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The shadow continuum : testing the records continuum model through the Djogdja Documenten and the migrated archives

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Chapter II:

Missing and Seized Archives and the Shadow Continuum

Introduction

Prior to beginning work on the case studies I will review literature on other examples of archival collections that have a similar contentious nature. The objective of this chapter is to begin testing the universality of the continuum model against these archives. Before I begin the process of testing the applicability of the continuum model to my cases I want to do a cursory test of the model on previously studied cases of missing or displaced archives.

The literature review begins with a shot look at international practices regarding disputed archival claims before moving on to previous cases that have been thoroughly discussed and explained. Following that I will reflect upon the case in relation to the records continuum model. These examples of missing archives have originated from such places as the U.S. Virgin Islands, the Netherlands, France, Iraq, Germany and the former Soviet Union. Perhaps two of the most well-known, and well-published, authors on the subject of missing, inaccessible, or displaced archives are Jeannette Bastian—whose work is focused on the U.S. Virgin Islands—and Patricia Kennedy Grimsted—whose work is on European archives in the former Soviet Union. Along with these I will also mention other cases in other parts of the world that involved some ‘silence’.

While I refer to my cases as displaced, removed, or missing archives, these are all just a specific subset of archival silences. Michel-Rolph Trouillot writes of the four periods that silences can enter historical production: fact creation (registration of information); fact assembly (creation of archives); fact retrieval (creation of narratives); and retrospective significance (writing of history).¹ My two cases involve silences that arrive at fact assembly and fact retrieval—when archives

1 Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History*, Boston: Beacon Press, 1995, 26.

are created from records and when archives are used.

Trouillot's silences are used in this dissertation as a means of describing the concepts that link my cases and literature examples and are not central to how I frame the cases in later chapters. Michelle Caswell uses Trouillot's silences as her entry point into studying the photographic archive of the Tuol Sleng prison in Cambodia. She notes the usefulness of the continuum model for understanding that archive, but it is not her core way of explaining her case. In this dissertation I will essentially be taking the opposite approach. Trouillot's silences help draw attention to the central question I have towards the continuum model. If something is silenced it can be difficult to visualize it within a model. Therefore, after reviewing the literature I will put forth an idea that I see as a way to visualize silences on the records continuum model.²

When each example is analyzed using the continuum model I will use 1D, 2D, 3D, 4D for each dimension. This system has its problems if we believe that records are in all four dimensions at once, or that different dimensions can happen in tandem and recursively. However, it has precedence and has been used in previous literature.³

A. UNESCO, ICA, and International Practices

In cases of disputed archives all parties involved have competing claims over the ownership of contested archival collections. The international community, in the form of both UNESCO and the International Council on Archives (ICA), have gotten involved in such cases and have published various decisions on how to solve disputes. UNESCO and the ICA have officially condemned the seizure of archives during a military occupation, with UNESCO stating, 'military and colonial occupation do not confer any special right to retain archives acquired by virtue of

² Michelle Caswell, *Archiving the Unspeakable: Silence, Memory, and the Photographic Record in Cambodia*, Madison, USA: University of Wisconsin Press, 2014, 13-14

³ See, for instance, Frank Upward, Sue McKemmish, and Barbara Reed, 'Archivists and Changing Social and Information Spaces', 199.

that occupation',⁴

A further UNESCO report on the transfer of archives refers to archives as 'an essential part of the heritage of every national community' which 'are indispensable in the development of national awareness and identity, [and] they constitute a basic part of the cultural property of States'.⁵

A UNESCO RAMP (Records and Archives Management Programme) study from 1998 based on a questionnaire sent to the national archives of 83 different countries—of which 45 did not respond at all—details the outstanding archival disputes at that time. As it relates to this dissertation, Indonesia did not respond and therefore there is no list of what was still in dispute in 1998. However, the work that took place twenty years earlier between the Netherlands and Indonesia is mentioned in the report as a successful example of bilateral cooperation in the recovery of disputed archives.⁶

The decision of where disputed archives should be held is often related to the concept of functional pertinence. Functional pertinence is considered an 'exception' to provenance, where the decision to keep records in a certain place is based on the continued administration of an organization.⁷ This is relevant for the *Djogdja Documenten*, as they were Indonesian government records. The decision by the Dutch government to return them therefore took functional pertinence into consideration, as their return facilitated the continuation of their functions in

4 Patricia Kennedy Grimstead, "Captured Archives and Restitution Problems on the Eastern Front: Beyond the Bard Graduate Center Symposium," in *The Spoils of War: World War II and Its Aftermath: The Loss, Reappearance, and Recovery of Cultural Property*, ed. Elizabeth Simpson, New York: Harry N. Abrams, Incorporated, 245.

5 UNESCO, "Report of the Director-General on the Study of Problems Involved in the Transfer of Documents from Archives in the Territory of Certain Countries to the Country of their Origin," in Patricia Kennedy Grimstead, *Trophies of War and Empire: The Archival Heritage of Ukraine, World War II, and the International Politics of Restitution*, Cambridge: Harvard University Press, 2001, 501.

⁶ Leopold Auer, *Disputed Archival Claims. Analysis of an International Survey: A RAMP Study*, Paris: UNESCO, 1998, 24.

⁷ Miljenko Pandžić, "The succession of the state archives - To integrate and preserve displaced archives," *Arhivski Vjesnik*, no. 42 (1999), 245-246. Eric Ketelaar, 'Sharing: Collected Memories in Communities of Records,' *Archive and Manuscripts*, vol. 33 no. 1 (May 2005), 44-61.

Indonesian government organizations. The fact that after independence ANRI held on to many records from the Dutch period is an example of functional pertinence in action. Records from Dutch governmental offices were necessary for the administration of their Indonesian equivalents.

Functional pertinence also pertains to the Migrated Archives. The records sent to London could easily be perceived as being necessary for the successor state to continue the administrative duties of the respective government departments. However, the British government has made no statements that this will ever be a possible outcome of the Migrated Archives. Microfilm copies, however, have recently been made available at the National Archives of Singapore for records that relate to Malaysia and Singapore.

