemented "*sine ira ac studio*" (without anger or bias) by objective bureaucrats who were virtuously detached from their jobs. Weber wrote that bureaucracy's

specific nature, which is welcomed by capitalism, develops the more perfectly the bureaucracy is "dehumanized," the more completely it succeeds in eliminating from official business love, hatred, and all purely personal, irrational and emotional elements which escape calculation. This is the specific nature of bureaucracy and it is appraised as its special virtue.²²

Weber's analysis is exceptionally chilling in light of Eichmann's repeated assertion that he had no personal hatred of, or ill will toward, Jews. He claimed: "With the killing of Jews I had nothing to do. I never killed a Jew, or a non-Jew, for that matter – I never killed any human being."²³ Arendt portrays Eichmann as the epitome of the modern bureaucrat, coldly alienated from the impact of his efforts.²⁴

And yet while branding this new type of criminal as a unique reflection of the modern condition, Arendt asserts that such criminals are still *hostis generis humani* (enemies of the human race), that are subject to universal jurisdiction. The phrase originally described the status of pirates, who function outside the boundaries of national jurisdiction, but are still subject to universal, transnational ethical and legal codes. It has since been used to describe slave traders in the eighteenth century and, more recently, torturers and terrorists.²⁵ Thus while the technocrat murderer described by Arendt represents a new type of criminal situated in modernity, he still belongs to the same legal and ethical categories that have governed human beings for centuries. But despite the universalism reflected in the phrase "*hostis generis humani*," Arendt seemed conflicted over popular arguments that the Holocaust

21 Bernard Bergen, *The Banality of Evil: Hannah Arendt and "The Final Solution"* (Lanham, 1998), pp. 39–78.

22 Max Weber, "Bureaucracy and Law," in *Max Weber: Essays in Sociology*, eds. H.H. Gerth and C. Wright Mills (London, 2001), pp. 215–16.

23 Arendt, *Eichmann in Jerusalem*, p. 22.

24 However, despite the obvious influence of Weber's thoughts on bureaucracy, Arendt does not go so far as to attribute Nazi bureaucracy to a type of modernity brought about by capitalism, as Bernard Bergen has accurately written. See Bergen, p. 41.

25 For a more detailed analysis of how this legal term has been applied to violators of human rights, see Diane F. Orentlicher, "Settling Accounts: The Duty to Prosecute Human Rights Violations of a Prior Regime," *The Yale Law Journal*, vol. 100, no. 8, "Symposium: International Law" (June 1991), pp. 2537–2615, and Anthony D'Amato, "The Concept of Human Rights in International Law," *Columbia Law Review*, vol. 82, no. 6 (October 1982), pp. 1110–59.

was a unique event in human history.

Seemingly more complicated, but in reality far simpler than examining the strange interdependence of thoughtlessness and evil, is the question of what kind of crime is actually involved here – a crime, moreover, which all agree is unprecedented. For the concept of genocide, introduced explicitly to cover a crime unknown before, although applicable up to a point is not fully adequate, for the simple reason that massacres of whole peoples are not unprecedented. They were the order of the day in antiquity, and the centuries of colonization and imperialism provide plenty of examples of more or less successful attempts of that sort....²⁶

Such universalism provided fodder for Arendt's critics, many of whom contended that the Holocaust differed in scope and substance from other targeted mass murders and genocides.

What separates the new "enemies of the human race" from the old, in Arendt's conception, is a lack of awareness of the consequences of their actions engendered by modern technologies and documentary practices. As Elon writes in the introduction to Arendt's text, "Within this upside-down world Eichmann (perhaps like Pol Pot four decades later) seemed not to have been aware of having done evil."²⁷ Note the careful choice of words here; Elon uses "awareness" and not "knowledge" to describe Arendt's ideas. While Arendt conceives of evil as an insidious type of thoughtlessness, she allows for this new type of criminal to have knowledge of the consequences of his actions, despite a bureaucratic system that makes such knowledge almost (or "well-nigh") impossible. Thus many cogs in the machine do know the consequences of their actions, even if they do not want to know. For example, while she clearly states that Eichmann seemed not to have knowledge of the consequences of his actions, she also insists that ultimately he did know. She writes, while "Eichmann did not see much [of the gas chambers] ... [he] saw just enough to be fully informed of how the destruction machinery worked."²⁸

But since he had been employed in transportation and not in killing, the question remained, legally, formally, at least, of whether he had known what he was doing; and there was the additional question of whether he had been in a position to judge the enormity of his deed – whether he was legally responsible, apart from the fact that he was medically sane. Both questions were now answered in the affirmative....²⁹

26 Arendt, *Eichmann in Jerusalem*, p. 288.

27 Elon, p. xiii. Note the comparison between Eichmann and Pol Pot, which will be addressed further in future work.

28 Arendt, *Eichmann in Jerusalem*, pp. 89–90.

29 *Ibid.*, p. 90.

The defense's erroneous argument that Eichmann did not know the consequences of his actions has been termed "the epistemological excuse" by legal scholars.³⁰ As Luban, Strudler, and Wasserman have argued, epistemological excuses, while "often insincere," have been recognized as legitimate excuses in "traditional accounts of moral responsibility," making it "very difficult to find a workable account of moral responsibility within bureaucratic institutions."³¹ As a result, the scholars suggest a new legal and moral framework whereby individuals are held responsible for knowledge of their actions within a bureaucracy. However, the important distinction according to Arendt is not between knowing and not knowing, but rather between knowing (which Eichmann did) and thinking (which Eichmann did not).³² As political theorist Vlasta Jalusic has summarized, "Thoughtlessness represents a special kind of mentality – not the absence of rational and instrumental thinking but of the judging ability and activity, imagination itself."³³ Furthermore, this type of thoughtlessness "emerges under conditions of inverted human order,"³⁴ in which laws enforce evil rather than good, and the machines of bureaucracy churn out destruction rather than creation. Thus the insidious nature of evil in modernity is such that bureaucratic functions (like documentation) alienate human beings from thinking about the consequences of their actions, even when they still possess faint traces of moral knowledge.

