

## Accessing Records: Public access to private collections

Presented by Maggie Shapley, University Archivist, Australian National University, at the RMAA Information Awareness Month Seminar 'Personal records: Mind your own business', Sydney, 9 May 2006

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The French philosopher, Denis Diderot, wrote to his lover Sophie Volland on 17 October 1759:

Oh my Sophie, so I might still hope to touch you, to feel you, to love you, to approach you, to unite and mingle with you when we are gone! If only there were a law of affinity between the elements of which we are composed, if we were destined to become one single being, if in the course of centuries I were to become one with you, if the scattered molecules of your lover could live and move and search out your molecules dispersed through nature! Do not take this fancy away from me; it is dear to me, for it would give me the certainty of living eternally in you and with you.

[*Diderot's Letters to Sophie Volland*, transl. Peter France, Oxford University Press, London, 1972, p. 38; original held by Bibliothèque Nationale, Paris]

Just a few years later James Boswell, a Scottish writer who later became famous because of his association with Dr Samuel Johnson, wrote in his journal:

At the bottom of the Haymarket I picked up a strong, jolly young damsel, and taking her under the arm I conducted her to Westminster Bridge, and then in armour complete did I engage her upon this noble edifice. The whim of doing it there with the Thames rolling below us amused me very much. Yet after the brutish appetite was sated, I could not but despise myself for being so closely united with such a low wretch.

[*Boswell's London Journal 1762-3*, ed. Frederick Pottle, Penguin, Harmondsworth, 1966, pp. 278-9; original held by Yale University Library]

This is a letter by a Tasmanian convict condemned to death in 1846:

Dear Lover,

I hope you won't forget me when I am far away and all my bones is moldered away. I have not closed an eye since I have lost sight of you. Your precious sight was always a welcome and loving, charming spectacle. Dear Jack, I value Death nothing but it is in leaving you, my dear, behind and no one to look after you ... The only thing that grieves

me love is when I think of the pleasant nights we have had together. I hope you won't fall in love with no other man when I am dead. I remain your true and loving affectionate lover,

Denis Prendergast

[*The Oxford Book of Australian Letters*, ed. Brenda Niall and John Thompson, Oxford University Press, Melbourne, 1999, p. 51; original held by Archives Office of Tasmania, GO 33/57]

Writing in her journal in 1938, Miles Franklin, the author of *My Brilliant Career* wrote:

Dame Enid [Lyons] – near at hand her face is trivial – brow unintellectual and small, pretty nose, a neat face being spoiled by fat. She has no depth or originality but is a smart politician – just that – as much yes-no as George Reid. Adept in pulling out the well-worn stops that bring applause and laughter. She talked and talked for an hour or more, on and on and blew over it a vast wheeze from the bellows of motherhood – sure of popularity. Other women condemned as freaks and perverts have gone before and made it possible for her thus to air herself on the public platform. She lectured the reluctant modern mother on many points but never once even skirted the fundamentals of war and poverty – never once. She talked all the time away. Why should this stuff be called a conference? There was no discussion.

[*The Diaries of Miles Franklin*, ed. Paul Brunton, Allen and Unwin, Crows Nest NSW, 2004, pp. 100–1; original held by Mitchell Library, State Library of NSW, ML MSS 364/4/2]

John Curtin, Australian Prime Minister, wrote to the man he replaced, Bob Menzies:

Dear Bob,

Thank you for your letter. I appreciate it more than I can say. On my part I thank you wholeheartedly for the consideration and courtesy which never once failed in your dealings with me. I wish you good health and fair going. Your personal friendship is something I value, as I hope and know you do, as a precious thing.