B. Types of Disputed Archival Claims

In work prior to the discovery of *the* Migrated Archives Nathan Mnjama creates a list of eight categories of 'migrated archives' that are meant to frame the desire of ex-colonial states to recover records related to their colonial history.⁸ This list is based on the work of American archivist Albert Leisinger, to which Mnjama adds three new categories. Though his particular work is related to Africa, the same categories can be seen in Asia and elsewhere. The categories are as follows:⁹

- Records originally created and maintained by various government agencies of colonial powers in their home countries. Mnjama claims these, by definition, are not truly migrated archives and that the colonial government has the right to hold on to them but that the ex-colonial states also 'have a genuine reason to have access to such records'. An example would be the records of the Colonial Office created in London and still held there.

-Records of colonial administration created in the colonies but transferred to

⁸ For general archives that were 'migrated' from one place to another the lower case form will be used, and the capital form 'Migrated Archives' will refer to the recently discovered Foreign and Commonwealth Office records.

⁹ Nathan Mnjama, 'Archival Claims in Southern Africa', *Innovation*, no. 24 (June 2002), 33-34.

Europe at the dawn of independence. These are in the truest sense ‘migrated archives’, and were ‘illegitimately removed’, according to Mnjama. This category is highly relevant to this project, as the most obvious example would be the Migrated Archives case study.

- *Records created in one territory, but which somehow found their way to another territory in the region.* Examples of this type can be seen in Jakarta, where records from the Dutch period in Malacca were relocated after Malacca was transferred to the United Kingdom.

- *Archives of regional colonial bodies, which collapsed either during the colonial period or soon after independence.* Mnjama gives the African example of the records of the Federation of Rhodesia and Nyasaland which became the countries of Zimbabwe, Zambia and Malawi. The National Archives of Zimbabwe, the direct descendant of the union’s archive, held on to records relating to federal government.¹⁰

- *Private papers of individuals and organizations that had contact with Africans.* Examples of this category would be the records of missionaries or travel accounts, many of which are today in university libraries and private collections in other countries.

- *Records created by liberation movements whose members were forced into exile.* Many such records are held at the International Institute for Social History (IISH) in Amsterdam where they were sent for safe-keeping away from repressive regimes.

- *Records of various non-governmental organizations based in Europe in the colonial period.* Examples include the KITLV archive in Leiden, the Netherlands and other such colonial scientific societies.

- *Audio-visual materials such as photographs, films and audio-tapes.* Such material exists around the world in various forms and in various archives.

To his categories one more can be added, one that includes the *Djogdja*

¹⁰ National Archives of Zimbabwe, ‘About Us’, <http://www.archives.gov.zw/home> (accessed 11 December 2013).

Documenten: records created by governments that declared independence and were seized by the colonial power during a war for independence.

With these various types of archival collections in mind, Jean Allman highlights the limitations of the national archive when she uses the phrase ‘shadow archive’ in reference to ‘the scattered fragments’ of documents relating to Ghana’s history in other countries.¹¹ The shortcomings of national archives in collecting records of interest to local communities is not solely a phenomenon of ex-colonial states, but it certainly manifests itself strongly in the countries of Africa, Asia and the Pacific. Evelyn Wareham points out how much of the private collections regarding Pacific Islanders are held in repositories in New Zealand, Australia and the United States.¹²

Such localized inaccessibility is different from the case studies in this dissertation, but still illustrates lack of access to historical records of a community. Many of the categories that Mnjama describes can be seen in Allman’s ‘shadow archive’. They exist not in the country they relate to, but instead in archives in Europe or America. With today’s technology, the question becomes more about access to such records rather than specifically their physical place of custody.

Though Mnjama is only interested in disputed archives from the colonial period, missing archives can be created in many other situations. Mnjama’s list can be expanded beyond African colonial disputed claims in order to create a list of all types of displaced or missing archives. One obvious addition are seized archives through war. ‘Missing’ archives can also include destroyed archives that can never be returned. Adding intelligence secrets, such as the Wikileaks records, we now have a longer and clearer list of the various types of displaced or missing archives.

C. Bastian’s Research in the US Virgin Islands

The early published work of Jeannette Bastian centers extensively on the archives

¹¹ Jean Allman, ‘Phantoms of the Archive: Kwame Nkrumah, a Nazi Pilot Named Hanna, and Contingencies of Postcolonial History-Writing’, *American Historical Review*, vol. 118, no. 1 (February 2013), 122.

¹² Evelyn Wareham, ‘From Explorers to Evangelists: Archivists, Recordkeeping, and Remembering in the Pacific Islands’, *Archival Science*, vol. 2, nos. 1-2 (2002), 191.

of the United States Virgin Islands (USVI) and the attempts of the islands to gain access to their own historical records. Her work most often concentrates on the work of Virgin Islanders to have records returned to the islands. She then relates this to concepts like collective memory and reconstructing historical narratives.

Before becoming a U.S. territory the islands belonged to Denmark. When sold to the United States in 1917 the Danish were able to take many records to Copenhagen which were then placed in the Danish National Archives, forming an example of Mnjama's 'true' migrated archives.¹³ Prior to the sale, pre-1848 records had already been sent to Denmark as they were considered 'purely historical'.¹⁴ Other Danish-era documents stayed behind in disuse until the National Archives of the United States was founded in the 1930s. An archivist was sent to survey the records and started a transfer process that lasted two decades and shipped 1,260 linear feet (384 meters) of records to Washington, DC. In 1959 post-1917 records were also sent the National Archives.¹⁵

The lack of records in the USVI makes quick access extremely difficult for Virgin Islanders. In such instances the needs of the local population are often not evaluated, and decisions are made based on the needs of the colonial administration. In the case of these records the decisions were made by the Danish administrators able to transfer records after the sale of the islands, and later by the American archivists who recognized their usefulness.¹⁶

The work of both the Danish and American administrations created inaccessibility for Virgin Islanders. As Bastian states, '[t]he multiple custody of records at distant locations, in addition to fragmenting the records, created powerful physical barriers for researchers, particularly those from the Virgin Islands'. Given that an idea crucial to Bastian's argument is that 'the records created within a community – even those created by a colonial regime – are central to that

¹³ Jeannette Allis Bastian, 'A Question of Custody: The Colonial Archives of the United States Virgin Islands', *American Archivist*, vol. 64, no. 1 (Spring/Summer 2001), 97.