However, despite characterizing evil as a lack of awareness or thought, Arendt does not, like Eichmann's defense, absolve such bureaucrats from responsibility of the consequences of their actions. While many of Arendt's critics erroneously accuse her of absolving cogs like Eichmann of moral responsibility, Arendt insists on Eichmann's guilt and ultimately supports his death sentence; in the words of Breton and Wintrobe, she concludes that, "a cog in a machine that is perpetuating monstrous acts is responsible for those acts."³⁵ The excuse of ignorant culpability clearly does not apply to Eichmann; furthermore, it is unclear if Arendt would accept such an excuse in any situation.

30 David Luban, Alan Strudler, and David Wasserman, "Moral Responsibility in the Age of Bureaucracy," *Michigan Law Review*, vol. 90, no. 8 (1992), p. 2352.

31 Ibid.

32 In the words of philosopher Richard J. Bernstein, "Thinking must not be confused with knowing," Richard J. Bernstein, "'The Banality of Evil' Reconsidered," in *Hannah Arendt and the Meaning of Politics*, eds. Craig Calhoun and John McGowan (Minneapolis, 1997), p. 310.

33 Vlasta Jalusic, "Post-Totalitarian Elements and Eichmann's Mentality in the Yugoslav War and Mass Killings," in *Hannah Arendt and the Uses of History*, eds. King and Stone, p. 152.

34 Ibid.

35 Breton and Wintrobe, p. 907.

Recordkeeping and Bureaucracies of Evil

Not only does Arendt's theory of evil have radical implications for theology, philosophy, and the law, it also has vast implications for archival studies. Using Arendt's view of evil to examine totalitarian, record-keeping practices in regimes that exhibit obsessive documentation, this paper argues that the creation of the archives itself, the bureaucratic function that produces records ordering and documenting mass murder, is what, in part, enables the banality of evil by isolating the "desk murderers" from the "administrative massacres" they order. This is achieved in two ways: first, documents allow for specific actions to be compartmentalized, thus distancing bureaucrats from the larger goal of their discrete tasks, and second, by fulfilling a social function that encourages a culture of thoughtlessness. Thus, through recordkeeping, bureaucrats are alienated from the murderous fruit of their labours, both practically (by issuing the orders that designate someone further down the chain of command to, for example, pull the trigger or open the gas valve) and socially (orders for murder become nothing more than routine paperwork in a culture of obedience and efficiency).

One way in which record-keeping practices enable bureaucrats to administer mass murder is through the central role records play in "the fragmentation of knowledge."³⁶ As Luban, Strudler, and Wasserman have described, "bureaucratic organizations parcel out morally significant knowledge among various individuals along the same line as organizational tasks," so that "the division of labor is equally a division of knowledge."³⁷ Thus, Eichmann was able to claim that, "he had never been told more than he needed to know in order to do a specific, limited job."³⁸ This paper contends that the primary mode through which this knowledge is compartmentalized is through documentation. Bureaucrats receive written orders to carry out specific compartmentalized tasks, the completion of which they must again document, and administer the next compartmentalized task through written orders to the closest subordinate level of bureaucrat. It is thus through an elaborate system of documentation that the larger bureaucratic machine functions. Records are the media through which procedures are routinized; records enable repetition, which leads to "the nearly universal ability to make any activity into a routine that deadens the awareness of what is being done."³⁹ It is for this precise reason that both the Nazis and the Khmer Rouge were such meticulous recordkeepers; through obsessive documentation they were able to transform the everyday, banal practice of recordkeeping into one in which mass murder was normalized. Thus

36 Luban, Strudler, and Wasserman, p. 2360.

37 Ibid., p. 2355.

38 Arendt, *Eichmann in Jerusalem*, p. 84.

39 George Kateb, *Hannah Arendt: Politics, Conscience, Evil* (Totowa, 1983), p. 73.

the creation of an archives that documents the violence of totalitarianism is essential to Arendt's claim that modern totalitarianism enabled bureaucrats to commit murder and claim they did not know the evil of their actions; it is the records themselves that enable people to commit atrocious acts they normally would not perpetrate. While obsession with documentation is not the hallmark of all modern genocides, the chilling similarities with which both the Third Reich and the leaders of Democratic Kampuchea (the Khmer Rouge's name for Cambodia) employed both record-keeping practices and documents to streamline mass murder, beg further investigation and are the subject of the final section of this paper.⁴⁰

During the Holocaust, not only did the Nazis excel at documentation and recordkeeping, but modern, industrialized technology was also employed to streamline this process. As some scholars have argued, what made the Holocaust unprecedented was that "modern technology has enabled man to develop methods of mass murder unique in the history of humankind," by engendering "a growing gap between [a mass murder's] planning and execution."⁴¹ This technology was specifically aimed at streamlining the record-keeping process; as Ernst Posner has written, "the overwhelming success of the Germans was attributable to the fact that they entered the war with a better filing system."⁴² Remarkably, this "better filing system" was created by the American company IBM, whose CEO was an ideological supporter of Hitler, as documented in detail in Edwin Black's groundbreaking book *IBM and the Holocaust*.⁴³ IBM profited by optimizing the efficiency of the Nazi death machine by creating an elaborate punch card coding system whereby prisoners' locations, work assignments, and death prescriptions were tracked. If a prisoner's punch card was stamped "code six," for example, he was designated for "special handling," a euphemism for extermination.⁴⁴ In this way, modern documentation and record-keeping practices allowed bureaucrats an unprecedented capacity to compartmentalize actions (e.g., stamping code six

40 Certainly, a number of modern genocides do *not* employ obsessive documentation to further their murderous ends. A further discussion about why, in general, genocides are committed, is something of great unresolved debate among political scientists, human rights activists and heads of state, and is beyond the scope of this paper, the aim of which is merely to elucidate the function of records in enabling the genocides in which they have played a major role, such as the Nazi and Khmer Rouge genocides.

