

the role SAA should play in the celebration of the Bicentennial of the U.S. Constitution. Involvement in or the development of projects similar to Project 87 should be considered.

AACR II. The Policy Committee concurs with the PAG on Description of Records and Manuscripts in its judgment that the descriptive rules of AACR II are not entirely appropriate for manuscripts. The Policy Committee urges the President and Council to transmit this concern to the appropriate committees and persons forming and implementing the rules, and urges revisions based on professional consultation with appropriate committees of the SAA.

Code of Ethics. The Policy Committee recommended that the Code of Ethics Task Force report be adopted, that it be printed in the *American Archivist* as a publication of record for the Society, and that it be referred to the Publications Committee of the Society for further consideration of methods of printing and distribution. The Policy Committee made no recommendation on promulgation of the task force's commentaries that accompany the code. Gracy moved the adoption of the code, its printing in the journal, and its referral to the Publications Committee to recommend additional forms of dissemination. He further moved that the Ethics Committee be discharged with sincerest thanks for its thorough, professional, timely, and good work on this project. Berkeley seconded the motion which was passed.

A CODE OF ETHICS FOR ARCHIVISTS

Archivists select, preserve, and make available records and papers that have lasting value to the organization or public that the archivist serves. Archivists perform their responsibilities in accordance with statutory authorization or institutional policy. They subscribe to a code of ethics based on sound archival principles and promote institutional and professional observance of these ethical and archival standards.

Archivists arrange transfers of records and acquire papers in accordance with their institutions' purposes and resources. They do not compete for acquisitions when competition would endanger the integrity or safety of records and papers; they cooperate to ensure the preservation of these materials in repositories where they will be adequately processed and effectively utilized.

Archivists negotiating with transferring officials or owners of papers seek fair decisions based on full consideration of authority to transfer, donate, or sell; financial arrangements and benefits; copyright; plans for processing; and, conditions of access. Archivists discourage unreasonable restrictions on access or use, but may accept as a condition of acquisition clearly stated restrictions of limited duration and may occasionally suggest such restrictions to protect privacy. Archivists observe faithfully all agreements made at the time of transfer or acquisition.

Archivists appraise records and papers with impartial judgment based on thorough knowledge of their institutions' administrative requirements or acquisitions policies. They arrange records and papers selected for retention in conformity with sound archival principles and as rapidly as their resources permit. Archivists protect the integrity of records and papers in

their custody, guarding them against defacement, alteration, theft, and physical damage, and ensure that their evidentiary value is not impaired in the archival work of restoration, arrangement, and use. They cooperate with other archivists and law enforcement agencies in the apprehension and prosecution of thieves.

Archivists respect the privacy of individuals who created or are the subjects of records and papers, especially those who had no voice in the disposition of the materials. They neither reveal nor profit from information gained through work with restricted holdings.

Archivists answer courteously and with a spirit of helpfulness all reasonable inquiries about their holdings, and encourage use of them to the greatest extent compatible with institutional policies, preservation of holdings, legal considerations, individual rights, donor agreements, and judicious use of archival resources. They explain pertinent restrictions to potential users, and apply them equitably.

Archivists endeavor to inform users of parallel research by others using the same materials, and, if the individuals concerned agree, supply each name to the other party.

Archivists may use their institutions' holdings for personal research and publication if such practices are approved by their employers and are made known to others using the same holdings. Archivists may review and comment on the works of others in their fields, including works based on research in their own institutions. Archivists who collect manuscripts personally should not compete for acquisitions with their own repositories, should inform their employers of their collecting activities, and should preserve complete records of personal acquisitions.

Archivists avoid irresponsible criticism of other archivists or institutions and address complaints about professional or ethical conduct to the individual or institution concerned, or to a professional archival organization.

Archivists share knowledge and experience with other archivists through professional activ-

ities and assist the professional growth of others with less training or experience.

Archivists work for the best interests of their institutions and their profession and endeavor to reconcile any conflicts by encouraging adherence to archival standards and ethics.

COMMENTARY ON CODE OF ETHICS

The committee charged with the responsibility for writing a code of ethics for archivists decided that there should be a basic code that is short enough for easy reading—a summary of the guidelines in the principal areas of professional conduct. In addition there should be a longer COMMENTARY, to explain the reasons for some of the statements and to be a basis for discussion of all the points raised. The commentary contains general statements and some notes by members of the Ethics Committee.

I. The Purpose of a Code of Ethics

Codes of ethics in all professions have several purposes in common, including a statement of concern with the most serious problems of professional conduct, the resolution of problems arising from conflicts of interest, and the guarantee that the special expertise of the members of a profession will be used in the public interest.

