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# From Human Rights to Feminist Ethics: Radical Empathy in the Archives



MICHELLE CASWELL and MARIKA CIFOR

**RÉSUMÉ** Une grande partie des discussions récentes dans le domaine des études archivistiques au sujet de la justice sociale ont adopté un cadre légaliste axé sur les droits pour définir le rôle des documents, des centres d'archives et des archivistes tant dans les questions de violations des droits humains que pour tenir les individus et les gouvernements responsables quant aux questions des droits humains de base, tels le droit à la vie, à la vie privée et à la liberté d'expression. Pourtant, depuis des décennies les écrits scientifiques féministes ont mis en doute l'universalité d'un cadre axé sur les droits, affirmant plutôt que l'éthique de la sollicitude est un modèle plus inclusif et plus pertinent pour envisager et mettre en place une société plus juste. Cet article propose le changement du modèle théorique dont se servent les archivistes et les spécialistes en études archivistiques pour répondre aux questions de justice sociale – remplaçant celui basé sur les droits individuels par celui basé sur l'éthique féministe. Dans l'approche d'éthique féministe, les archivistes sont perçus comme gardiens responsables, liés aux créateurs de documents, aux sujets, aux utilisateurs et aux communautés grâce à un réseau de liens de responsabilités qui sont mutuellement affectifs. Cet article propose quatre changements inter-reliés dans ces rapports archivistiques, basés sur une empathie radicale.

**ABSTRACT** Much recent discussion about social justice in archival studies has assumed a legalistic, rights-based framework to delineate the role of records, archives, and archivists in both the violation of human rights and in holding individuals and governments accountable for basic human rights, such as the right to life, privacy, and freedom of expression. Yet decades of feminist scholarship have called into question the universality of a rights-based framework, arguing instead that an ethics of care is a more inclusive and apt model for envisioning and enacting a more just society. This article proposes a shift in the theoretical model used by archivists and archival studies scholars to address social justice concerns – from that based on individual rights to a model based on feminist ethics. In a feminist ethics approach, archivists are seen as caregivers, bound to records creators, subjects, users, and communities through a web of mutual affective responsibility. This article proposes four interrelated shifts in these archival relationships, based on radical empathy.

## Introduction: Shifting the Conversation

On a recent visit to a self-described “human rights archives” at a major research university, the first author of this article was told that users of the collections comprised almost exclusively employees of the human rights organizations that created the records, along with lawyers and scholars. When asked if survivors of the human rights abuse being documented or local members from those refugee and immigrant communities affected by the described abuse use the records, the administrator giving the tour responded that they are not really the “target audience.” This oversight (constituting, one might argue, a failure of archival outreach) is not uncommon for mainstream archives. Even those archives that explicitly articulate a human rights or social justice mission typically frame their work in terms of ensuring a set of individual legal rights, i.e., documenting when such rights have been violated in order to provide evidence for legal redress. Yet a rights-based framework is not the only way we could approach archival ethics. In this article, we articulate a contrasting approach, informed by feminist ethics, that centres on radical empathy and obligations of care. In this particular case, we argue, an archival approach marked by radical empathy would require archives to make survivors and implicated communities not just a target group of users, but central focal points in all aspects of the archival endeavour, from appraisal to description to provision of access.<sup>1</sup> In this case, an ethics of care would transform the reading room space from a cold, elitist, institutional environment to an affective, user-oriented, community-centred service space.

This article proposes a shift in the theoretical model archivists and archival studies scholars use to address social justice concerns – from one based on individual rights to a model based on a feminist ethics of care. From the approach of a feminist ethics of care, archivists are seen as caregivers, bound to records creators, subjects, users, and communities through a web of mutual affective responsibility. Drawing from the authors’ own personal and professional experiences, this article explicates the concept of radical empathy as a component of a feminist ethical framework. It then proposes four inter-related shifts in archival relationships based on radical empathy: the relationship between archivists and records creators, between archivists and records subjects, between archivists and records users, and between archivists and larger communities. In each of these relationships, we argue that archivists have *affective responsibilities* to other parties and posit that these affective

1 Michelle Caswell, “Toward a Survivor-Centered Approach to Records Documenting Human Rights Abuse: Lessons from Community Archives,” *Archival Science* 14, no. 3–4 (October 2014): 307–22.

responsibilities should be marked by *radical empathy*, the “ability to understand and appreciate another person’s feelings, experience, etc.”<sup>2</sup>

In the archival realm, we posit that empathy is radical if we allow it to define archival interactions even when our own visceral affective responses are steeped in fear, disgust, or anger. Such empathy is radical if it is directed precisely at those we feel are least worthy, least deserving of it. This notion of radical empathy builds on Verne Harris’s Derridean insistence that we invite “the other” into the archives, that we let hospitality guide our archival interventions.<sup>3</sup> However, the four shifts we are positing underscore how archival relationships are essentially affective in nature and that archivists have ethical responsibilities based on these affective relationships.