¹⁴ Bastian, 'A Question of Custody', 102.

¹⁵ Ibid.

¹⁶ Jeannette Bastian, 'Taking Custody, Giving Access: A Postcustodial Role for a New Century', *Archivaria*, no. 53 (Spring 2002), 80.

community's ability to fully understand its past and construct a strong collective memory' means that these barriers block access to community identification.¹⁷ To Bastian, custody remains important, but not as much as access. She states that 'the access problems of the United States Virgin Islands are not so much about the physical location of the records as they are about recognizing the custodial obligation to resolve access issues'.¹⁸ A lack of access results in the inability of a community to interpret its past and tell its own history.

Bastian envisions technology as a way of increasing access both on the islands and off. Acknowledging the shared context, finding aids 'in Copenhagen, Washington, and the Virgin Islands could be embedded with references to each other at many levels, creating the ability for the researcher to seamlessly recreate records series'.¹⁹ Such a quote acknowledges that 'custody' and 'access' need not refer to the physical documents only. While Bastian's early work tends to focus extensively on the idea of custody, her more recent publications show greater nuance in their description of records and access to cultural memory.²⁰

Bastian's later work focuses on community archives and 'alternative archives'. The alternative archives she gives as examples 'demonstrate the multiple ways in which people and communities conceptualize, create, and keep the records that are meaningful to them'.²¹ These include 'monuments as archives', such as the Jamaica National Trust monuments 'memorializing the trauma of slavery as it affected ordinary people', 'Memory cloths', like those in South Africa made by local women and drawing on events of the past; 'The Gaily News', a local gay and lesbian magazine in Jamaica from the 1980s; and 'An archive of place', and the example of the Noongar group of Western Australia who used 'white colonial records' to their advantage to prove their people's continued existence in one place over the years to

¹⁷ Bastian, 'Taking Custody, Giving Access', 80.

¹⁸ Ibid., 92.

¹⁹ Bastian, 'A Question of Custody', 114.

²⁰ Bastian's attraction to custody in her earlier publications can be seen in their titles: *Owning Memory*, 'Taking Custody, Giving Access', and 'A Question of Custody.' These three publications, from 2001-2003 are what I consider to be her earlier work, in contrast with post-2006 publications.

²¹ Jeannette A. Bastian, 'The Records of Memory, the Archives of Identity: Celebrations, Texts and Archival Sensibilities', *Archival Science*, vol. 13, nos. 2-3 (June 2013), 128.

receive a native titles claim to the land.²² Bastian also gives the example of Carnival traditions in the Caribbean and states that '[t]he general nature of these events (...) suggests that they function as records. That is, they operate within a context, they have a structure, and they contain and impart content'.²³

This way of viewing non-traditional archives puts them in the same context as traditional archives in that they are all 'process-bound information', or 'information generated by coherent work processes and structured and recorded by these work processes in such a way that it can be retrieved from the context of those work processes'.²⁴ To circumvent the lack of access to traditional archives, communities around the world form different ways of passing down cultural and 'collective' memory. The archive, the institution, is only one aspect of memory.

Bastian notes that 'for post-colonial communities such as the Virgin Islands, archives seem to pose special problems that revolve around the contradictions inherent in the voicelessness' in their archives. Since they have 'no input into the record-creating process', Bastian asks, 'how can these communities reclaim their history? How can the voices of those who were silent be recovered? How can communities that were the victim of records, use these records to build reliable and positive constructs of their past?'²⁵ Part of her answer to these questions lies in the fact that '[a]rchives can provide the keys (...) if the searcher recognizes that records have both a text and a subtext, that records are both evidence and action, and that behind the record lies the trace'.²⁶ Her very concept of 'whispers in the archives', which 'relies on discovering the words or actions of the colonized', is about re-reading archives for what is below the surface.²⁷ Reading archives in this way can be used to fill gaps that are caused by the removal or destruction of other

²² Bastian, 'The Records of Memory, the Archives of Identity', 127-128.

²³ Ibid., 2-3.

²⁴ Theo Thomassen, 'A First Introduction to Archival Science', *Archival Science*, vol1., no. 4 (December 2001), 374.

²⁵ Jeanette Bastian, 'Whispers in the Archives: Finding the Voices of the Colonized in the Records of the Colonizers', in Margaret Proctor, Michael Cook, Caroline Williams (eds.), *Political Pressure and the Archival Record*, Chicago: Society of American Archivists, 2005, 28.

²⁶ Bastian, 'Whispers in the Archives', 29.

²⁷ Ibid., 33.

documents.

The archives Bastian studies were not secretly displaced. The residents of the USVI had no say over where the records went, and it is likely that most were not aware when or where they were removed from the islands. It was an intentional removal, and rather than be destroyed the records still exist. For Virgin Islands they were certainly inaccessible for geographic and economic reasons.

To analyze these records with the continuum model would be quite easy. They were created, captured and organized (1D, 2D, 3D) by the Danish administration. Some were re-created, re-captured and re-organized (1D, 2D, 3D) by the American administration, while others were sent to Copenhagen and went through the first three dimensions there. After, they were pluralized (4D), either through the Danish or American national archives—though still difficult for the local community to access. This makes them a localized access problem, something that occurs often in other cases of removed, displaced, or missing archives.