The archival profession needs a code of ethics for several reasons: (1) to inform new members of the profession of the high standards of conduct in the most sensitive areas of archival work; (2) to remind experienced archivists of their responsibilities, challenging them to maintain high standards of conduct in their own work and to promulgate those standards to others; and (3) to educate people who have some contact with archives, such as donors of material, dealers, researchers, and administrators, about the work of archivists, and to encourage them to expect high standards.

A code of ethics is not a *moral* or a *legal* statement, but it implies moral and legal responsibilities. It presumes that archivists obey the laws and are especially familiar with the laws that affect their special areas of knowledge; it also presumes that they act in accord with sound moral principles. In addition to the moral and legal responsibilities of archivists, there are special professional concerns, and it is the purpose of a code of ethics to state those concerns and give some guidelines for archivists. The code will identify areas where there are or may be conflicts of interest, and indicate ways in which these conflicting interests may be balanced; the code will urge the highest standards of professional conduct and excellence of work in every area of archives administration.

II. Introduction to the Code

The introduction states the principal functions of archivists. Because the code speaks to people in a variety of fields—archivists, curators

of manuscripts, records managers—the reader should be aware that not every statement in the code will be pertinent to every worker. Because the code intends to inform and protect non-archivists, an explanation of the basic role of archivists is necessary.

This code is compiled for archivists, individually and collectively. We hope that institutions' policies will not obstruct the archivists in their efforts to conduct themselves according to this code; indeed, we hope that institutions, with the assistance of their archivists, will deliberately adopt policies that comply with the principles of the code.

III. Collecting Policies

Among the members of the committee and among archivists generally there seems to be agreement that one of the most difficult areas is that of policies of collection and the resultant practices. This section of the code calls for cooperation rather than wasteful competition, as an important element in the solution of this kind of problem. We realize that institutions are independent and that there will always be room for legitimate competition. However, if a donor offers materials that are not within the scope of the collecting policies of an institution, the archivist should tell the donor of a more appropriate institution. When two or more institutions are competing for materials that are appropriate for any one of their collections, the archivists must not unjustly disparage the facilities or intentions of others. As stated later, legitimate complaints about an institution or an archivist may be made through proper channels, but giving false information to potential donors or in any way casting aspersions on other institutions or other archivists is unprofessional conduct.

It is sometimes hard to determine whether competition is wasteful. Because owners are free to offer collections to several institutions, there will be duplication of effort and bidding that artificially increases the price of some manuscripts. This kind of competition is an unavoidable result of the present market system. Archivists cannot always avoid the increased labor and expense of such transactions.

William Price:

"While members of the committee realize that governmental archives operate under 'collecting policies' dictated by law, most of those archives also possess private, non-official collections as well. When such collections exist, this portion of the code should be applied to them."

Meyer Fishbein:

"My chief official interest in this section concerns the acquisition of institutional records (whether from public or non-public agencies) as 'manuscripts' by an inappropriate repository. Replevin by public agencies is a difficult legal process."

The phrase "appropriate repositories" is from a document entitled "Selected Changes to Draft B of Code of Ethics for Archivists" written by the SAA Committee on Collecting Personal Papers and Manuscripts and discussed at an open forum during the SAA convention in Nashville, 4 October 1978. The same document was used for some of the wording of the next section. The document was presented and explained by Charles Schultz on behalf of the committee.

IV. Relations with Donors, and Restrictions

Many potential donors are not familiar with archival practices and do not have even a general knowledge of copyright, provision of access, tax laws, and other factors that affect the donation and use of archival materials. Archivists have the responsibility for being informed on these matters and passing all pertinent and helpful information to potential donors. Archivists usually discourage donors from imposing conditions on gifts or restricting access to collections, but they are aware of sensitive material and do, when necessary, recommend that donors make provision for protecting the privacy and other rights of the donors themselves, their families, their correspondents, and associates.

In accordance with regulations of the Internal Revenue Service and the guidelines accepted by the Association of College and Research Libraries, archivists should not appraise, for tax purposes, donations to their own institutions. Some archivists are qualified appraisers and may appraise records given to other institutions.

It is especially important that archivists be aware of the provisions of the new copyright act (effective 1 January 1978) and that they inform potential donors of the possible effects of such changes as the limiting of protection of unpublished material (which was once perpetual but is now life of the author plus fifty years).

Archivists should be aware of problems of ownership and should not accept gifts without being certain that the donors have the right to make the transfer of ownership as well as of literary rights.