In proposing these relational shifts, this article asks the following questions: How would the archival conversation change if we shifted from a rights-based model toward a feminist ethics of care? What if we began to see archivists not only as guardians of the authenticity of the records in their collections, but also as centrepieces in an ever-changing web of responsibility through which they are connected to the records’ creators, the records’ subjects, the records’ users, and larger communities? What happens when we scratch beneath the surface of the veneer of detached professionalism and start to think of record-keepers and archivists less as sentinels of accountability (or accomplices in human rights violations on the other, and less acknowledged, end of the spectrum) and more as caregivers, bound to records creators, subjects, users, and communities through a web of mutual responsibility? Furthermore, what if each of these four relationships – archivist and record creator, archivist and record subject, archivist and record user, and archivist and community – was marked by radical empathy?

In asking and answering these questions, this article employs theory building as a methodology. Theory building is the “systematic building and exposition of new theory, drawing on existing theories, concepts, or models ... characterized by reflection, deep thought, and a process of gestation of ideas.”<sup>4</sup> This discussion also draws on feminist epistemologies that place value in lived experience; as such, we draw on our own personal experiences as humans, archivists, and archival studies scholars. Furthermore, while we conceive of this treatment specifically in relation to records that document violence, trauma, and marginalization, it is also widely applicable. In line with social

2 *Oxford English Dictionary*, 2014, s.v. “empathy.” Selman Sevenhuijsen, “The Place of Care: The Relevance of the Feminist Ethic of Care for Social Policy,” *Feminist Theory* 4, no. 2 (August 2003): 179–97.

3 Verne Harris, *Archives and Justice: A South African Perspective* (Chicago: Society of American Archivists, 2007).

4 Anne Gilliland and Sue McKemmish, “Building an Infrastructure for Archival Research,” *Archival Science* 4, no. 3–4 (2004): 149–97.

justice aims, our approach advocates critical attention to power differentials throughout these processes. Given the attempt of feminist ethics to recuperate elements of human experience that have been dismissed or derided as feminine, it is perhaps unsurprising that all four of the relational shifts we are proposing invoke affect in ways that have not yet been commonly discussed in archival studies literature.

### Social Justice and Archives

Scholars of archival studies and archivists have rightfully paid increasing attention to social justice concerns in recent years.<sup>5</sup> This literature has shown that archives have the capacity to produce and to reproduce social justice and injustice through their constructions of the past, engagements in the present,<sup>6</sup> and shaping of possible futures. Drawing on a large and interdisciplinary literature in their project on the social justice impacts of archives, Wendy Duff, Andrew Flinn, Karen E. Suurtamm, and David A. Wallace conceptualize social justice as the

ideal vision that every human being is of equal and incalculable value, entitled to shared standards of freedom, equality, and respect. These standards also apply to broader social aggregations such as communities and cultural groups. Violations of these standards must be acknowledged and confronted. It specifically draws attention to inequalities of power and how they manifest in institutional arrangements and systemic inequities that further the interests of some groups at the expense of others in the distribution of material goods, social benefits, rights, protections, and opportunities. Social justice is always a process and can never be fully achieved.<sup>7</sup>

- 5 See The Archival Education and Research Institute (AERI), Pluralizing the Archival Curriculum Group (PACG), "Educating for the Archival Multiverse," *American Archivist* 74, no. 1 (Spring/Summer 2011): 69–101; Anne Gilliland, "Neutrality, Social Justice and the Obligations of Archival Education and Educators in the Twenty-First Century," *Archival Science* 11, no. 3–4 (November 2011): 193–209; Michelle Caswell, Giso Broman, Jennifer Kirmer, Laura Martin, and Nathan Sowry, "Implementing a Social Justice Framework in an Introduction to Archives Course: Lessons from Both Sides of the Classroom," *InterActions: UCLA Journal of Education and Information Studies* 8, no. 2 (2012): 1–30; Michelle Caswell, "Not Just between Us: A Riposte to Mark Greene," in "Letters to the Editor," *American Archivist* 76, no. 2 (Fall/Winter 2013): 605–8; Michelle Caswell, "Seeing Yourself in History: Community Archives in the Fight against Symbolic Annihilation," *Public Historian* 36, no. 4 (November 2014): 26–37; and Randall Jimerson, "Archivists and Social Responsibility: A Response to Mark Greene," *American Archivist* 76, no. 2 (Fall/Winter 2013): 335–45.
- 6 Wendy M. Duff, Andrew Flinn, Karen Emily Suurtamm, and David A. Wallace, "Social Justice Impact of Archives: A Preliminary Investigation," *Archival Science* 13, no. 4 (December 2013): 319.
- 7 *Ibid.*, 324–25.