D. Lost Archives of Europe in the Second World War

The Second World War and its aftermath led to many cases of stolen archives that resulted in both temporary and permanent missing records in all theatres of the war. The work of Patricia Kennedy Grimsted is at the forefront of discovering these records. Grimsted particularly concerns herself with the ‘twice-stolen’ archives of war-torn Europe. These documents were first confiscated by Nazis in occupied regions and subsequently taken by the Soviets from the capitulating Nazis. Grimsted's work goes into incredibly precise detail of what organization initially seized the documents, where they were located, when they were discovered by the Soviets, where they were taken in the Soviet Union, and what has happened to them since the dissolution of the Soviet Union. She has spent decades reviewing the subject of these seized records and has outlined the archival and international communities' position on the looting of archives during wartime.²⁸

²⁸ Patricia Kennedy Grimsted, ‘Captured Archives and Restitution Problems on the Eastern Front: Beyond the Bard Graduate Center Symposium’, in Elizabeth Simpson

After the collapse of the Soviet Union the holdings of the so-called Special Archive in Moscow slowly began to be made public. It contained records not only related to the Netherlands, but also France, Belgium, Luxembourg, Liechtenstein and other countries. Many of these were the archives of socialist groups, Freemasons, Jews and other 'enemies of the Reich' whose written heritage could be used 'as raw material for propaganda and for 'operational' use'.²⁹ Grimsted has followed many of these collections from their re-discovery to their repatriation.

During the war the Netherlands had many private archives looted by the Nazis. Once they were made known in the 1990s, Russian officials had little interest in returning Dutch and other Western European archives to their country of origin. It took over ten years from the time the story of stolen Nazi archives housed in the former Soviet Union reached Western Europe for much of them to have work done on their return. The new government of Russia had made no signs that it would return the archives, nor any other cultural material taken during the war. In the mid-1990s the Duma was contemplating passing a law that would end the prospect of restitution of any cultural material seized during the Second World War.³⁰

The capture and subsequent long-term storage of these archives by the Soviet Union had a strong basis in 'compensation' against Nazi Germany for cultural destruction caused in their invasion of the Soviet Union, despite the capture's further punishment of countries like France and the Netherlands.³¹ These countries 'also suffered wartime losses and destruction, and in many cases [the archives are] the memory of individuals and institutions who were victims of the Nazi regime'.³² The actions of the Russian government prolonged how long these records would be

(ed.), *The Spoils of War: World War II and Its Aftermath: The Loss, Reappearance, and Recovery of Cultural Property*, New York: Harry N. Abrams, Incorporated, 1997, 245.

²⁹ Patricia Kennedy Grimsted, 'Roads to Ratibor: Library and Archival Plunder by the Einsatzstab Reichsleiter Rosenberg', *Holocaust and Genocide Studies*, vol. 19 no 3 (Winter 2005), 391.

³⁰ Patricia Kennedy Grimsted, F.J. Hoogewoud, Eric Ketelaar (eds.), *Returned from Russia: Nazi Archival Plunder in Western Europe and Recent Restitution Issues*, London: Institute of Art and Law, 2007, 10.

³¹ Grimsted, et. al., *Returned from Russia*, See ppg. 84-86 for a breakdown of categories of captured records including reasons for interest by the Soviet Union.

³² Patricia Kennedy Grimsted, *Russia's 'Trophy Archives: Still Prisoners of World War II?'*, Budapest: Open Society Archive, Central European University, 2002, 2.

inaccessible to all researchers.

A specific case of records taken from the Netherlands concerns the archive of the International Archives for the Women's Movement (now known as Atria). As Francesca de Haan explains, in 1942 the Nazi police seized a large portion of their collection, which was later pillaged by the Soviets. It was not until 2003 that the archive was returned from Russia to its current repository.³³ Eric Ketelaar also gives the examples of Freemason and Jewish archives, as well as archives belonging to the International Institute of Social History, the Netherlands Institute for War Documentation, and the Catholic Documentation Center as among those that were discovered in the former Soviet Union. Some made a return to the Netherlands after a 2001 meeting between Queen Beatrix and Vladimir Putin, while others wait for their repatriation.³⁴

The Nazis were not the only group capturing archives during the war. Allied soldiers also confiscated military documents from Nazi Germany and Nazi-occupied areas. The Soviets were also not the only Allied military 're-seizing' documents taken by the Nazis, as Grimsted's work on the Smolensk archive—taken by the U.S. Military from the Nazis who had seized it from the Soviet Union—attests.³⁵ Furthermore, though some were returned in 2003, the United States National Archives still contains thousands of German records from the *First World War*, including some 3,000 maps.³⁶ Though there has been much written on Allied seizure of German historical records—some dating back to the 19th century—most of the literature concerns the factual information of what documents were seized and, if relevant, the repatriation efforts, and not much else.

33 Francesca de Haan, 'Getting to the Source: A "Truly International" Archive for the Women's Movement (IAV, now IIAV): From its Foundation in Amsterdam in 1935 to the Return of its Looted Archives in 2003', *Journal of Women's History* vol. 16, no. 4 (2004), 148-172.

34 Grimsted, et. al., Returned from Russia.

35 Patricia Kennedy Grimsted, 'The Odyssey of the "Smolensk Archive": Plundered Communist Records for the Service of Anti-Communism', *Carl Beck Occasional Papers in Russian and East European Studies*, no. 1201 (1995), 132.

36 Timothy Mulligan, *Selected German Documents From the Records of the American Expeditionary Forces (World War I)*, Washington, DC: National Archives and Records Administration, 2005.

So many records were seized by the Soviet Union, with varying degrees of operational use to Soviet intelligence, that the entire collection cannot be considered to have only one history. However, in the most basic of terms, Nazi seizure was one form of re-creation, and Soviet seizure after that a second form (1D). Capture and organization (2D, 3D) happened hidden from public view in the secret Soviet archive, while pluralization (4D) occurred after a third re-creation (1D) and subsequent capture and organization (2D, 3D) once the records were returned to countries such as the Netherlands.

