

***Archives and Human Rights*, eds. J. Boel, P. Canavaggio, A. González Quintana**, ISBN: 978-0-429-05462-4, Routledge, London–New York 2021, pp. 352, <https://doi.org/10.4324/9780429054624>

The majority of professional archivists work and think about archives in a national or local context, rather than an international one. Notwithstanding the impact of the International Council on Archives (ICA) and various chapters of Archivists without Borders to increase awareness of archives across the globe, the history and current legal order concerning archives and human rights in an international context will likely be unfamiliar to many practicing archivists who seek out this edited volume. Indeed, reading *Archives and Human Rights* has been eye-opening and troubling, though rewarding, for the current reviewer, who is a practicing archivist working in a local context in the United States and pretends no expertise in international law and global histories other than a natural curiosity.

The book is organized into two major parts: (1) an introduction and a topically-defined set of chapters by the three main editors, who are also experienced archivists: Jens Boel, Perrine Canavaggio, and Antonio G. Quintana; and (2) an essay entitled *Proof* by Trudy Huskamp Peterson, republished without much change from a 2018 article in *Informatio*, a journal of the University of the Republic of Uruguay, along with sixteen country-specific case studies divided into four geographic groups, Africa, Asia, Europe and Latin America. A foreword by Michelle Bachelet (United Nations High Commissioner for Human Rights 2018–2022), an introductory note by David Fricker (President of ICA, 2014–2022), and a very short conclusion by the three editors round out the work.

As one of the titles in the “Routledge Approaches to History” series, *Archives and Human Rights* argues that the preservation and use of records and archives is essential to both the prosecution of those who have committed “serious violations of human rights” and the facilitation of public accountability for those who suffered or were killed under authoritarian, dictatorial, or unjust regimes (p. xviii). Deemed by Fricker as a “landmark publication, produced by the ICA

Section on Archives and Human Rights” (SAHR) – which earned section status from the ICA in 2019 – the book is simultaneously a work of history as well as an urgent call for action by archivists (p. xxi). As Fricker writes in the *Introduction*, “The role of the archivist therefore is vital. All archivists should understand how, while acting within legal and regulatory frameworks, we can contribute to the development of societies that are just, inclusive and egalitarian” (p. xxi).

The work of the archivist to uphold the values embodied in human rights decrees, truth commissions, and court rulings, is easier said than done. The editors and some of the authors acknowledge, though not as explicitly as they might have, the difficulties that archivists face in assisting researchers to access materials that may expose past human rights violations or may help prevent them in the future. Addressed in the case studies, those difficulties include: the scattered, incomplete, or voluminous nature of the records documenting atrocities; the continuing influence of political, administrative, or national security units which oversee the governmental institutions preserving or classifying these records; the piecemeal enforcement of international laws or agreements by individual nations; the insufficiency of funding and support of the archives which are in charge of processing and making available these records of national reckoning; the infrequency with which archivists collaborate with human rights advocates or the legal professionals pursuing cases; and the belief of archives staff that they should be uniformly impartial or adhere to professional codes of privacy when working with human rights records. Given these difficulties, it would have been helpful to learn more about professional archivists who took controversial, courageous, or career-ending positions while advocating for preservation or public access to human rights records. The only archivists who fit this description and are mentioned by name in this volume are Brigitte Lainé, Anna Carla Ericastilla, and Verne Harris. Ultimately, as the editors recognize in their Conclusion, “archivists play an essential role but cannot work alone; they need to join forces with other professionals, such as legal experts, forensic archaeologists, audio/sound and film experts, museum professionals, historians, political scientists, IT specialists and many others” (p. 321).