A social justice agenda in archives requires undertaking critical analyses of power, its operation, distribution, and abuses; working toward equity in the distribution of resources and opportunities<sup>8</sup>; building and maintaining cross-cultural collaboration and dialogue<sup>9</sup>; advocating the inclusion of and promoting the agency of marginalized individuals and communities in the archives<sup>10</sup>; and reinterpreting archival concepts<sup>11</sup> to challenge dominant power structures in support of social justice principles and goals.

Much of the discussion of social justice in the archival field has assumed a legalistic, rights-based framework, to delineate the role of records, archives, and archivists in both the violation of human rights and in holding individuals and governments accountable for basic human rights, such as the right to life, privacy, and freedom of expression.<sup>12</sup> In the majority of this archival studies scholarship, records are seen as tools of *legal* accountability, and both archivists and users are constructed as autonomous individual subjects. As David Wallace and Verne Harris have each noted, in some dominant strands of this scholarship, archivists everywhere are seen to be beholden to universal codes of ethics, and users are treated the same, regardless of their relationship to the act being documented in the record.<sup>13</sup> Although a rights-based approach has been useful in examining some of the most egregious atrocities, such as genocide and mass rape, it ignores the realities of more subtle, intangible, and shifting forms of oppression that are also pressing social justice concerns. The proposed care ethics framework sits firmly within the social justice tradition in archival studies even as it critiques and shifts it; in particular, the concerns over power differentials and inequities that are central to social justice-oriented scholarship guide our theoretical framework and commitment to critical praxis.

### An Ethics of Care

Decades of feminist scholarship have called into question the universality of a rights-based framework, arguing instead that such approaches fail to take into account women's experiences of morality. Philosopher Alison Jagger, for

8 Anthony W. Dunbar, "Introducing Critical Race Theory to Archival Discourse: Getting the Conversation Started," *Archival Science* 6, no. 1 (March 2006): 117.

9 Ibid.

10 Ricardo L. Punzalan and Michelle Caswell, "Critical Directions for Archival Approaches to Social Justice," *Library Quarterly* 86, no. 1 (January 2016): 25–42.

11 Ibid.

12 This legalistic framework is reflected in the first author's prior work. This article does not mean to invalidate such work but to supplement it.

13 David Wallace, "Locating Agency: Interdisciplinary Perspectives on Professional Ethics and Archival Morality," *Journal of Information Ethics* 19, no. 1 (Spring 2010): 172–89; Verne Harris, "Jacques Derrida Meets Nelson Mandela: Archival Ethics at the Endgame," *Archival Science* 11, no. 1–2 (March 2011): 113–24.

example, noted that traditional discussions of ethics failed women in five overlapping ways: disregarding issues that impact women, devaluing the private realm, positing that women are less moral than men, overvaluing traits that have been constructed as masculine, and privileging rights over relationships.<sup>14</sup> As Jagger's typology reveals, the feminist critique of dominant conceptions of morality takes many different forms, as do formulations of what constitutes a "feminist ethics" in response. Although "feminist ethics" is a wide net that catches many different (and sometimes incompatible) strands of thought, we have chosen here to focus on an ethics of care as a feminist framework.

Faced with the predominance of rights-based models, some feminist scholars have argued instead that an "ethics of care" is a more inclusive and apt model for envisioning and enacting a more just society. An ethics of care, which we situate here under the larger tent of feminist ethics, stresses the ways people are linked to each other and larger communities through webs of responsibilities.<sup>15</sup> This feminist approach to ethics emphasizes "particularity, connection, and context" rather than abstract moral principles.<sup>16</sup> It rejects liberal moral assumptions about individual choice and free will – which it posits is not how most women have experienced the world – in favour of empathy in the face of situational demands, and it draws to the fore women's lived experiences as caregivers.