To give one example of how varied the stories of the seized records by the Soviet Union are I will mention Jewish organization archives from Austria. These archives were misidentified and initially sent to the Netherlands amongst archives being returned there.³⁷ This mix-up adds another creation, capture, organization and pluralization for these records.

What is beginning to be seen through these records is that the continuum model can be used to analyze records after pluralization. Prior to pluralization it was not clear what records still existed or what happened to them after the initial Nazi seizure. In this sense the continuum model is retroactively applied to records after their discovery and pluralization, but cannot analyze them before this point. This idea will be important as I search for situations where the continuum model is not applicable and attempt to rectify the problem.

E. The Second World War in Asia

Japanese archivist Masahito Ando has covered the Pacific theatre of the war and the Japanese occupation of former allied colonies in Asia. His central conclusion is that '[t]he Japanese invasion of Asia and the Pacific not only caused great loss of life and property but also contributed to a serious gap in the history of the Asian and Pacific

³⁷ Patricia Kennedy Grimsted, 'Why Do Captured Archives Go Home? Restitution Achievements under the Russian Law', *International Journal of Cultural Property*, vol. 17, no. 2 (May 2010), 301.

countries (...) by destroying the foundation of people's memory of this area'.³⁸ Ando makes further reference to specific archives from Hong Kong as well as Burma that went missing during the Japanese occupation. Elsewhere Ando mentions that 'at the end of the war, the Japanese authorities destroyed almost all important records relating to wartime administration' so that Japanese-created records would not get into the hands of the returning Allied powers.³⁹ In Hong Kong, Ando explains that whether records survived or not was 'more or less a reflection of the administrative policy and methods during the Japanese occupation'.⁴⁰ If the Japanese continued the British system, as was the case for the land and housing administration, records relating to that office survived the occupation and were often used by the Japanese. A new system on population statistics, however, meant a loss of all marriage registry records from before the war.⁴¹ Ando's tables following his article describing the wartime outcome of records in Malaya offer a wealth of information for seeing what the Japanese occupation did to British documents.

Ando gets most of his research from an April, 1948 questionnaire sent by the Public Record Office (PRO, part of today's National Archives) to government archives in various colonies to determine how their contents were affected by the war. Looking further at this questionnaire gives more background on this particular destruction of archives caused by the Japanese occupation. The questionnaire was accompanied by a memo written by archivist Sir Hilary Jenkinson. In Southeast Asia, the post-war condition of archives was a concern. Respondents were asked to summarize the collection, the historical relevance of its contents, the number of staff at the archive, the number of professionally trained staff, and were then given space for any other comments not covered by the specific questions. Three British colonies that withstood Japanese occupation make reference to it and the

38 Masahito Ando, 'Recovering memory, sharing memory: Archives lost and displaced in the Asian-Pacific War and the responsibility of Japanese Archivists', *Essays in Honor of Michael Cook*, Margaret Proctor and Caroline Williams ed, Liverpool: Liverpool University Centre for Archive Studies, 2003, 15.

39 Masahito Ando, 'The Asian-Pacific War and the Fate of Archives', *Political Pressure and the Archival Record*, Margaret Proctor, Michael Cook, Caroline Williams ed, Chicago: Society of American Archivists, 2005, 4.

40 Ando, 'The Asian-Pacific War and the Fate of Archives', 7.

41 Ibid., 7-8.

destruction of documents in their questionnaire answers: Brunei, Hong Kong and Malaya.

According to the response from the High Commissioner of Brunei, a position granted to the Governor of Sarawak the same year the questionnaire was sent, '[t]he Archives in Brunei are at present few in number' and that in the British Resident's Office and Treasury 'the pre-war archives were destroyed during the Japanese occupation'. The response from Hong Kong was similar, stating that 'pre-war Archives were either lost or destroyed as a result of the Japanese occupation'.⁴²

Malaya's response, though arriving in London over three years after the questionnaire was sent, is very detailed, going department by department with listings as to how much of the collection survived occupation. Lists of the state governments are also included. The state government of Negri Sembilan lost a large number of records from its State Secretariat when a Japanese sergeant, 'in an excess of zeal', destroyed local pre-war records while burning occupation-era *Kempeitai* records.⁴³ These examples from the Second World War give an idea of how records can go missing and become inaccessible in the course of war, occupation and regime change, all of which are catalysts for displaced or missing archives.

The records destroyed by the Japanese occupation forces can still be represented using the continuum model, as Upward claims that within the model destroyed archives can still be seen 'through data about their life history or their connection with events. Even if they cannot be observed, their place in spacetime is always there'.⁴⁴ That is, of course, contingent on traces of the records being left behind. In many cases the records destroyed by the Japanese do have traces, as their destruction was either documented by the Japanese or later by other connected to the records as was the case in Negri Sembilan. Records that were not destroyed were re-created and re-captured (1D, 2D) by the Japanese, and then once

⁴² The National Archives (TNA): PRO 1/948: Preservation of Colonial Archives.

⁴³ The *Kempeitai* was the Japanese secret military police. The National Archives (TNA): PRO 1/1204: Colonial Government Archives: reply from Federation of Malaya to circular despatch of March 1948.

⁴⁴ Upward, 'Modelling the continuum as paradigm shift', 5.

again when the British returned.

F. Iraq and Other American Military Archival Claims

A recent example of inaccessible, missing, or removed records caused by war and occupation can be found in post-invasion Iraq through a study by Michelle Caswell. After ending up in the possession of Kanan Makiya, an Iraqi-American with connections to the Bush administration, the papers of the Baath Party made their way to the Hoover Institution, a conservative think-tank and library at Stanford University founded by alumnus and later US President Herbert Hoover.⁴⁵ The papers were discovered by the US military, who gave permission to Makiya to remove part of the collection that was not kept by the United States.⁴⁶ Caswell tells of how the Society of American Archivists (SAA) and the Association of Canadian Archivists issued a joint statement condemning Makiya's group (the Iraqi Memory Foundation) and the Bush administration for its handling of the records and calling for their return to the Iraq National Library and Archives.