Yours faithfully

John Curtin

[*'Friendship is a sheltering tree': John Curtin's letters 1907 to 1945*, ed. David Black, John Curtin Prime Ministerial Library, Perth, 2001, p. 204; original held by the Menzies family]

Sylvia Plath writes in her journal about meeting another poet in Cambridge:

Then the worst happened, that big dark hunky boy, the only one there huge enough for me, who had been hunching around over women, and whose name I had asked the minute I had come into the room, but no one told me, came over and was looking hard into my eyes and it was Ted Hughes. I started yelling again about his poems ... and he yelled back, colossal, in a voice that should have come from a Pole, 'You like?' and asking me if I wanted brandy, and me yelling yes and backing into the next room past the smug shining blub face of dear Bert, looking as if he had delivered at least nine or ten babies, and bang the door was shut and he was sloshing brandy into a glass and I was sloshing it at the place where my mouth was when I last knew about it.

[*The Journals of Sylvia Plath*, ed. Ted Hughes and Frances McCullough, Ballantine Books, New York, 1983, p.112; originals held by The Neilson Library, Smith College]

These extracts show just how private archives can be: some are written for an audience of one – private comments by the author about their own actions or about other people – and some written to be shared with only one other person, the recipient of the letter. They express private hopes, fears, and innermost thoughts, and yet, we are able to read these words now and we know more about the writer, their life and their contemporary society as a result, even though they weren't intended for us.

Many writers are of course conscious of this, that their private words will one day be read by others. Nobel Prize winner Patrick White was determined that his manuscripts and his letters would not survive him as he wanted his literary works, his novels and plays, to speak for him. He wrote in 1982:

I always tell my friends I hope they will destroy any letters I may have written them. I never keep letters ... I also have it in my will that all unfinished manuscripts be destroyed at my death, though knowing what people are, I hope I shall have time to destroy them myself. All this is a personal matter and I leave it to you to decide what you want to do. I'm sure those letters I wrote you are quite piffling and of no interest to posterity.

[*Patrick White: Letters*, ed. David Marr, Random House Australia, Sydney, 1994, p. 573; original letter to Jill Hellyer held by National Library of Australia, MS 6814]

David Marr's edition of Patrick White's letters runs to 677 pages, so White was not very successful in convincing others to destroy his correspondence, but perhaps that was his intention.

Not all journals and letters are written with the idea that they will not be available to the public in the future. Extracts from the diaries of Donald Friend, the Australian artist, were published in his lifetime (*Gunner's Diary*, Ure Smith, Sydney, 1943) and he also extracted a promise of publication of his diaries by the National Library which they are now undertaking. Even so, we learn a lot about the artist from his diaries as in this last entry in 1988:

Now here is possibly my final suggestion for mankind's improvement. Were I God I'd rearrange things so that healthy laughter and wit did not rely for mirth on the spectacle of aged genius fallen in their wake. I'd spare men such as myself the disgraces of indignity and the suffering of suspense. I'd make sure they lacked not such good and true friends as Al and James Fairfax. My long list of former friends has shrunk to 3. Those two and Barry Pearce. The others are unworthy of the bitterness they generate in my desolate days of solitude.

[*The Genius of Donald Friend: Drawings from the Diaries 1942-1989*, ed. Lou Klepac, National Library of Australia, Canberra, 2000, back endpaper; original held by National Library of Australia, MS 5959, 48]

The handwriting reveals that at this stage of his life Friend had had a number of strokes which affected his ability to write and to draw.

In this case, the survival of these private archives was by conscious decision of the writer (bequeathing them to the National Library) but in other cases it is pure luck or serendipity: the Tasmanian convict's letter was not passed on to the lover and so remains on the government file.

In the case of records about Aboriginal people, it is the direct result of the government's paternalistic policy that many records of and about Aboriginal people have survived on government files. This letter was written to the Protector of Aborigines in the Northern Territory in 1941:

Dear Sir,

I myself and my wife, both half-castes we understand, do not want any of our children removed, out of this Central Australia, their country. It would not be fair to us, the loss of them. Also not fair to them the loss of their parents, causing crying and fretting. We parents, born Arltunga Goldfields, children also, except one, he being the eldest Norman. He born Deep Well, part of the east-west running James Range. As we were all born here in Central Australia, we don't know any other parts, and don't want to. Will you please place this Protest, as we do not understand any

forcible removal, of any of us, from this Central Australia, our birthright country.