The framework of an ethics of care emerged, in part, from the work of psychologist Carol Gilligan, whose 1982 book *In a Different Voice* questioned dominant theories of morality in which ethics were seen as matters of individual choice and free will. In such scholarship, Gilligan argued, "Men's experience stands for all of human experience," resulting in "theories which eclipse the lives of women and shut out women's voices."<sup>17</sup> In the face of such masculinist scholarship, Gilligan engaged in the radical act of listening to women. What she heard was that dominant rhetorics of autonomy, individual freedoms and rights, choice, and neutrality were meaningless to many women, who are *socialized* into a caregiving role and whose moral decision-making is deeply relational, context dependent, and emotionally resonant.

We want to stress here the word *socialized*, and caution against reductive claims that essentialize women as biologically prone to caring; that is not the underlying tenet of this strand of feminist ethics, nor is it the assumption or

14 Alison Jagger, "Feminist Ethics," in *Encyclopedia of Ethics*, ed. L. Becker and C. Becker (New York: Garland Press, 1992), 363–64.

15 See Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge, MA: Harvard University Press, 1982); Claudia Card, *Feminist Ethics* (Lawrence, KS: University of Kansas Press, 1991). Eve Browning Cole and Susan Coultrap-McQuin, eds., *Explorations in Feminist Ethics* (Bloomington, IN, and Indianapolis: Indiana University Press, 1992); and Elizabeth Frazer, Jennifer Hornsby, and Sabrina Lovibond, *Ethics: A Feminist Reader* (Cambridge, MA: Blackwell, 1992).

16 Cole and Coultrap-McQuin, *Explorations in Feminist Ethics*, 3.

17 Gilligan, *In a Different Voice*, xiii.

assertion of this article. Instead, feminist ethics overturns dominant assumptions about the universality of masculinist conceptions of morality and, as articulated by Gilligan, advocates that we all pay greater attention to care – what it is, who does it, who needs it, how it is distributed and circulated – and that we place care at the centre of our moral constructions.<sup>18</sup> Feminist ethics, in our estimation, also problematizes neo-liberalist rhetoric that sees individuals primarily as free agents in a market economy, that deflects attention from systemic oppressions, that posits chronic underfunding, disaster, and state failure as excuses for privatization, and that obfuscates or renders invisible forms of labour that are deemed undesirable.<sup>19</sup>

As opposed to a human rights framework that endows individuals with universal and inalienable rights, a feminist ethics framework posits interlacing and ongoing relationships of mutual obligation that are dependent on culture and context. While in a human rights framework individuals are held accountable by a rationally derived set of laws by states and international governing bodies, in a feminist ethics framework subjects are constructed relationally, intersecting structures of violence are interrogated, and injustice is viewed as both structural and “multi-scalar,” that is, operating on both the micro and the macro levels, in private and in public.<sup>20</sup>

Furthermore, while human rights frameworks can often rely on punitive approaches that have the incarceration of perpetrators as an end goal, some feminist frameworks advocate restorative models that aim to reintegrate violators into communities and to re-establish mutually responsive relationships. In particular, women of colour feminist scholarship on, and involvement in, the prison abolition movement has drawn attention to structural racism underlying the prison industrial complex and has questioned the ethics of putting people in cages, regardless of the severity of the offence.<sup>21</sup> Here, we are inspired by transgender legal scholar and activist Dean Spade’s assertion that, when it

18 See Cheryl McEwan and Michael K. Goodman, “Place Geography and the Ethics of Care: Introductory Remarks on the Geographies of Ethics, Responsibility and Care,” *Ethics, Place and Environment* 13, no. 2 (June 2010): 103–12; Fiona Robinson, “Global Care Ethics: Beyond Distribution, Beyond Justice,” *Journal of Global Ethics* 9, no. 2 (August 2013): 131–43; and Virginia Held, “The Ethics of Care as Normative Guidance: Comment on Gilligan,” *Journal of Social Philosophy* 45, no. 1 (Spring 2014): 107–15.

19 Held, “The Ethics of Care as Normative Guidance.”

20 Robinson, “Global Care Ethics.”

21 See Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley, CA: University of California Press, 2007); Angela Y. Davis, *Are Prisons Obsolete?* (New York: Seven Stories Press, 2003); and Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, rev. ed. (New York: The New Press, 2012). This work stands in contrast to what has been termed “carceral feminism,” that is, feminist work that advocates stiffer prison sentences for those found guilty of sexual violence and hate crimes. See also Victoria Law, “Against Carceral Feminism,” *Jacobin* 2014, accessed 8 February 2015, <https://www.jacobinmag.com/2014/10/against-carceral-feminism>.



comes to liberation, the law has limits; we cannot simply distill social justice into a series of legal rights granted – however grudgingly – from the state.<sup>22</sup> Indeed, state institutions have historically been and continue to be the biggest purveyors of systems of violence both locally and globally. Instead of relying on governmental and intergovernmental bodies to enforce human rights with the threats of incarceration and militarism, we are advocating a feminist conception of ethics built around notions of relationality, interdependence, embodiment, and responsibility to others.