41 Richard I. Cohen, "A Generation's Response to Eichmann in Jerusalem," in *Hannah Arendt in Jerusalem*, ed. Steven E. Ascheim (Berkeley and Los Angeles, 2001), p. 268.

42 Ernst Posner, *Archives and the Public Interest: Selected Essays by Ernst Posner*, ed. Ken Munden (Washington DC, 1967), p. 87, as quoted in Ketelaar, p. 226.

43 Edwin Black, *IBM and the Holocaust* (New York, 2001). For further details on how other corporations profited from the Holocaust, see Gerald D. Feldman and Wolfgang Seibel, eds., *Networks of Nazi Persecution: Bureaucracy, Business and the Organization of the Holocaust* (New York, 2005).

44 Black, p. 21.

on a card) from results (e.g., designating a prisoner for the gas chamber).

Furthermore, Nazi documentation practices belie a particularly modern faith in the power of records. Writing in a tone that is oddly optimistic – given the backdrop of Europe following the Second World War – French librarian and theorist Suzanne Briet called for a new type of professional, “the documentalist,” whose specialty was the use of new technology to create and manage records. She writes (in 1951), “The moment has arrived to prove that the exercise of documentation, with all its possibilities and all its perfected means, effectively constitutes a *new cultural technique*. Documentation is becoming more and more technical, as a specialized skill.”⁴⁵ Indeed, the moment had already arrived, when, a decade prior to Briet’s “manifesto” on documentation, Eichmann and his fellow Nazis perfected this new cultural technique – the exercise and means of documentation – albeit to destroy culture and impoverish humanity, rather than to serve culture and enrich humanity, which Briet posited as the ultimate goals of documentation. In this way, Eichmann is the first modern documentalist, a specialist who embodies expertise in the new “cultural technique” that Briet sets forth, but for sinister ends. However, as Ronald Day has written, Briet posits that, “documentation is not just a ‘cultural technique’ (in terms of fitting into particular cultural modes of production), but that it is an *exemplary* and *necessary* technique of cultural modernity as a whole.”⁴⁶ In this way, Eichmann’s practices both exemplify and reveal the necessity of documentation in the modern age in ways that perfectly fit Briet’s “documentalist” model. However, writing five years after the Nuremberg Trials, Briet curiously managed not to see the connection between documentation, modernity, and the streamlining of mass murder, instead idealizing the new documentalist as the bearer of progress.

Both the culture of documentation and the culture created by documentation are at issue here. For example, the records of totalitarian regimes serve not only the specific functions they directly address (such as ordering a deportation or coding a prisoner for extermination by gas chamber), but also enable a culture of alienation and irresponsibility that divorces the functions of the records from their end results. While few (if any) in archival studies have explicitly made this connection between Arendt and the archives, much work has been done about the social nature of documentation and recordkeeping. Again, Briet makes a major contribution on this issue, as “knowledge, for Briet, is primarily social and cultural, and the production of documents is part of the social and cultural production of knowledge.”⁴⁷ Influenced by Briet’s

45 Suzanne Briet, *What is Documentation?*, trans. Ronald E. Day and Laurent Martinet, with Hermina G.B. Anghelescu (Lanham, 2006), p. 17 [emphasis in original].

46 Ronald E. Day, “‘A Necessity of Our Time’: Documentation as ‘Cultural Technique’ in *What is Documentation?*” in Briet, *What is Documentation?*, p. 54 [emphasis in original].

47 *Ibid.*, p. 56.

ideas about the intimate relationship between documentation and the social, Ciaran Trace has called on archivists to expand the traditional view of records as merely “by-products of activity,” and to acknowledge that “the record has, as one of its functions, a strong element of social control.”⁴⁸ While Trace examines records put to less sinister aims than the Nazi records discussed here, her distinction between the “use” of records (whereby records carry out “a purpose or action of an organization”), and the “purpose” of records (which “encompasses the social factors that impinge upon record creation and record keeping”) is helpful in understanding the Nazi culture of recordkeeping.⁴⁹ Thus while the use of such records was to administer specific acts of cruelty and violence, the purpose of such records was to further alienate bureaucrats from knowledge of, and responsibility for, mass murders. In light of this view, records are not just “the detritus of bureaucracy,”⁵⁰ but also the mode through which bureaucracy functions practically and socially.

I also wish to draw here, as Trace does, on recent scholarship applying postmodern theory to archival studies to examine the greater context of record creation. Terry Cook, for example, defines archival postmodernism as “focusing on the context behind the content; on the power relationships that shape the documentary heritage; and on the document’s structure, its resident and subsequent information systems, and its narrative and business-process conventions as being more important than its informational content.”⁵¹ While the informational content of the records in question here is of obvious importance, this paper focuses on the context of the creation of records, the power relationships inherent in their creation, and the systems and conventions that dictate their creation, form, and use. In this way, the Nazi records not only functioned to order mass murder, but served a social role as well.

If we accept, as Trace suggests, a “framework [that] allows for an understanding of records as social entities, where records are produced, maintained, and used in socially organized ways,”⁵² then we can begin to see how Nazi records not only served the specific bureaucratic functions of carrying out mass murder, but also how Nazi record-keeping practices served a social function; they created a culture whereby bureaucrats were recognized, promoted, and rewarded based both on their efficiency in advancing records through the system and their ability to separate the creation of records from their ulti-

48 Ciaran B. Trace, “What is Recorded is Never Simply ‘What Happened’: Record Keeping in Modern Organizational Culture,” *Archival Science* 2 (2002), pp. 139 and 143.