Unfortunately, the editors Boel, Canavaggio, and Quintana have chosen not to foreground these difficulties in Part 1, *Archives and Human Rights: A Close Relationship*. Instead, much of this first section is written from the perspective of a progressive, even Whiggish, view of history in which the forces of justice, truth, and reparation are destined to prevail over the forces of impunity, evil, or

amnesia. Charting a history of human rights that begins with Magna Carta, the English Bill of Rights, Cesare Beccaria's 1764 *Dei delitti e delle pene*, the Virginia Declaration of Rights, the United States Constitution and Bill of Rights, the French 1789 *Déclaration des droits de l'homme et du citoyen*, the authors assert that the introduction of human rights laws occurred in tandem with the rise of public archives, notably those created by democratic national governments. They state, "Civil rights and public records and archives have evolved along parallel lines" (p. 13). In particular, they suggest that the French and Haitian constitutions of 1791 and 1801, respectively, which charged secular authorities with publicly keeping records of births, marriages, and deaths, were a milestone in both human rights and national archives' histories.

However, a deeper analysis of the history of the emergence of public archives does not bear out such a close relationship with human rights, at least not for much of the world. In the United States, at any rate, the U.S. National Archives was created as a result of the rise of the administrative state during the early twentieth century, and was *not* a response to the expansion of civil registration (which occurred at the sub-national (or state) level), *nor* was it formed (in the 1930s) in tandem with the expansion of voting rights to any new groups of citizens. One should ask if the French and Haitian national archives are outliers, and whether national archives generally serve the purpose of protecting human rights? National archives as institutions may sometimes aid in the protection of political rights, particularly of voting and territorial sovereignty, but may just as strongly avoid protecting citizens (or non-citizens) from encroachment by authoritarian governments which seek to control the lives and movements of fellow citizens and non-citizens. The spread of democracy does *not* seem to depend on the existence of a strong national archives (or a public archives tradition). The history of the United States – especially its use of military force and foreign policy – is a useful if poignant example of how the archives of the federal government have often reflected, rather than critiqued, American policies which undermined democracy in places like Guatemala, Chile, and elsewhere.

In Chapter 1 of Part 1, the editors also make the argument that the simultaneous approval in 1948 by the UN General Assembly of the Universal Declaration of Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide, alongside the creation in Paris of the ICA, sparked major changes in the ways that most archivists relate to or think about human rights. However, even after the Declaration of Human Rights was adopted and enforced

in 1976 by the United Nations, archivists employed by public entities in their home countries have been bound to defend national or political sovereignty, even at the cost of universalistic international principles. Boel, Canavaggio, and Quintana seem to overlook the continuing sociopolitical force of *national* archival laws and practices, even as new democracies were added in the Third World from 1974 until the end of the twentieth century. Contrary to the rosy view espoused by the editors, the vectors of democracy and greater openness towards making governmental records accessible for research only occasionally lead to the effective establishment of a world international order in which bodies, such as the United Nations, the Council of Europe, the Inter-American Commission on Human Rights, and the International Criminal Court, are able to defend individual human rights with the force of international law. Huskamp Peterson's excellent 2018 article *Proof*, reprinted here for reasons unexplained by the editors, points out that "often the critical documentation problem is the unwillingness of the state to open the relevant records" (p. 106).

Given the rather feckless efforts of international quasi-governmental organizations like the United Nations to prevent mass casualties or major human rights violations over the first three decades of the twenty-first century, it is perhaps of little surprise that so few of the case studies (in Part 2) involve successful examples of the prosecution of human rights crimes using archival sources. Though notable cases have been pursued in international courts against dictators like Augusto Pinochet, Hissène Habré, and Slobodan Milošević, justice has been slow, imperfect, and subject to contradictory claims and uses of evidence. Since its inception in 1998, a mere 32 cases have been brought before the International Criminal Court, with just 11 convictions – a low win total not mentioned by any author in this book¹. As a number of the case studies indicate, if archives of former authoritarian rulers "provide evidence" to "ensure fair and informed trials", it is not immediately clear that justice and truth will win out in a court setting (pp. 2–5). Nor is it assured that international courts or organizations play the most important or neutral role. Notably, it was not international courts, but the indigenous Gacaca courts, which were reintroduced in Rwanda in the wake of the 1994 genocide, which brought almost 2 million cases to their conclusion (p. 154). Moreover, Boel, Canavaggio, and Quintana

¹ International Criminal Court. About the Court, <https://www.icc-cpi.int/about/the-court> [access: 14.09.2024].

admit that it has been something of an uphill battle for the United Nations itself to fully recognize “the importance of archives in relation to the right of truth” and that even within the ICA, archivists from countries which are going through less democratic phases have been “upset” by the use of the term “human rights” at ICA conferences (pp. 57–60).