### Radical Empathy and the Body

Empathy is an affective demand of care. Empathy at its most simplistic asks us to imagine our body in the place of another. As a clinical tool, according to psychoanalyst Heinz Kohut, “empathy is the capacity to think and feel oneself into the inner life of another person.”<sup>23</sup> In philosophy, Karsten Stueber has developed dual conceptions of empathy. The first, “basic empathy,” is the human capacity to perceive another’s emotional state without simulating or modelling it. In contrast, in “re-enactive empathy”<sup>24</sup> cognitive resources are consciously deployed to reconstruct another person’s experience. While helpful, these traditional concepts of empathy are alone not enough in building an ethics of care in archives; for this, we must enact new and radical forms of empathy.

“Radical empathy” has been employed in a range of contexts to describe theoretical and observed relations between people, the self, and others. In her ethnographic work on learning within the psyche and the place of the body in spiritual transformation and healing, anthropologist Joan D. Koss-Chioino argues that empathy in healing relationships “creates an inter-subjective space where individuals,” regardless of their prior relationships to one another, enter into “intimate relation.” In its extreme form, “individual differences are melded into one field of feeling and experience,” a phenomenon Koss-Chioino describes as “radical empathy.”<sup>25</sup> Radical empathy is thus a learned process of direct and deep connection between the self and another that emphasizes human commonality through “thinking and feeling into the minds of others.”<sup>26</sup> Applying a feminist framework, sociologist Lorraine Nencel calls for adopting a politics of “radical empathy” as a relation that increases compassion,

22 Dean Spade, *Normal Life: Administrative Violence, Critical Trans Politics and the Limits of the Law* (Brooklyn, NY: South End Press, 2011).

23 Heinz Kohut, *How Does Analysis Cure?* ed. Arnold Goldberg with the collaboration of Paul E. Stepanky (Chicago: University of Chicago Press, 1984), 82.

24 Karsten Stueber, *Rediscovering Empathy: Agency, Folk Psychology and the Human Sciences* (Cambridge, MA: MIT Press 2006), 20–21.

25 Joan D. Koss-Chioino, “Spiritual Transformation, Relation and Radical Empathy: Core Components of the Ritual Healing Process,” *Transcultural Psychiatry* 43, no. 4 (December 2006): 655–56.

26 *Ibid.*, 664.

the sharing of social capital, and empathic demonstrations of the experiences, needs, and wants of all research collaborators in feminist fieldwork practices.<sup>27</sup> In this context, radical empathy requires closeness between researcher and subject, and that the researcher be fully attuned to the complexities of the research context. In theatre studies, radical empathy has been used to describe popular theatre practices that create a space for individuals and social groups to work on “dangerous issues” by having their stories told and heard, all while recognizing the dangers of storytelling and the inequalities of risk regarding differences in power in the process.<sup>28</sup> The concept of radical empathy has also been taken up in philosophy by Matthew Ratcliffe to describe a distinct kind of empathy emerging out of a phenomenological stance that opens the possibility of structurally different ways of finding oneself in the world.<sup>29</sup> Ratcliffe argues that, while we recognize the differences between our experiences and those of others in everyday encounters, we still take much for granted as shared. He posits that a shift to radical empathy is required to make interpretable and illegible the changes that occur in the structure of human experience in psychiatric illnesses, such as severe depression, schizophrenia, and depersonalization. Radical empathy offers a way to engage with others’ experiences that involves discarding the assumption that we share with them the same modal space of belonging in the world. Our conception of empathy is radical in its openness and its call for a willingness to be affected, to be shaped by another’s experiences, without blurring the lines between the self and the other.

The notion of empathy we are positing assumes that subjects are embodied, that we are inextricably bound to each other through relationships, that we live in complex relations to each other infused with power differences and inequities, and that we care about each other’s well-being. This emphasis on empathy takes bodies and the bodily into account. Bodies and care are intimately linked. Care includes both the often bodily labours of providing what is necessary for the health, sustainment, and protection of someone or something, and the feeling of concern and attachment that provokes such acts. Though bodies and care are often linked in other professional and academic contexts (such as nursing and social work), in archives this attention to the body marks a new strain of inquiry. In prior archival scholarship, acts of care and the bodies they invoke are often ignored outside of purely practical concerns, such as the leaving of oily fingerprints on the surface of photographs and the standard job

27 Lorraine Nencel, “Situating Reflexivity: Voices, Positionalities and Representations in Feminist Ethnographic Texts,” *Women’s Studies International Forum* 43 (March 2014): 81–82.