49 *Ibid.*, p. 153.

50 Michael Thad Allen, “The Banality of Evil Reconsidered: SS Mid-Level Managers of Extermination through Work,” *Central European History*, vol. 30, no. 2 (1997), p. 255.

51 Terry Cook, “Fashionable Nonsense or Professional Rebirth: Postmodernism and the Practice of Archives,” *Archivaria* 51 (Spring 2001), p. 25.

52 Trace, p. 152.

mate use. A consideration of the social function of records sheds new light on Arendt's claim that Eichmann was essentially an idiot who excelled at paper pushing. Referring to Eichmann's early days as a low-level official charged with administering deportation orders, she writes: "There were two things he could do well, better than others: he could organize and he could negotiate.... He imagined 'an assembly line, at whose beginnings the first document is put, and then the other papers, and at its end the passport would have to come out as the end product'."⁵³ This record-keeping assembly line is precisely how Eichmann established himself as a virtuous and efficient bureaucrat, and consequently advanced within the Nazi ranks. Arendt furthers this comparison of Nazi bureaucracy to a document factory by writing that Jewish officials who visited Eichmann's offices

were appalled. "This is like an automatic factory, like a flour mill connected with some bakery. At one end you put in a Jew who still has some property ... and he goes through the building from counter to counter, from office to office, and comes out at the other end without any money, without any rights, with only a passport on which it says: 'You must leave the country within a fortnight. Otherwise you will go to a concentration camp'."⁵⁴

Turning the deportation process into a factory assembly line, complete with repetitive, compartmentalized tasks, served to alienate bureaucrats from the murderous uses of the documents they created and kept in a Weberian bureaucracy gone awry.

Arendt's Critics

Now that this paper has examined the importance of Arendt's theory for the study of documentation and record-keeping practices, it will turn to critiques of this theory, limiting itself to only those critiques in which documentation and recordkeeping play a central role.⁵⁵ More specifically, Arendt's theory overlooks the importance of specific historical and socio-political forces in creating records of mass murder, denies the agency of recordkeepers, and fails to recognize that documentation can be used for the common good as well.

While patterns of alienating record-keeping practices emerge across totalitarian systems (as in the Nazis and the Khmer Rouge), not all exten-

53 Arendt, *Eichmann in Jerusalem*, p. 45.

54 *Ibid.*, p. 46.

55 Indeed, there are no shortages of critiques of Arendt's theory that do not specifically address the role of recordkeeping. For some general critiques, see Ascheim, *Hannah Arendt in Jerusalem*; Yaacov Lozowick, *Hitler's Bureaucrats: The Nazi Security Police and the Banality of Evil*, trans. Haim Watzman (New York, 2000); and, most famously, Raul Hilberg, *The Destruction of the European Jews* (New Haven, 2003).

sive bureaucracies support immoral death machines and not all bureaucrats condone murder. Thus Arendt's theory downplays the importance of specific cultural, political, and historical circumstances in which seemingly normal citizens participate in genocide. Arendt asserts that, "It is apparent that this sort of [genocidal] killing can be directed against any group, that is, that the principle selection is dependent only upon circumstantial factors."⁵⁶ But the main target of Nazi mass murder was not just any group, but the Jews. This argument gets to the heart of some of the major debates about the Holocaust and differentiates many of Arendt's supporters from her critics. On one side (including Arendt and her followers), is the "structural-functionalist Holocaust interpretation camp, which insists on modern structures as the origin for crimes 'without motives'," while on the other side is the "ideological-intentionalist interpretation that insists on the power of ... ideologies and on the evil intentions of the perpetrators."⁵⁷ According to the ideological-intentionalist camp, Arendt's treatment of records as an integral component of the bureaucracy of evil overlooks the importance of anti-Semitic ideology as a motivating factor. In light of this view, no amount of obsessive documentation can turn cogs into cogs capable of mass murdering Jews without the deeply entrenched history of anti-Semitism in Europe. This critique is particularly important when applying Arendt's ideas on the banality of evil to the function of archivists and other recordkeepers in contemporary bureaucracies. Without an overarching ideology of evil or hatred, how much damage can recordkeeping alone do? While record-keeping practices, in and of themselves, do not solely enable evil, the combination of a backdrop of hateful totalitarian ideology and mindless adherence to a record-keeping regiment clearly constitutes a particularly lethal combination. However, as Arendt would counter, evil lurks in subtle ways in seemingly banal places. Even in the absence of a totalitarian ideology, it is up to each individual to use his or her full thinking capacity and personal ethical framework to question the morality of every bureaucratic function, including those without obvious murderous ends. Evil, according to Arendt is insidious; its antidote is the human ability to think.

Another major critique of Arendt's theory of evil as it applies to recordkeeping is that it denies the agency of bureaucrats, who in fact, are more than just cogs in the machine. Despite the oppressive hierarchy of totalitarian bureaucracy, workers within that type of system still have some choice and freedom while carrying out their daily activities. Scholars Breton and Wintrobe argue that rather than being imprisoned by a rigid bureaucracy, Nazi superiors and subordinates operated in a flexible, "imprecise" network