Members of the committee writing this code realize that there are many projects, especially for editing and publication, that seem to require reservation for exclusive use. Archivists should discourage this practice. When it is not possible to avoid it entirely, archivists should try to limit such restrictions; there should be a definite expiration date, and other users should be given access to the materials as they are prepared for publication. This can be done without encouraging other publication projects that might not conform to the standards for historical editing.

V. Appraisal, Protection, and Arrangement

Archivists obtain material for use and must insure that their collections are carefully preserved and therefore available. They are concerned not only with the physical preservation of materials but even more with the retention of the information in the collections. Excessive delay in processing materials and making them available for use would cast doubt on the wisdom of the decision of a certain institution to acquire materials, though it sometimes happens that materials are acquired with the expectation that there soon will be resources for processing them.

Some archival institutions are required by law to accept materials even when they do not have the resources to process those materials or store them properly. In such cases archivists must exercise their judgment as to the best use of scarce resources, while seeking changes in acquisitions policies or increases in support that will enable them to perform their professional duties according to accepted standards.

VI. Privacy and Privileged Information

In the ordinary course of work, archivists encounter sensitive materials and have access to restricted information. In accordance with their institution's policies, they should not reveal this privileged information, they should not give any researchers special access to it, and they should not use specifically restricted information in their own research. They determine whether the release of records or information from records would constitute an unwarranted invasion of privacy (privacy concerns only living persons).

VII. Use and Restrictions

The committee has recommended that archival materials be made available for use (whether administrative or research) as soon as possible. To facilitate such use, archivists should discourage the imposition of restrictions by donors.

Once conditions of use have been established, archivists should see that all researchers are informed of the materials that are available, and are treated fairly. If some materials are reserved temporarily for use in a special project, other researchers should be informed of these special conditions.

VIII. Information about Researchers and Correction of Errors

The wording of the first sentence of this section is based on the "ALA-SAA Joint Statement on Access to Original Research Materials in Libraries, Archives, and Manuscript Repositories."

Archivists make materials available for research because they want the information in their collections to be known as much as possible. The same motive prompts them to inform researchers that other people are working in the same area; such information can avoid duplication and perhaps lead to cooperation among researchers. In many repositories, public registers show who have been working on certain topics,

so the archivist is not revealing restricted information. By using collections in archival repositories, whether public or private, researchers assume obligations and waive the right to complete secrecy. Archivists do not reveal all the details of one researcher's work to others, and they do not prevent a researcher from using the same materials that others have used.

Meyer Fishbein:

"This section generated considerable discussion at our meetings. I have spoken to several researchers who prefer to deal with their subjects in a thorough, time consuming manner. They may not wish to have their topics discussed in any detail until their product is near completion. I offered the suggestion that researchers be asked whether they wish to know about others working in similar areas and whether they would reciprocate. A form of agreement could be devised.

"Misinformation in scholarly works is corrected by other researchers. There have been rare instances when researchers have deliberately misused documentary materials for propaganda purposes. We should then inform the public of the objective facts. Archivists, in their official duties, should remain reasonably objective about the use of information in their holdings. Some have let their prejudices appear in the acquisition and use of records."

Since the purpose of making archives available for research is the promulgation of information, an erroneous or misleading publication is contrary to the purpose of archival research. Concern for accuracy in scholarship should prompt archivists who are aware of such distortions to take the necessary steps to correct them. Such steps include any or all of the following: a note or call to the researchers; an open letter to an appropriate journal; or a review. Archivists may try to correct errors in publications researched in their archives; they decide whether to make a public correction by judging the seriousness or apparent deliberateness of the mistakes. Some archivists are members of a community of scholars and regularly engage in research, publication, and review of the writings of other scholars.

William Price:

Archivists should refrain from "publishing unsolicited reviews in publications issued by their institutions."

Carolyn Wallace:

"Before publicly correcting the work of scholars, archivists should try to persuade the scholars themselves to do so. Even though archivists may doubt that the errors are simply mistakes the scholars would be glad to have corrected, archivists should courteously inform them and permit them to make the corrections themselves if they will do so, rather than rushing into print."

David Kyvig:

"I would argue that archivists who wish to ought to be perfectly free to write reviews. Their

knowledge of their own holdings puts them in an excellent position to evaluate the quality of work purporting to use such materials. Some may at first feel uncomfortable with the idea, but such reviewing ought to be regarded as no different from that done by any other scholar who has become familiar with a topic and relevant archival holdings. Researchers should be no more deterred by the thought of an archivist reviewing their work than by the prospect of any other serious, informed review."

IX. Research by Archivists

If archivists do research in their own institutions, there are possibilities of serious conflicts of interest—an archivist might be reluctant to show to other researchers material from which he or she hopes to write something for publication. On the other hand, the archivist might be the person best qualified to research in areas represented in institutional holdings. The best way to resolve these conflicts is to clarify and publicize the role of the archivist as researcher.