Yours truly,

W Bray

[*Between Two Worlds: The Commonwealth government and the removal of Aboriginal children of part descent in the Northern Territory*, Rowena MacDonald, IAD Press, Alice Springs, 1995, p. 47; original held by National Archives of Australia, F126, 33]

Despite the private nature of the contents of these archives, luckily no one (surviving family or friends or government officials) decided that because of that private content they would need to be destroyed to protect the privacy of the writer. The disposal of government files is regulated by disposal authorities and other instruments, but there is no law against destroying your own or your family's papers. Destruction is of course the ultimate weapon in the protection of privacy, but there are other ways to do it which leave open the possibility of access once the sensitivity of the information has passed.

Government records are restricted from public access usually for a period of 30 years. Even after that period they are assessed and can be withheld on such grounds as their release would be 'an unreasonable disclosure of personal affairs'. Depositors of personal papers may choose a similar period, as Prime Ministers and Ministers usually do, or link release to their death or the death of close family. Jackie Onassis's records are restricted until the death of both her children, but she would not have expected that her son would die at a young age. This illustrates the problem of linking release to events without any certainty as to when they will occur. Another approach used by some archives including my own, the Noel Butlin Archives Centre, is to allow access to certain collections but to vet publications arising from their research use.

I was recently contacted by a friend, who will have to remain anonymous, who has just discovered through a Google search on his name that letters he had written to a former lover are now in the collection of an archival institution, having been deposited there by the former lover. The letters remain restricted but he is named on the website (in an online finding aid) as a correspondent and feels that it is only a matter of time before his letters, over which he retains copyright but not physical control, will be made available for public access or even digitised for broader Internet access. Of course I assured him of the professionalism of archivists and our respect for his privacy and his ownership of copyright, but I also know that when we set access conditions we usually do that in consultation with the depositor, not the depositor's correspondents.

Increasingly, archives are digitising their collections and providing them online, and in doing so are responding to user demand for fast and easy public access. The process of laboriously consulting finding aids in the reading room, selecting the material you wish to see, then awaiting its arrival and reading the file, all within the opening hours of the institution, is being replaced by a quick Google search, an email request for a digitised copy or instant access on the Internet. It is easy to get caught up in the technological possibilities, but we also need to ensure that the safeguards – formulation of appropriate access conditions and adherence to them and to legislative requirements such as respect for copyright ownership – are not forgotten in all the whiz-bangery.

It is interesting that the definition of ‘record’ in section 6 of the Privacy Act excludes records over 30 years old held in the National Archives (recognising that the access conditions of the Archives Act include an exemption for ‘unreasonable disclosure of personal affairs’) but it also excludes ‘anything kept in a library, art gallery or museum for the purposes of reference, study or exhibition’. The responsibility for protection of privacy is firmly placed with the archivist or manuscript librarian, but outside the provisions of the Act.

The Commonwealth government recently announced the introduction of a ‘smart card’ which is apparently voluntary (as long as you are happy to forego your Medicare benefits and other welfare entitlements). It will contain a computer chip which will contain information about the holder of the card but which cannot be read by that person. As an archivist I was immediately concerned – will the technology to read the card survive into the future? Some of us have in our archives formats such as 5¼ inch floppy disks and beta tapes. But leaving aside the technological difficulties – let’s assume that the Smart card is so vital to everyday life (but still voluntary) that data is always migrated or the means to read the information always maintained – perhaps in the year 2020 we will have a smart card which might be described as a genealogist’s dream but also as a private citizen’s nightmare.