56 Arendt, *Eichmann in Jerusalem*, p. 288.

57 Jalusic, p. 152.

of “informal service.”⁵⁸ In this “entrepreneurial,” flexible system, bureaucratic networks competed for resources, while bureaucrats competed with each other for jobs and promotions. In cases, the creativity to think up “new ideas, new initiatives, new policies or projects” was rewarded both socially and financially.⁵⁹ Similarly, Fred Katz has noted both that within any bureaucracy “the routine performance of ... tasks includes, of necessity, a considerable amount of innovative activities,” and that within Nazi networks, bureaucrats “exercised considerable discretion on the course of their murderous activities.”⁶⁰ Furthermore, Katz concludes, Nazi officials operated within “definite zones of autonomy” in which they could creatively “innovate, elaborate, and amplify” orders that were handed down from superiors.⁶¹ In this way, just because a subordinate receives written orders from a superior to both accomplish tasks and document their completion, does not mean that the subordinate does not have flexibility and agency in how those tasks are performed. Thus, as one of Arendt’s most vocal critics, Yaacov Lozowick, has written, “a bureaucratic system imposes on its members a common will, but it is also built on the assumption that the bureaucrats accept this will.”⁶² Furthermore, most contemporary bureaucracies are more fluid, horizontal, and consensual than the top-down structure employed by totalitarian regimes, allowing more freedom for bureaucrats to make decisions, and determine the structure and outcome of their actions. In this way, human agency plays a major role: documentation (obsessive and otherwise) and recordkeeping do not in and of themselves turn human beings into mindless cogs; even within mass-scale bureaucracies, individuals exercise freedom and agency in issuing orders and documenting the completion of tasks.

As many archivists have noted, records can be used for both enslavement and justice; they are both “instruments of oppression and domination,” and “enablers of democratic empowerment.”⁶³ Indeed, the same records that enabled Nazis to efficiently move “undesirables” through the system to their deaths also served to incriminate the perpetrators and are still being used in legal cases regarding the seizure of Jewish-owned property. As Eric Ketelaar has written, “the records themselves are dumb, but without them the oppressor is powerless.”⁶⁴ So is the do-gooder. While there is nothing inherently evil or

58 Breton and Wintrobe, p. 909.

59 Ibid.

60 Fred E. Katz, “Implementation of the Holocaust: The Behavior of Nazi Officials,” *Comparative Studies in Society and History*, vol. 24, no. 3 (1982), pp. 514–15.

61 Ibid., p. 524.

62 Lozowick, p. 27.

63 Adrian Cunningham, “The Soul and Conscience of the Archivist: Meditations on Power, Passion and Positivism in a Crusading Profession,” *Argiefnuus/Archives News*, vol. 43, no. 4 (2001), p. 173, as quoted in Ketelaar, p. 224.

64 Ketelaar, p. 226.

good about documentation or recordkeeping, the aims to which those practices are put can be either. Looking outside the totalitarian context, obsessive documentation can be used to more efficiently administer the greater good. For example, bureaucrats operating within humanitarian aid organizations create and maintain records with the same attention to detail that the Nazis used; an employee of the Red Cross might create a file to register a refugee, pass the file along to a physician volunteering with Doctors Without Borders, who examines the refugee and adds a detailed medical record to the file, which may then be passed along to a state department responsible for granting amnesty to that refugee. In this chain of command, each bureaucrat fulfills a distinct role as a provider of service and a record creator, and must use records to negotiate through a complex network of bureaucracy. Yet in this case, the system ultimately serves to restore the humanity of both record creator and the subject of the record, even if the act of documentation is (temporarily) dehumanizing. In this way, the “archive is both a tool and reflection”⁶⁵ as Eric Ketelaar writes. But a tool for what and a reflection of what are ultimately determined by the human beings who create, maintain, and use it.

Applying Arendt's Theory of Evil to Khmer Rouge Records

Despite the validity of these critiques, Arendt's theory of evil still has much to offer archival studies, as shown by its applicability in the current, much-anticipated human rights tribunal against former Khmer Rouge leaders in Cambodia.⁶⁶ Admittedly, important historical, cultural, and social factors distinguish the Nazi and Khmer Rouge regimes, making extensive comparisons between the two “imprecise,” in the words of historian David Chandler.⁶⁷ Nevertheless, Arendt's investigations into the “banality” of Eichmann provide a useful lens through which to view the recent testimony of former Khmer Rouge official Kaing Guek Eav, commonly known by his *nom de guerre*, Duch. The former head of the notorious Tuol Sleng (or S-21) interrogation and torture facility in Phnom Penh, Duch supervised the torture of as many as 20,000 people,⁶⁸ meticulously overseeing prisoner registrations, torture techniques, forced confession statements, and, in the overwhelming majority of cases, the transportation of prisoners from S-21 to the nearby killing fields at Choeng Ek for execution. Such obsessive documentation practices enabled Duch, like Eichmann before him, to compartmentalize and streamline mass murder, effectively alienating high-ranking bureaucrats from the realities of

65 Ibid., p. 237.

66 Caswell, pp. 25–44.

67 David Chandler, *The Tragedy of Cambodian History* (New Haven, 1991), p. 285.

68 The world may never know the exact number of prisoners held at S-21, but estimates range from 12,000 to 20,000.

the torture and murder they ordered.⁶⁹ Additionally, obsessive documentation allowed Duch not only to order torture without direct involvement, but also report such torture back to his superiors, garnering their favour and demonstrating his efficiency. Finally, Duch, while admitting some guilt in his recent trial, is simultaneously claiming that he was only following orders, as Arendt criticized Eichmann for doing fifty years ago. Throughout this comparison, Arendt's analysis of the nature of evil continues to provide insight into the minds of seemingly ordinary individuals who commit extraordinary evil.