Caswell connects the fight for the documents to the fight over 'who gets the power to determine what will constitute the national archive of Iraq', for '[h]e who gets custody of the archive, has the power; the stakes are not just the fate of the Baath Party Records, but the future of Iraq'.⁴⁷ The connection and conflation of archives and power is one made by Jacques Derrida, Verne Harris, and Jeanette Bastian, among many. Like Bastian, Caswell takes this further and addresses collective memory as one of the powers archives have when she states, 'without access to important historical documents, nations cannot develop an accurate collective memory, and, without this collective memory, they cannot function well in the present'.⁴⁸

45 Michelle Caswell, "'Thank You Very Much, Now Give Them Back': Cultural Property and the Fight over the Iraqi Baath Party Records, *American Archivist*, vol. 74, no. 1 (Spring 2011), 212.

46 Caswell, 'Thank You Very Much, Now Give Them Back', 214.

47 Ibid., 221.

48 Ibid., 234.

Beyond the problem of what constitutes collective memory, a distinction must be made between 'access' and 'custody', which Caswell seems to use interchangeably in reference to the future and present of Iraq. However, as Caswell points out, the issue in her case study is made more difficult as 'providing access to digital copies of the records will not help Iraqis, many of whom don't have access to the Internet'.⁴⁹ Caswell addresses both the ethical and legal issues at stake in the case of seized records during wartime. They are quite clearly Iraqi 'cultural property' as the title of her article suggests. Archival principles and international law then make it a custody issue.

Douglas Cox extends the work of Caswell to other examples of SAA responses to archives and war. One thing Cox points out is that the restitution of archives is not always as simple as it may seem. Government archives hold a vast amount of military and intelligence value and their seizure is therefore relatively common in war.⁵⁰ Cox outlines the evolution of archival protection, from the 1874 Brussels Declaration through the 1907 Hague Regulations until the 1954 Hague Convention. He also gives examples of the effect of war on archives from the First World War up to Iraq, including the examples of Grenada (1983) and Haiti (1994) during U.S. invasions.

As was the case with the Baath Party records, after the 1983 invasion of Grenada the SAA passed a resolution condemning the seizure of documents and advocating for their return. The records were returned, but not before copies could be made for research use at the US National Archives, an example of what Cox describes as 'one of the few ancillary international 'benefits' resulting from the evils of war—the emancipation of records of nations that would otherwise be concealed from view'.⁵¹ The same could not be said for the example of Haitian records taken in 1994. When they were returned in 2001 it was discovered that no copies had been made, and the originals were most likely destroyed in the 2004

49 Ibid., 230.

50 Douglas Cox, 'National Archives and International Conflicts: The Society of American Archivists and War', *American Archivist*, vol. 74, no. 2 (Fall/Winter 2011), 456.

51 Cox, 'National Archives and International Conflicts', 477.

coup d'etat'.⁵² Such a situation, according to Cox, 'support[s] the argument for balancing national interests in the return of original records with international interests in long-term preservation'.⁵³

The Baath Party records, like the Virgin Island records of Bastian's study, are localized access problems. They are not held in secret, and access to them is not completely denied, but it is nearly impossible for anyone in Iraq to view them. They were created, captured and organized by the Baath Party (1D, 2D, 3D), then re-created and re-captured by the US military, and finally re-created, re-captured, re-organized and pluralized (1-4D) by the Hoover Institution.

G. The Continuum Model and Access

This preliminary exploration of displaced archives and the universality of the continuum model has shown that both localized questions of access and destroyed records can still be analyzed using the continuum model. These are types of records that I initially thought may not fit within the continuum. A short analysis was able to determine, however, that they most certainly do.

From the relative transparency of twenty-first century democracies the records continuum model appears to have a degree of universality. In democratic states innumerable records are made public, often times with relatively damaging information regarding the creating government. In other contemporary societies and other times, however, this transparency is not a cultural norm. Piggott bemoans the fact that the sparse tests of the continuum model thus far have all been in 'modern Western settings'.⁵⁴ This leads directly into what I contend are two major, intertwined problems with the records continuum model that affects its ability to analyze certain displaced records. These critiques are primarily concerned with government records and not private records.

The first is that the universality of the continuum model can only be claimed

⁵² Ibid., 478.

⁵³ Ibid., 479.

⁵⁴ Piggott, 'Archives and Societal Provenance', 185.

and supported once missing, seized, hidden or otherwise displaced records are discovered or leaked. I see this as a self-fulfilling prophecy of the continuum model. When previously unknown records are discovered, the fourth dimension of pluralization can be attached to that act and the records can now be interpreted retroactively using the continuum model. The second problem is the natural conclusion of the first. That is, that the continuum model is reliant on openness and accessibility in society and its archives.

As it stands I do not see the continuum model as acknowledging its reliance on openness and access to support its applicability. All analyses of records using the continuum model are dependent on pluralization having taken place. They are dependent on societies and situations that make records accessible. Unknown records, or the records of secretive states and organizations, cannot be analyzed during the unknown period by the continuum model. The decision whether or not a record is actually pluralized is a records management decision, which is culturally and societally derived. But if the continuum model is viewed in the context of a paradigm shift for records management, as Upward sees it, then a reliance on pluralization and existing as merely a theoretical construct are not elements that would benefit the model.⁵⁵

This, I believe, turns the continuum model into a theoretical construction. It ceases being a practical model for the understanding of recordkeeping in these situations. Without pluralization a continuum model analysis could still take place, but it would be theoretical and purely speculative. While models can be created for the unknown—and are often used to explain and visualize the unknown—in those cases it is acknowledged that this is the role of the model. The role of the continuum model is not to be speculative. Furthermore, if the continuum was theoretical, pluralization could not be guaranteed.