Imagine if all your documentation were held on this chip: records now held separately by Commonwealth and State jurisdictions, by educational institutions you attended, employers you worked for, doctors you consulted, your bank, and your Internet Service Provider. Records such as your birth and marriage certificates, your educational qualifications, your employment history, your benefits and pensions history, your driver’s licence, car registration, bank records, superannuation accounts, credit rating, income tax assessment, your passport, immigration and citizenship records, your travel blog, your contributions to chatrooms and listservs, your searches on Google, your medical files, and your census returns.

What does your Internet use reveal about you? You said what when you last visited a chatroom? Does every government official with the means to read your card need to know of your recent admission to a psychiatric hospital or a penile dysfunction centre? Does your curriculum vitae match up with the records of the University you attended? Has a past employer included your performance assessment along with your superannuation records? How would you know?

Of course, this is all hypothetical, but it does illustrate how information about a living person is much more sensitive than information about a dead person, however famous. We can immediately see the potential for discrimination and intrusion in our private lives and for arguments with bureaucracy about the accuracy of information about us.

But without public access to private information (after a lapse of time) there is much about our society that would forever remain unknown: if we only had access to the official records how would we know that Robert Menzies and John Curtin counted each other as friends? That Aboriginal people protested at the time about the removal of their children? What Miles Franklin really thought about Enid Lyons? We've all been to a meeting where someone has turned to the minute-taker and said 'this isn't for the minutes', but what if we only had the official minutes to inform us about the meeting and not someone's personal commentary on the discussion or their marginal comments written on the agenda papers?

Many so-called 'private papers' are not private at all but official papers relating to offices held by that person. It seems that the higher the office the more difficult it is to distinguish between what are private and what are official papers. Recently former Prime Minister Malcolm Fraser decided that he wanted his private papers to be transferred from the National Archives to the University of Melbourne Archives. The task of separating those from his official papers as Minister and Prime Minister which are to remain at the National Archives continues.

At the Australian National University there are a number of personal collections in the University Archives which are in fact the 'bottom-drawer' collections of senior staff: the bottom drawer being where you file papers which are too confidential to put on the confidential file. Of course these are actually official records, though a conscious decision was taken not to include them in the official file. Similarly, before the ANU had its own University Archives a number of senior staff deposited their personal collections at the National Library of Australia although their records are a direct result of their official position as Vice-Chancellor, for instance, and contain many official records. There is a significant gap in the records of the Australian Council of Trade Unions (held by

the Noel Butlin Archives Centre) as Bob Hawke who was President of the ACTU for ten years in the 1970s took his files with him. They were initially deposited with the National Archives then later moved to the Bob Hawke Prime Ministerial Library at the University of South Australia.

In the Internet age the physical placement of papers has become less significant if they can be digitised or even referenced online and brought together in that way. One model is the Australia's Prime Ministers website (*primeministers.naa.gov.au*) which brings together through links all the papers of a Prime Minister spread over many repositories.

The access issue remains, however: is it appropriate for public access to official files of an institution to be decided by a retired official or their surviving family? In the case of the papers of a former Governor-General, because he left his entire estate to his second wife, and she in turn to her own daughter, it was the second wife's daughter who inherited the legal authority to set access conditions to a Governor-General's papers.

In conclusion, as a reminder that the issue of public access to private papers is not new, Sir John Paston writes to Anne Hawte to whom he was later engaged:

Mistress Anne,

... I pray you acquaint you with this my ... hand, for my purpose is that ye shall be more acquainted with it, or else it shall be against my will. But yet, and when ye have read this bill, I pray you burn it or keep it secret to yourself, as my faithful trust is in you.

[*The Paston Letters*, ed. N. Davis, Clarendon Press, Oxford, 1958, p. 52; original held by the British Museum]

This letter is dated 22 July 1468. The final phrase 'my faithful trust is in you' reflects the public's trust in archivists as informational professionals to keep private records and provide appropriate public access to them.