At the time of their employment, or before undertaking research, archivists should have a clear understanding with their supervisors about the right to research and to publish. The fact that some archivists are involved in this kind of research should be made known to the patron, and archivists should not reserve materials for their own use. Because it increases their familiarity with their own collections, this kind of research should make it possible for archivists to be more helpful to other researchers. Archivists are not obliged, any more than other researchers are, to reveal the details of their work or the fruits of their research. The agreement reached with the employers should include in each instance a statement as to whether the archivists may or may not receive payment for research done as part of the duties of their positions.

Carolyn Wallace:

"Many institutions want, even expect, archivists to do research in the archives, and sometimes even make ability and willingness to do so a qualification for employment. In such situations, archivists should try to balance performance of archival responsibilities and research, not neglect one for the other."

X. Complaints About Other Institutions

Disparagement of other institutions or of other archivists seems to be a problem particularly when two or more institutions are seeking the same materials, but it can also occur in other areas of archival work. If committees on ethics are set up by archival organizations, those committees should handle complaints about institutions or individual archivists. Perhaps the institutional evaluations now being considered by the SAA will help to correct some deficiencies. Dis-

tinctions must be made between defects due to lack of funds, and improper handling of materials resulting from unprofessional conduct.

Meyer Fishbein:

"Who handles complaints about institutions? I believe that institutions should note the facilities they have for processing and servicing their holdings. If rival institutions lack the facilities, the donors can infer criticisms."

XI. Professional Activities

Archivists may choose to join or not to join local, state, regional, and national professional organizations; but they must be well informed about changes in archival functions and they must have some contact with their colleagues. They should share their expertise by participation in professional meetings, or by publishing. By such activities, in the field of archives, in related fields, and in their own special interests, they continue to grow professionally.

Carolyn Wallace:

"Experienced archivists are often asked to assist beginners by giving advice, demonstrating techniques, and sharing information on procedures, and should do so as generously as time permits. There is still much on-the-job training and learning in the archival profession, and the aid given by experienced archivists to those of less experience is of great importance in professional development."

XII. Conclusion

The code has stated the "best interest" of the archival profession—such as proper use of archives, exchange of information, careful use of scarce resources. The final statement urges archivists to pursue these goals. When there are apparent conflicts between such goals and either the policies of some institutions or the practices of some archivists, all interested parties should refer to this code of ethics and the judgment of experienced archivists.

OTHER COMMENTS

1. William Price: "This new code represents the extent to which the archival profession has evolved since Wayne C. Grover wrote his code. The old distinctions between archivists and manuscript curators are not so clear as they once were. The problems and concerns of the archival profession as a whole share a commonality that was not so evident in Grover's day. Indeed, most younger members of the archival profession do not distinguish between those working with public records and those working with non-public collections. Thus, this proposed code represents an effort to speak to the archival profession in its entirety. If this effort at times seems to dwell more on the concerns of non-public as opposed to public archivists, that is because many non-public archivists lack the parameters defined by the statutes and regulations within which public archivists work.

"This proposed code addresses the common concerns of the contemporary archival profession in ways Grover's code simply does not. That is not a criticism of Grover; it is an observation on the evolution of the profession."

2. Carolyn Wallace: "Some archivists have said there is no need for a new code, that the one by Wayne C. Grover is admirable and should not be replaced. However, Grover's code, written for government archivists, is in some ways inapplicable, and in others inadequate, for many archivists. We have tried to write a code broad enough to apply to all. Some areas have caused great problems. For example, the acquisition of private papers involves matters of great ethical concern to manuscripts curators but not at all applicable to government or corporation archivists. In the same way, at the request of business archivists, we omitted the emphasis on serving research needs that many of us stress for our own institutions. We tried to keep in mind the wide variety of repositories that archivists serve, and we hope that members of the Society will do the same as they read and criticize the code."

Federal Legislation. The Policy Committee recommended that the President and Council consider the establishment of procedures for keeping informed of federal legislation affecting archives and archival activities, and for determining Society policy on these matters. The committee recommended that the Society charge one or more members and/or staff with the task of responding to such legislation, and of requesting appropriate members to represent the Society's views before Congress. Brichford asked Campbell to report on this recommendation at Council's next meeting.

COUNCIL PROGRAMS COMMITTEE REPORT. *Task Forces.* On behalf of the Council Programs Committee, McCarthy reported that he had contacted persons involved in activities which appeared to lend themselves to task force designation to seek information regarding goals,