After thirty years of political setbacks, corruption allegations, and diplomatic disputes, the Extraordinary Chambers in the Courts of Cambodia (ECCC) launched a trial against Duch on 17 February 2009. On 26 July 2010, the ECCC found Duch guilty of crimes against humanity and grave breaches of the *Geneva Convention*, and sentenced him to thirty-five years in prison, roughly one day for each confirmed victim at S-21. Duch is the first defendant in an ongoing tribunal that has also charged four other high-ranking Khmer Rouge officials for crimes against humanity, genocide, and war crimes. While the testimonies of Duch and many of his victims (along with documentary evidence presented in the case) uncovered gruesome details of the torture and murder of prisoners at S-21, most observers were struck by the seeming ordinariness and frailty of the man responsible for such horrific crimes. *The New York Times*, for example, called him “deceptively unassuming,” while the BBC, having launched its story with a direct reference to Arendt's banality of evil, asked, “So this is it? ... The reckoning for the great terror of the Khmer Rouge, falling on the skinny shoulders of this little old man?”⁷⁰ In this way, some parallels between Eichmann and Duch are evident: having escaped earlier adjudication, both men were older and distanced from their crimes by the time of their trials, both appeared harmless and frail, and both fully co-operated with the legal procedures of their trials. Yet at closer inspection, further parallels emerge: both were mid-level managers, not masterminds; both claimed to have been following orders; both used obsessive documentation to record and report their crimes. Furthermore, Duch himself drew on the cog analogy made famous by Eichmann, claiming on the final day of his trial,

69 This paper does not suggest that Khmer Rouge leaders had knowledge of, and/or were, consciously modelling their own organizational structure after Nazi bureaucracy. While Pol Pot and many of his colleagues grew up in a Cambodia occupied by the Vichy French colonial power, and Pol Pot himself studied in France after the Second World War, there is no evidence as far as I know to suggest that the Khmer Rouge studied Nazi techniques. For more information on the possible influence of Vichy France on Pol Pot, see Ben Kiernan, *Blood and Soil* (New Haven, 2007), pp. 540–48.

70 Seth Mydans, “Legal Strategy Fails to Hide Torturer's Pride,” *The New York Times* (21 June 2009) and “Searching for Answers in Cambodia,” BBC News (19 February 2009), http://news.bbc.co.uk/2/hi/programmes/from_our_own_correspondent/7897590.stm (accessed on 3 June 2010).

"I ended up serving a criminal organization. I could not withdraw from it. I was like a cog in a machine."⁷¹ What circumstances created such parallels and how can Arendt help us understand why this "banality of evil" was repeated?

First, an exploration of the nature of Khmer Rouge bureaucracy is in order. While historians once debated the degree to which the Khmer Rouge maintained a hierarchical, centralized power structure, new documents uncovered by the Documentation Center of Cambodia demonstrate the consolidated nature of power under the regime.⁷² At the summit of the Khmer Rouge power structure was the mysterious *Angkar*, the Khmer language word for "the organization." Shrouded in secrecy, Pol Pot (also known as Brother Number One) revealed himself to be the man behind *Angkar* in 1977, two full years after the faceless *Angkar* issued orders to invade Phnom Penh. Under Pol Pot, a clearly delineated hierarchy unfolded in which officials in the upper echelons were known not only by their revolutionary names, but also by numbered monikers, such as Brother Number 2, Brother Number 13, etc. While Duch was not high-ranking enough to serve on Pol Pot's National Security Committee, he did receive orders from, and reported back to, the Committee in a strict chain of command. As Duch himself has said, "The decisions to kill were made not by one man, not just Pol Pot, but the entire central committee.... Pol Pot knew about S-21, but did not direct it personally. He left that job to Nuon Chea as No. 2 in the party and to Son Sen as head of the army and police."⁷³ Thus, as historian Craig Etcheson has written, Khmer Rouge security documents corroborate this chain of command and "lead inexorably to the conclusion that most of the violence was carried out pursuant to orders from the highest political authorities of the Communist Party of Kampuchea" so that "a centralized execution system operated at high efficiency over the entire course of the ... regime."⁷⁴

Within this centralized execution system, Duch, a former math teacher, prided himself on obedience to his superiors. In fact, after joining the Khmer Rouge he gave himself the name Duch after an obedient schoolboy character in a Cambodian children's book. Testifying in the tribunal, he explained, "I wanted to be a well-disciplined boy who respected the teachers and did good deeds.... In my entire life, if I do something, I'll do it properly."⁷⁵ And "properly" is exactly how he ran S-21, unquestioningly carrying out orders from his

71 Seth Mydans, "Khmer Rouge Figure is Found Guilty of War Crimes," *The New York Times* (25 July 2010), <http://www.nytimes.com/2010/07/26/world/asia/26cambo.html> (accessed on 26 July 2010).

72 Craig Etcheson, *After the Killing Fields: Lessons from the Cambodian Genocide* (Westport, 2005), p. 54.

73 Kaing Guek Eav ("Duch"), as quoted in Etcheson, p. 83.

74 Etcheson, pp. 78–79.

75 As quoted in Seth Mydans, "Legal Strategy Fails to Hide Torturer's Pride."

superiors, a “cog” in a larger killing machine as Duch would have us believe, like Eichmann before him. While Duch admitted some guilt and responsibility for the deaths at S-21, he repeatedly fell back on the claim that he was only following orders. He testified that, “everyone obeyed orders, and if you disobey orders, you run the risk of losing your life,” followed by, “At that time, in that regime, I saw no alternative other than to respect Party Discipline.”⁷⁶ At another point in the trial, Duch admitted that he had the power to stop torture at S-21, but did not do so in order to “ensure his own survival.”⁷⁷ While fear for his life may, in fact, have prevented Duch from stopping the abuse at S-21, such excuses should have no legal bearing under international law, as attorneys for both the defense and the prosecution noted.⁷⁸ However, the ECCC, in its decision to sentence Duch to a finite term rather than life in prison, curiously cited (among other factors) “the coercive environment in Democratic Kampuchea” as a mitigating factor, showing that, in practice, judiciary systems still take the cog excuse into consideration.⁷⁹

