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## Principles for the Long Haul

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*Ohio Historical Society*

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## PRINCIPLES FOR THE LONG HAUL

Daniel R. Porter

Controversies raging around the collection and administration of documentary collections have been in large part caused by changing collecting policies of depositories themselves. There was a day not long ago when depositories considered their mission to be that of amassing materials which lent support to the consensus theory of history. Pioneer panegyrics were their bag, not the preservation of those materials which indicate that human progress is achieved through conflict and controversy. Now that our institutions are emancipated, they must expect not merely the limelight, but the ulcerous pressures brought about by notoriety. We commend to you certain principles which have proven in the long haul beneficial to our depository in Ohio.

The first principle is that a collecting organization should never bow to the expediency of the moment; it should not slay the goose in the hope of retrieving a single golden egg.

Ohio's experience is firsthand in this respect. To have fought for the retention of the Harding love letters would have won for the Ohio Historical Society the everlasting praise of the scholar, but would have dried up the lifeblood of our depository--incoming sensitive collections. Retention of a sensitive collection to which the depository has no legal claim, or a weak one, is institutional suicide. The acceptance of the Nixon vice-

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The Director of the Ohio Historical Society at the time of writing, Mr. Porter currently serves as Executive Director of the Preservation Society of Newport County, Newport, Rhode Island. This paper was condensed from remarks delivered before the Midwest Archives Conference Spring meeting, March, 1974.

presidential papers by the National Archives on the basis of a reputedly postdated deed of gift, for example, has tarnished the image of that venerable agency.

The second principle is that of clearly identifying the publics which a depository serves and fashioning policies that suit each. The two main publics are donors on the one hand and researchers on the other. Of the two, donors are the more important. If donor agreements and requirements are not met, there will be no new sources for the researchers. Archivists and manuscript librarians are no longer the altar boys of researching scholars. Our profession has come of age. The old saw, that all which is created is in the public domain, or normally should be, is simple fiction. A scholar guards the exclusiveness of his notes for publication as jealously as does the creator of sensitive primary sources. There can be no double standard. The protection of a journalist's sources as confidential applies equally to a public figure who desires to preserve for a suitable period the confidentiality of his creation. The Shadow of Blooming Grove still hangs over the Ohio Historical Society, but only in the minds of selfish scholars, not donors with whom we have kept faith.

The right to know is actually a privilege more easily abused than perceived. With privileges come responsibilities. When responsibility is abdicated, then privilege is circumscribed.

A third principle is to anticipate problems and formulate policies to serve as guideposts before a crisis develops, rather than after one occurs. The Ohio Historical Society recently adopted the following policy, for example, concerning sensitive materials.

The Ohio Historical Society is required to obey any court-issued subpoena for documents, tapes, or transcripts in its possession even though the use of such papers may have been offered to, and accepted by, the Society under terms of an agreement prohibiting their release or utilization unless with the permission of the donor, his heirs, and assigns.

In the event the Society receives a subpoena for such papers in its care, custody and control, the staff member responsible for the collection, in consultation with the Director, shall notify the donor and solicit his wishes with respect to compliance with the subpoena.

In the event the donor desires to question the subpoena, the Society will co-operate with the donor and his attorney in filing with the court a motion to suppress or modify the subpoena.

The Society shall not be liable for breach of contract for complying with a subpoena or court order.

In the event any member of the staff of the Society is charged by a donor, his heirs, assigns, or anyone for having breached the terms and conditions of an agreement pertaining to personal papers, which agreement the Society's Board of Trustees has approved and which is in effect, the Director shall invoke the pertinent provisions of the Society's personnel policy. In the event an investigation of the charges levied against any staff in this regard shall be found to be groundless and the staff so charged are found to be innocent of any intentional or negligent wrongdoing, the Society will furnish legal counsel and assist in defending the staff so charged. If any staff member is determined to be guilty of intentional or negligent wrongdoing in such instances, the provisions of the personnel policy will be implemented.

The final problem area worth mentioning is a current trend addressed by Bill Alderson, Director of the American Association for State and Local History, in the March, 1974, issue of History News. That trend is the reorganization of state government and its harmful effect upon the administration of historical activities at the state level. The North Carolina story has not been fully told. It goes deeper than the resignation of a capable state history administrator. The question is: can an archival and manuscript depository operate effectively, impartially, and correctly, can it be the recipient of politically sensitive collections, if it is administered directly by appointed politicians rather than by professionals independent of the whims of elected officials? I think not. If the trend, noted in several states, to fragmentize and politicize documentary collecting programs at the state level continues, the private depositories either will have to fill the breach or will themselves be tarnished by the state-level example. It behooves all of us to formulate strong positions in this respect and fight for them. The effort requires the overt support of the private agencies. The time has arrived to ask publicly whether or not secretaries of state and cultural affairs directors are indeed the proper directors of archival and manuscript programs. And it is also the proper time to determine whether professors or researchers are the proper directors of collecting programs in colleges and universities. I am a die-hard advocate of private depositories governed by lay boards and administered by professional staffs armed with clearly enunciated policies formulated by the staffs and promulgated by the boards--all entirely independent of partisan interests and governmental controls, but, where appropriate, with governmental support. It is not an unreasonable position to have. Moreover, it is a goal the attainment and maintenance of which will guarantee to future generations of scholars the sources they require to seek relative truths.