These problems are inherent within the continuum model due to confusion in continuum model literature. Piggott complains of confusing and vague depictions of the continuum model, as such confusion leads to the question of whether

⁵⁵ Upward, 'Modelling the continuum as paradigm shift in recordkeeping and archiving processes, and beyond – a personal reflection'.

pluralization is guaranteed or not. Barbara Reed describes records as existing in all dimensions at once. What does that say about the pluralization dimension of unknown records that may never be made available to the public? This is a case of the continuum model getting lost in its own convoluted theory. I intend to remove the confusion by introducing something I call the shadow continuum. This addition is a way of describing hidden records while still using continuum model concepts.

H. The Shadow Continuum

There are records that we have no knowledge of, and, unlike known destroyed records, there is no physical trace of their existence. I contend that in such instances these records have been transplanted to the 'shadow continuum'. In the shadow continuum records proceed through the dimensions of the continuum model, even when they are unknown to exist. The functioning of the shadow continuum is the same as the original continuum model, only its actions are kept intentionally veiled by those who control the record. This can be the creating institution, the archival repository or another organization that seized control of the record in a form of re-creation.

The shadow continuum is based partly on the work of Jean Allman, Jeannette Bastian, Barbara Reed, and others. Allman's concept of the 'shadow archive', and Trond Lundemo's 'archival shadows', certainly helped spark the idea of the shadow metaphor in archives. Allman's 'shadow archive', as already stated, are the records of a country that exist spread out throughout the world as a result of colonization and globalization. Lundemo claims that 'the principles structuring what is accessible and stored, but which remain irretrievable' are archival shadows, partially caused by the 'cultural myth that everything is always accessible'.⁵⁶ Bastian speaks of both whispers and traces in the archive, hinting at the existence of unknown records.⁵⁷ It was Reed's description of the Wikileaks records as 'non-

⁵⁶ Trond Lundemo, 'Archival Shadows', in Eivind Røssaak (ed.), *The Archive in Motion: New Concepts of the Archive in Contemporary Thought and New Media Practices*, Oslo: Novus Press, 2010, 183.

⁵⁷ Bastian, 'The Records of Memory, the Archives of Identity', 121-131.

traditional', and her explanation of the Secret Internet Protocol Router Network used by the US Department of Defense 'for the creation and transmission' of the diplomatic cable leaks, however, that brought these other ideas together for me to create the shadow continuum.⁵⁸

I propose that the ability to be interpreted with the continuum model by using the shadow continuum hinges on the existence of archival traces, to borrow the phrase from Bastian. I define traces as publically accessible information that offers enough data to contextualize a missing record, determine its content and existence and to uniquely identify it. Traces are the clues left behind that betray the existence—past or present—of a record that is inaccessible. Even without access to the physical record, a trace declares its existence.

It is difficult to pinpoint a trace, as a trace can be seen from either an insider or an outsider perspective. This will be seen in the Migrated Archives. A small group of people can have access to a record and have knowledge of its existence, but I do not see this as fulfilling the definition of a trace. A trace has to be openly accessible to the public. I make public accessibility a crucial element of trace because Upward declares pluralization as the dimension of collective memory.⁵⁹ To me this statement links the continuum model and public access. Interpreting a record through the continuum model hinges on an open archive.

At its core the shadow continuum, like the continuum model itself, is a way of representing the nature of records. While the continuum is meant to represent what is happening in any recordkeeping situation, the shadow continuum has a very specific situation that it relates to. That situation is when no traces exist that can allow the adequate representation of the record using the continuum model alone.

Using the shadow continuum, the examples from the literature review can be re-evaluated. For instance, some of the records described by Grimsted, held at a

⁵⁸ Frank Upward, Sue McKemmish, and Barbara Reed, 'Archivists and Changing Social and Information Spaces', 223.

⁵⁹ Upward, 'Structuring the Records Continuum – Part One: Postcustodial Principles and Properties'.

secret Soviet archive after the Second World War, have clear links to the shadow continuum. Capture and organization (2D, 3D) occurred in the secret archive, a period which can be said to exist on the shadow continuum. While some records were useful in an operational sense by the Soviet intelligence community, other seized records were deemed of no operational value and little to no inventorial work was done.⁶⁰ In these cases no trace would have been left behind to sufficiently know what still existed.

In the case of Bastian's records from the US Virgin Islands, the shadow continuum is not relevant. Traces of the records—and the records themselves—were always known and the records could always have been interpreted using the continuum model. Instead, the premise was centered on accessibility. This is the same for the Baath Party archives. In both cases major traces to the records' location were left. The shadow continuum is dependent on a lack of archival traces, and can be implemented in those cases where no trace exists.

Further examples can help clarify when the shadow continuum is applicable. A fictional example is when the records of a certain group are captured by force. Some records could be destroyed on site, others destroyed at a different location and still others removed from their repository and kept for intelligence purposes in a closed archive. In this case there would be no traces left that would allow the public to know what of the collection was salvaged. There is no independent observation of the various continuum model dimensions. Knowledge of this would not come until the closed archive is opened, perhaps after a change in regime. Something similar to this example is what happened with many private institutional archives during and after the Second World War.

I also want to further mention Barbara Reed's reading of Wikileaks using the continuum model for any help it can offer in formulating the shadow continuum. Reed states that Wikileaks re-creates the records in question (1D), and then captures, organizes and pluralizes them as well. All this after Wikileaks 'hoists (or

⁶⁰ Grimsted, 'Why Do Captured Archives Go Home? Restitution Achievements under the Russian Law', 301.

heists) records out of their normative progression to pluralization'.⁶¹ Wikileaks should prompt us to think about those records which continue to be kept from public view. There is nothing guaranteeing that the continuum model can be used to analyze and interpret these records, as we do not know anything about them. When pluralization is of no guarantee it is impossible to speak of the 'normative progression to pluralization'.