28 Shauna Butterwick and Jan Selman, “Deep Listening in a Feminist Popular Theatre Project: Upsetting the Position of Audience in Participatory Education,” *Adult Education Quarterly* 54, no. 1 (November 2003): 10.

29 Matthew Ratcliffe, “Phenomenology as a Form of Empathy,” *Inquiry: An Interdisciplinary Journal of Philosophy* 55, no. 5 (October 2012): 474–95.

requirement of the ability to lift 40 pounds or more.<sup>30</sup> We hope to change this line of thinking by revealing that bodies and the bodily are integral – rather than intrusive or unwanted – aspects of archival labour.

### **Acknowledging the Limits of Empathy**

Even as we propose these affective shifts, we are also sensitive to their limits. Radical empathy holds great potential, but it also presents the possibility of grave danger for archives and archivists. If not carefully negotiated, empathy can easily become problematic in its potential erasure of the other. Literary scholar Saidiya Hartman's work on representations of the suffering of enslaved black bodies presented by 19th-century white abolitionists to garner support for their cause provides an illustration of the dangers of an empathy that requires a substitution of one body for another. In the scenario described by Hartman, "the white body must be positioned in the place of the black body" in order to make black slaves' suffering "visible and intelligible" to the white listener.<sup>31</sup> This replacing of bodies, of black with white, naturalizes suffering and pain as the condition of black bodies,<sup>32</sup> threatens to obliterate the suffering of the black body, erases meaningful differences between bodies, and always returns the focus to the white body and its affective experiences.<sup>33</sup> In this way, Hartman provides us with necessary cautions that highlight the limitations of empathy about which we must always be vigilant.

In the midst of this call for empathy, it is also important to remind ourselves not to erase differences between bodies, not to turn a blind eye to power differentials, and not to reinforce hierarchies that permanently position some as caregivers and others as care recipients. Here, Selma Sevenhuijsen's caution against the paternalism of "rescuer and victim" mentalities is key, as is her assertion that relationships between caregiver and care recipient are marked by an "asymmetrical reciprocity" that acknowledges inequalities of power within such relationships.<sup>34</sup> Thus, while we may empathize with others, we must simultaneously engage differences between self and other. Sevenhuijsen writes, "The ethical relation begins with the willingness to be open to everyone's unique, embodied subjectivity: the idea that everyone is positioned differently and cannot be reduced to that of others."<sup>35</sup> Similarly,

30 Marika Cifor, "Harvey Milk's Ponytail: The Affect of Intimacy in the Queer Archives" (presentation, Affect and the Archive symposium, University of California, Los Angeles, 20 November 2014).

31 Saidiya Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (Oxford: Oxford University Press, 1997), 18–19.

32 Ibid.

33 Amber Jamilla Musser, *Sensational Flesh: Race, Power, and Masochism* (New York: New York University Press, 2014), 100–101.

34 Sevenhuijsen, "The Place of Care," 186.

35 Ibid.

work in the phenomenological philosophical tradition critiques conceptions of empathy that require such first-person replication of others' experiences, the imagining of our body in the place of another. For example, Edith Stein uses "empathy" more broadly to encompass all "acts in which foreign experience is comprehended."<sup>36</sup> This type of empathy is never about having the same feeling as another; rather it is through empathy that we have an experience of our own that "announces" another experience as belonging to someone else.<sup>37</sup> As these dangers have shown, we must be careful not to appropriate the experiences of others under the guise of empathy in our archival endeavours; instead, empathy can be used to mark the distinction between self and others even as we open ourselves to them. In this way, the possibility of feeling through another with empathy can open possibilities for complex and multiple affinities. If carefully negotiated, empathy allows for a better understanding of others and their positions, while also allowing us to be aware of the connections and disjunctions between the self and the other.

### **Shifting Affective Responsibilities in the Archives**

Now that we have described the differences between a rights-based approach and a feminist ethics framework, and have explained the importance of care, empathy, and the body in the latter, as well as the potential pitfalls of such an approach, we would like to propose how a feminist approach would shift four key archival relationships: the relationship between archivist and record creator, between archivist and record subject, between archivist and user, and between archivist and larger communities. In each of these relationships, we are advocating that archivists adopt an affective responsibility toward radical empathy.