More fruitful to the cause of human rights, it seems, has been the deployment of human rights archives and documentation of genocide or crimes against humanity in the court of public opinion and the activation of national memory and reckoning. As Dagmar Hovestädt suggests about the legacy of the German Democratic Republic (DDR) in a case study, the Stasi Records Archive is an exceptional example of an archive encouraging civil society to publicly remember past atrocities, even if the records have been far less important to the criminal prosecution of Stasi members or in the payment of reparations to victims of the Stasi (p. 225).

Though arranged geographically, the sixteen case studies (in Part 2: *Case Studies*) communicate little about similarities within a region or comparative differences between nations. Greater dialogue between the case studies would have improved the analytical impact of the book. The lack of a focus on the human rights abuses caused by colonialism, slavery, and colonial wars – apart from a single case study by Gilles Manceron and Gilles Morin on French colonialism in Algeria – is acknowledged as a deficit by the editors (p. 322). Much more glaring, perhaps, is the fact that some countries, like the United States, escape much critique. With the exception of mention of the United States government’s support of Chad’s president Habré, the U.S. government’s 1988 apology for the internment of Japanese-Americans during World War II, and the U.S. payment of \$150 million in compensation to the Marshall Islands for nuclear bomb testing, the country which has nearly dominated international affairs over the last 75 years comes off relatively easy. A case study discussing the U.S. government’s role in Native American land dispossession and in the enslavement of African Americans would fill this gap. But are these “domestic issues” which cannot be pursued in international courts? The level of criticism of the United States by some international organizations is telling about the power of that nation within the United Nations and beyond. Similarly, the editors present no chapter on China, only asking readers to “think of the need for China to become transparent about the millions of victims of the Cultural Revolution and other crimes and tragedies in recent history” (p. 322).

Taken as a whole, the case studies illuminate the logistical, legal, and professional demands made on archives and archivists which preserve records of human rights violations, truth commissions, and world government agencies involved in documenting human rights abuses. Some are written by key figures in international archives, such as Ramon Alberch i Fugueras, Perrine Canavaggio, and Graham Dominy, while other chapters feature the work of noted historians, political scientists, and lawyers, including Kirsten Weld, Vladimir Tismaneanu, and Vincent de Wilde d'Estmael. While each of the case studies is *sui generis*, it can be said that they paint a historically grounded and exceedingly varied picture of how archives *may* influence ongoing discussions and research of complex historical events. Still, people in countries which have suffered abuses must first *allow* records and archives to be regarded as sources of evidence. In the case of Brazil's National Truth Commission, Aluf Alba Vilar Elias demonstrates that archival documents were less important than oral testimonies to reconstituting truths about the military dictatorship in Brazil between 1968 and 1985. Delving into the ways in which the Chinese and Japanese remember differently the 1937 Nanjing massacre, Karl Gustafsson discusses the "limitations of archives as instruments for reconciliation and human rights promotion in international settings" (p. 168).

While it is true that even archivists whose daily work remains tied to a local or national context should be aware that the archives they steward may contain documentation of acts of violence in the most innocuous collections, it can still be difficult to see the direct impact of one's archival work on human rights. To ensure greater awareness of the issues at stake, the *Basic Principles on the role of Archivists and Records Managers in Support of Human Rights* (ICA, 2016)², along with this text, could be added as required reading for professional archivists.

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² With ICA membership, this 2016 document may be read in various languages: *Basic Principles on the role of Archivists and Records Managers in Support of Human Rights*, <https://www.ica.org/resource/basic-principles-on-the-role-of-archivists-and-records-managers-in-support-of-human-rights/> [access: 14.09.2024].