Yet, as a mid-level manager in this bureaucracy of terror, Duch not only reported to his superiors on the National Security Committee, but also oversaw a team of workers at S-21. As historian David Chandler has discovered, S-21 was divided into three departments: interrogation, documentation and defense, and was comprised of some forty-six workers, as a 1978 S-21 telephone directory revealed.⁸⁰ The same directory revealed the Khmer Rouge’s obsession with both documentation and the creation of a new category of workers specialized in document creation; fourteen of the forty-six listed workers – a full 30 percent of all employees at the facility – were employed by the documentation department. The documentation department “was responsible for transcribing tape-recorded confessions, typing handwritten ones, preparing summaries of confessions, and maintaining the prison’s voluminous files.”⁸¹ The unit included a photography subunit, comprised of photographers who “took mug shots of prisoners when they arrived, pictures of prisoners who died in captivity, and pictures of important prisoners after they were killed.”⁸² In the midst of a radically agrarian, Maoist regime, why such an emphasis on documentation and “documentalists?”

First, as Arendt’s commentary on the Eichmann case demonstrated, strict

76 Asian Justice Initiative, *The KRT Trial Monitor*, Report Issue no. 3 (12 April 2009), p. 3.

77 Ibid., Report Issue no. 10 (28 June 2009), p. 5.

78 Ibid., Report Issue no. 2 (1 April 2009), p. 4.

79 The Extraordinary Chambers in the Courts of Cambodia, “Press Release: Kaing Guek Eav Convicted of Crimes Against Humanity and Grave Breaches of the Geneva Convention of 1949” (26 July 2010).

80 David Chandler, *Voices from S-21: Terror and History in Pol Pot’s Secret Prison* (Berkeley, 1999), p. 17.

81 Ibid., p. 27.

82 Ibid.

recordkeeping in a centralized bureaucracy enables mid-level managers to delegate gruesome acts so that their direct involvement in torture is minimal. Curiously, Duch testified in the early weeks of the trial that the only time he stepped inside S-21 was during a recent visit he made to the Genocide Museum (housed in the former S-21 complex) during the investigative phase of the trial.⁸³ Later, Duch testified that, “while he was not directly involved in the daily operation of S-21, he did receive daily updates,” revealing how documents such as daily torture summaries enabled Duch to efficiently run the facility without getting blood on his hands. Furthermore, “Duch confirmed that ‘noxious odors’ dominated S-21 but that he himself did not go inside the facility.”⁸⁴ Again, Duch was physically distant from the realities of torture, thanks to written reports from his inferiors. Later, Duch denied having participated in any interrogations, with two exceptions. As the *KRT Trial Monitor* (an unbiased summarizer of the trial), reported:

The accused persistently dissociated himself from both the decision-making and the actual implementation of the execution process. He steadfastly maintained that the upper echelon had already decided that the people sent to S-21 were to be smashed. He claimed that the only thing he could do was turn a blind-eye to the torture and killing at S-21, and refrain from participating in its daily operations. Duch maintained that he only witnessed killings when specifically ordered to do so.⁸⁵

Repeatedly, Duch asserted that he had never killed anyone himself. Kok Sros, a former guard at S-21, also testified that he never witnessed Duch interrogate, torture, or execute detainees, and that Duch merely walked past detention cells and watched from the outside.⁸⁶ What enabled Duch to “watch from the outside” was the culture of documentation at S-21, ensuring that no important detail would escape the daily reports he received from his inferiors. For example, daily “execution logs,” signed by both Duch’s deputy director and the chief guard at S-21, reported the names of prisoners executed that day, while “torture logs” reported the names of prisoners tortured that day, the techniques used, and their duration, as well as confession statements obtained as a result of such torture.⁸⁷ Such documents allowed Duch to efficiently monitor the daily operations of S-21, while distancing and, ultimately, alienating him from the gruesome acts he ordered.

83 Asian Justice Initiative, Report Issue no. 4 (26 April 2009), p. 2.

84 *Ibid.*, Report Issue no. 9 (21 June 2009), p. 3.

85 *Ibid.*, p. 7.

86 *Ibid.*, Report Issue no. 15 (2 August 2009), p. 3.

87 Craig Etcheson describes a particularly gruesome execution log from 23 July 1977 which lists the names of eighteen prisoners killed that day, as well as a handwritten note from the chief guard at the bottom of the log that reads, “Also killed 160 children today for a total of 178 enemies killed.” See Etcheson, p. 83.

In turn, such exact and detailed documentation allowed Duch to report up the chain of command to his superiors, allowing the upper echelons of the Khmer Rouge to further “codify their beliefs and enumerate and punish nonbelievers,” as Dawne Adam has written.⁸⁸ Duch testified, for example, that photographs of disemboweled prisoners were “requested by the upper echelons in order to confirm the execution” and that other photographs of dead prisoners were taken “in anticipation of superiors’ inquiries.”⁸⁹ Similarly, during the trial, “Duch confirmed that the purpose of the interrogation was to obtain confessions about traitorous acts,” which were then “used to both justify the arrest as well as apprehend others who were implicated.”⁹⁰ Thus, by documenting confessions (obtained through torture), Duch and his staff at S-21 were able to prove to the upper echelons that their own top-level decisions regarding arrests were prudent, thereby reaffirming the omniscience of the highest-ranking Khmer Rouge leaders: while the use of the records was to document killings, the purpose was to flatter the upper echelon. In this twisted tautology, when a high-ranking Khmer Rouge leader suspected someone of being a traitor, that person had to be tortured so that he would confess, so that his confession would serve as written proof confirming the original suspicion. The truth of such confessions was irrelevant; what ultimately mattered was the existence of the document, not its underlying truth or fallacy. As Duch himself testified, he believed “only 50% of the confessions obtained at S-21 were true ... that only 20% of their implications were accurate ... [and that] even the upper echelon at one time did not believe in the truthfulness of the confessions.”⁹¹ In this way, documentation surpassed truth, replacing lived reality with a dangerous and steadfast belief in the infallibility of records.