*First affective responsibility:* the relationship between archivist and record creator. A relationship of radical empathy here would mean that we see the archivist as entering into an affective bond with the creator of the record she is stewarding. This bond exists, even if the archivist and record creator have never met in person, even if centuries separate the record creator from the archival intervention. What archivist, after meticulously sorting through pages of diaries, folders of correspondence, and boxes of ephemera, has not felt emotionally connected to the creator of a collection? A feminist approach not only acknowledges this emotional bond, but also hinges an ethical orientation on it. By stewarding a collection, the archivist enters into a relationship of care with the record creator in which the archivist must do her best not only to empathize with the record creator, but also to allow that empathy to inform

36 Edith Stein, *On the Problem of Empathy*, trans. W. Stein (Washington, DC: ICS Publications 1989), 6.

37 *Ibid.*, 14–23.

the archival decision-making processes. For example, in making appraisal decisions, the archivist should ask, would the creator want this material to be made available? In making descriptive choices, the archivist should ask, what language would the creator use to describe the records? In making preservation decisions, the archivist should ask, would the creator want this material to be preserved indefinitely? This does not mean that the wishes of the creator trump that of the other interested parties – indeed the subject of the record, the user of the record, and the community of the record will likely have conflicting and more morally compelling claims to the record than the record creator – but rather, in a feminist approach, each one of these parties is considered empathetically and in relation to each other and to dominant power structures before archival decisions are made. As previously stated, an ethics of care does not erase power differentials, but rather is acutely attuned to inequities (and seeks to transform such inequities), even as it empathizes with all interested parties, including those who held and exploited positions of power.

The first author was recently confronted with an ethical dilemma in her role as a volunteer archivist for the South Asian American Digital Archive (SAADA), a community-based archives she co-founded and on whose board she sits. SAADA is an online-only postcustodial archives: staff and volunteers for the organization borrow physical materials from families and institutions, digitize them, make them publicly accessible, and return them. There is nothing in the collection that is not freely accessible online. While digitizing a collection of papers related to Vaishno Das Bagai, an early Indian immigrant to the United States, she came across Bagai's personal suicide note, dated 1928, addressed to his wife and sons, marked at the top with red ink, underlined, and in capital letters: "NO ONE ELSE SHOULD READ THIS." Although Bagai had been dead for nearly 85 years, and his granddaughter who was donating the collection may have granted permission to digitize the note, the first author felt an affective responsibility to maintain Bagai's privacy. Out of a sense of empathy with and care for Bagai, developed over the course of processing his collection, the first author did not digitize the private suicide note.<sup>38</sup> As this case illustrates, archivists can enter into relationships of care with the creators of records that transcend space and time.

Similarly, the second author participated in making various difficult decisions to honour the wishes and feelings of the records creators, above those of others and institutional aims, in her work on the project *Making Invisible Histories Visible: Preserving the History of Lesbian Feminist Activism and Writing in Los Angeles*, a three-year collaboration between the June L. Mazer Lesbian Archives, the UCLA Center for the Study of Women, and the

38 By contrast, Bagai also wrote a public suicide note that he requested be published in the local newspaper. This public suicide note was digitized.

UCLA Library. Red Arobateau's collection of his self-published poetry from the early 1970s was among the collections selected to be arranged, described, digitized, and made accessible. The selected collections tell unique and important stories of lesbian and feminist political acts, writing, desiring, and lives. This project presented a number of challenges, including the relationship between archivist and records creator in terms of negotiating the past and current needs and identifications of records creators. Some of the creators and donors who identified as lesbians at the time of their donation no longer identify as such. These challenges were heightened because of the increasingly public nature of their collections after their physical move to UCLA and greater presence online. It is lesbian history that the Mazer Archives is dedicated to preserving and promoting in order to help other community members "understand more fully" their own identities and histories and to help them "maintain this vital link to their own past."<sup>39</sup> Red is a transsexual man who identified earlier in his life with the lesbian community. In this case, Red's gender identity and relationship to the lesbian community, past and present, are public knowledge, so there were no concerns about outing him or otherwise violating his privacy. However, there were still significant concerns as to how to respect and honour his identity and place in the archives. There was no consensus on how to account for Red's gender identity in the collection's description.<sup>40</sup> Stacy Wood, who processed the collection, persevered in her decision to note his gender identity as a "transsexual" in the finding aid's abstract and biographical information.<sup>41</sup> In this case, a resolution was reached that placed higher value on honouring the identity, experiences, and desires of the records creator than on the discomfort of others involved with the archives. The potential complexities of shifting identifications and relationships to archives and collections in this case gestures to other instances when the creators, subjects, users, and communities of our records, those deserving our empathy, might be in deep and complex conflict. If a records creator no longer identifies with a community, what does it mean for them to be represented as part of that community in archives? Should those shifting relations be accounted for in our descriptions, policies, and outreach efforts? While there is no singular formula for navigating these complex and ongoing relationships, we must consider carefully the relations of the records creator and other stakeholders to multiple axes of power. A relationship of care in