The National Security Archive in Washington, DC, is also of relevance to the shadow continuum. This non-profit archival institution exists to make Freedom of Information Act requests to the United States government, and to make the resulting records publically accessible. What it is doing is therefore removing the cloak of the shadow continuum, allowing the public to see the nature of the records—how they can be analyzed and interpreted using continuum model concepts.⁶²

The shadow continuum runs into a similar problem as the continuum model, in that it can only be applied retroactively. It can only be known for sure that the shadow continuum was in effect after a record has been pluralized. This was part of the problem with the continuum model, so it may seem that the problem is not adequately addressed. However, the main point is to acknowledge this flaw in the continuum model. By saying that the period prior to pluralization for these specific cases of displaced records is influenced by the shadow continuum I am allowing any future discovered cases to be understood in a standardized form.

I. The Case Studies

The preceding introduction to missing and displaced archives now leads into my two case studies. These two cases were formed as a result of the decolonization process and will be viewed through the continuum model. Two cases from the decolonization process have been chosen because I believe that the large amount of

⁶¹ Frank Upward, Sue McKemish, and Barbara Reed, 'Archivists and Changing Social and Information Spaces', 211.

⁶² National Security Archive, <http://www2.gwu.edu/~nsarchiv/> (accessed 8 March 2015).

sensitive nature surrounding the decolonization process makes for a suitable example of when and how records can go missing. Both cases involve secrecy, war, regime change, and also have cultural, historical and geographical connections.

The *Djogdja Documenten* are made up of documents created by the government of the Republic of Indonesia during its revolutionary uprising against the Netherlands from 1945-1949. Following the invasion of Yogyakarta—the temporary capital of the Republic—in December of 1948, the Dutch military seized documents for the purpose of intelligence gathering. These documents were sent to the Netherlands after the Dutch left in 1949. From the mid-1950s until the mid-1960s the relationship between the Netherlands and Indonesia was in ruins. It was not until the early 1970s that the records would begin to be returned to Indonesia.

The Migrated Archives have a history that is only recently coming to light. Upon receipt in London these documents were kept hidden in a Foreign and Commonwealth Office (FCO) warehouse and were only made public starting in 2012. These records were first known to the public after a group of Kenyans brought a case against the British government claiming to have been tortured during the Mau Mau Emergency that preceded Kenya's independence. When the documents were further consulted it was revealed that records from nearly forty other colonies were similarly kept hidden.

While the Migrated Archives may be a historical example of keeping 'embarrassing' records, they are still an ongoing process as at the time of writing they were still being transferred to The National Archives. This, to me, also makes them a wonderful companion to the *Djogdja Documenten* for my dissertation. In the *Djogdja Documenten* I had a complete story from seizure, removal, pre-return diplomacy, to the final return. With the Migrated Archives the story was being played out as I worked. This made my research difficult but also fascinating. I could compare the two stories, how they became inaccessible, what cooperation was deployed between countries, and what people were involved.

The major difference between the two cases, of course, is that the *Djogdja Documenten* were created by the colonized while attempting to enact their own independence, while the Migrated Archives were created by the colonizers before

and during the independence process. In using the continuum model, however, the original creator should not be an issue. Despite the differences in their initial creation, the two cases are still both examples of a similar concept of displaced or missing archival collections, and therefore their comparison and use of the continuum model to interpret them is still appropriate.

As always occurs when researching and writing on an evolving topic such as the Migrated Archives, new findings can make previous work appear outdated. I first viewed records of the Migrated Archives within the first month of their accessibility in 2012, and my research continued through 2014. Even while working on the final edits of this dissertation new information was becoming available. As such, a cut-off date is necessary to explain why certain records were not consulted or newspaper stories referenced. In mid-2014 the writing of this dissertation entered its final phase, and material after this date may not factor into my findings.

Conclusion

Dissecting the literature on missing or removed archives it is apparent that wars, colonization, and decolonization led to an increase in both the creation and displacement of records. Records can go missing—from one point of view—during and after military engagement, through the process of regime change, and also by a powerful state apparatus that wants to hide certain information about itself. Records can go missing during regime change, attempted regime change, invasion, occupation and war. All such examples can lead to the formation of a shadow continuum. These examples all contain a threat to the status quo, which is the main source of displaced or missing archives.

Destroyed records, like those in Japanese-occupied territories from the Second World War, can still be interpreted using the continuum model. Destruction, according to the continuum model, can happen in any order. Even destroyed records can lead to new records being created to explain the destruction. The action that takes place when records are re-created in new contexts by being removed from their original location can also be interpreted using the continuum

model. The same can be said of records that are knowingly kept inaccessible.

I have termed archives that are taken from one place to another—for instance Bastian’s example in the Virgin Islands and the Baath Party archives—as localized problems. The continuum model can be referenced when describing these archives, such as in Bastian’s case, where Denmark became the new creator of the records in question. When creation is no longer seen as something that only happens once, the act of removal of archives from one place and their transfer elsewhere becomes mapped onto the continuum model through its view that destruction or movement of records is a form of re-creation. Though local communities may lose access to the records, we are still given an idea as to what is happening in these situations through the existence of archival traces.

For cases when no trace can be found I have created the concept of the shadow continuum. The shadow continuum came from two flaws I saw in the continuum model: that its universality hinged on a record’s pluralization and, therefore, that it was inherently reliant on an open society with open archival access.

For the cases of the *Djogdja Documenten* and Migrated Archives, I will keep these previous examples in mind. It must be determined whether my cases are localized problems, whether they can be interpreted with the continuum model, or whether they are subject to the shadow continuum. In doing so I will divide each study into two chapters.

The first part will be the background and initial research that was not necessary for the examples from this chapter—for instance, Bastian’s work took care of any further research on the specific records from the USVI. The second part will be an exploration of the records through the continuum model, mapping each action to a dimension of the model. This will also be the chapter where I discuss any relation to the shadow continuum. In both of the upcoming cases I will see whether they were acting within the shadow continuum or not.