In a departure from Arendt, in the case of Duch, the records themselves, while distancing Duch from the actual act of murder, did not create a situation in which it was “well-nigh impossible” for Duch to know the consequences of his actions. On the contrary, such gruesome photographs and reports, arriving on Duch’s desk on a daily basis, made it “well-nigh impossible” for him not to have full knowledge of the murderous consequences of his orders. However, drawing on Arendt, the essential distinction is not between knowing and not knowing, but between knowing and thinking. While Duch clearly knew the murderous inner workings of S-21, he willfully refused to think about them, revealing an abyss as immoral in Duch’s time as it was in Eichmann’s.

88 Dawne Adam, “The Tuol Sleng Archives and the Cambodian Genocide,” *Archivaria* 45 (Spring 1998), p. 19.

89 Asian Justice Initiative, Report Issue no. 9 (21 June 2009), p. 6.

90 *Ibid.*, p. 4.

91 *Ibid.*

The Role of Archivists

The underlying theme running throughout this paper is the role of the archivist in enabling and documenting banal evil. Archivists, like any other bureaucrats in a system, bear responsibility for, and complicity in, the overarching end goal of the system. Writing about archivists in the East German state, James O'Toole described how Stasi file clerks may define their role as "morally neutral" because they were not directly involved in interrogation, torture, or murder. However, as O'Toole posited, "they were maintaining the records that permitted such activities, and their complicity is thus more apparent after the fact than it may have been at the time."⁹² In light of Arendt, however, the complicity of archivists resides in the now and not in the after-the-fact; it is the duty of each individual archivist to actively think about the end goals of daily archival activities rather than wait for some societal revelation or political revolution to expose the evil lurking behind banal actions.

For Arendt, the transformation of human beings from ordinary to evil hinges on this refusal to think. This assertion presents a challenge to archivists to keep the primacy of insidious evil at the forefront of their appraisal, preservation, and access decisions. In each of these archival functions, we must question not only how we do things, but also why we do them. The best way to write a collection development policy, control humidity, or code a finding aid in *EAD* are important, but only as important as the overarching question of why we are keeping archives in the first place. Archivists should not be so bogged down in practical details that they lose sight of this important question, and their ability to engage critically with larger issues of the role of records and archives in society.

Arendt's theory also serves as a reminder of our absolute ethical responsibility to think thoroughly and critically about the larger aims of any bureaucracies of which we are a part. Archivists are not just recordkeepers in bureaucratic systems, but record-shapers, actively leaving our traces behind, as did records creators and records users before us. In the words of Verne Harris, "Far from enjoying an exteriority in relation to the record, archivists participate in the complex processes through which the record feeds into social memory."⁹³ In this way, we are not "referees" but "contestants" in the game of history.⁹⁴ As contestants, archivists must fully own up to their roles in knowledge production, and critically engage with the ultimate aims of such knowledge. Are we going to carry on with business as usual, even if that busi-

92 James O'Toole, "Archives and Historical Accountability: Toward a Moral Theology of Archives," *Archivaria* 58 (Fall 2004), p. 17.

93 Verne Harris, "Claiming Less, Delivering More," *Archivaria* 44 (Fall 1997), p. 135.

94 *Ibid.*, p. 140.

ness involves facilitating injustice (including, in extreme cases, mass murder), as did the Stasi file clerks, or are we going to question our neutrality and resist? Using Arendt's dichotomy, are we going to use our skills as archivists for evil or for thought? With Arendt as our guide, the answer is clear.

Furthermore, given our role as shapers of social memory, archivists have a duty to both actively seek out materials that document the banality of evil and advocate for the use of such materials in facilitating justice. Our ability to impact society in this way should not be underestimated. For example, while Duch's logbook of people tortured and killed was merely a tool in administering his daily activities as director of S-21, it is now being used as evidence at the tribunal. If not for the dedication of archivists at the Tuol Sleng Genocide Museum and the Documentation Center of Cambodia, such records would never have been preserved, catalogued, or made available to the diplomats and international legal scholars who set up the tribunal.⁹⁵ Indeed, as Youk Chhang, Director of the Documentation Center of Cambodia, has shown in his relentless calls for justice for victims of the Khmer Rouge, archivists can effect real change in their societies by using the power of archives to advocate for accountability, establish historical truth, and shape collective memory.⁹⁶ While many archivists will not encounter a situation as extreme as the Khmer Rouge example, records documenting banal evil are pervasive; our repositories are full of violated treaties, photographs of civil rights abuses, and the administrative detritus of imperialism. Many more records like these sit in attics and storerooms, waiting to be preserved or destroyed. In light of this, our appraisal choices have dire consequences. We should not lose sight of this responsibility. Nor should we forget that we are uniquely positioned to advocate for a world in which mass murder is found only in archives, and not in newspaper headlines.

Conclusion

As Arendt contended, the banality of bureaucratic surroundings does not absolve perpetrators of moral responsibility; Arendt surely would have found Duch guilty, as she did Eichmann before him. As Duch's victims and their family members respond in sorrow and anger to the incomplete justice provided by the tribunal, we are both reminded of the weight of this moral responsibility and obligated to study the causes of these moral failures in order to prevent such horrific acts from repeating. As archivists, it is our duty not to be thoughtless "cogs" in a seemingly impartial machine, but rather to actively interrogate the function of record making and recordkeeping in our society,

95 See Caswell.

96 Ibid.

and actively document when such functions go horribly wrong. The disturbing frequency with which banal bureaucracies of evil enabled mass murder throughout the twentieth century in diverse contexts across the globe serves as a compelling reminder that we are still living in Hannah Arendt's world.