39 June L. Mazer Archives, "About Us," accessed 20 September 2015, <http://www.mazerlesbianarchives.org/about-us>.

40 Stacy Wood, "Un/Natural Silences: Donor Requested Destruction in the June L. Mazer Archives" (presentation, Archival Education and Research Institute, Austin, TX, 20 June 2013).

41 University of California, Los Angeles, Charles E. Young Research Library, UCLA Library Special Collections, finding aid for the Red Arobateau Papers (Collection 1950), accessed 23 September 2015, [http://www.oac.cdlib.org/findaid/ark:/13030/c83n2446/entire\\_text](http://www.oac.cdlib.org/findaid/ark:/13030/c83n2446/entire_text).

such cases demands a complicated navigation of the desires and needs of the records creators.

*Second affective responsibility*: the relationship between archivist and the subject of records. Here, the archivist has an affective responsibility to those about whom records are created, often unwittingly and unwillingly. Such stakeholders include Indigenous and colonial subjects counted, classified, studied, enslaved, traded as property, and/or murdered. In dealing with such records – and virtually every archivist has dealt with such records – a feminist approach guides the archivist to an affective responsibility to empathize with the subjects of the records and, in so doing, to consider their perspectives in making archival decisions. This is in contrast to the dominant Western mode of archival practice, in which archivists solely consider the legal rights of records creators, too often ignoring the record subject and the sometimes fuzzy line between creator and subject. In the feminist approach, the archivist cares about and for and with subjects; she empathizes with them.

Here, the feminist ethics approach is in line with recent archival studies scholarship – particularly Australian work on co-creatorship and Indigenous claims to colonial records – that aims to recover and reassert the voices of record subjects in the archival process.<sup>42</sup> For example, Livia Iacovino’s work on records created by Australian government officials about Indigenous populations details the ways in which the descendants of those record subjects have been shut out of the decision-making processes regarding archival description and access policies. While the dominant interpretation of creatorship narrowly bestows physical and intellectual property rights on records creators and denies those same rights to record subjects, Iacovino proposes a new “participant model of co-creatorship” that grants the Indigenous subjects of records (and the community of their descendants) the rights to control, describe, respond to, and use records documenting colonial violence.<sup>43</sup> Iacovino’s proposed model exemplifies an archival responsibility to the subjects of records and opens up the possibility for new and deeper relationships between archivists and such subjects. We would add an affective dimension to Iacovino’s brilliant model by emphasizing the affective responsibility of the archivist to the subjects of such records.

42 See Chris Hurley, “Parallel Provenance: (1) What If Anything Is Archival Description?” *Archives and Manuscripts* 33, no. 1 (2005): 110–45; Sue McKemmish, Shannon Faulkhead, and Lynette Russell, “Distrust in the Archive: Reconciling Records,” *Archival Science* 11, no. 34 (November 2011): 211–39; and Sue McKemmish et al., “Resetting Relationships: Archives and Indigenous Human Rights in Australia,” *Archives and Manuscripts* 39, no. 1 (2011): 107–44.

43 Livia Iacovino, “Rethinking Archival, Ethical and Legal Frameworks for Records of Indigenous Australian Communities: A Participant Relationship Model of Rights and Responsibilities,” *Archival Science* 10, no. 4 (December 2010): 353–72.

To provide another example of the affective bond between archivist and record subject, as part of the collaborative project between the Mazer Archives and UCLA described above, the second author conducted life oral histories with key members of the Mazer's board of directors, eight women with long-term involvement in the Archives and the Los Angeles lesbian community.<sup>44</sup> These oral histories were collaborative dialogues built on trust. The second author shares with her narrators a gender identification as a woman, the identity and privileges of being white, a middle-class upbringing and white-collar professional occupation, and education through graduate levels. Though they employ different terminology to describe their sexualities, the narrators and the second author also share, in terms of their sexualities, positions and experiences outside the heterosexual norm. These multiple shared positions were fundamental to building affective bonds and to the products that resulted. Our privileged homogeneity also introduced a number of significant limitations that can serve to produce a very narrow frame of community and history. The histories capture the stories, feelings, and meanings derived from each narrator's individual frame of reference and what is important to her. The narrators provided fascinating personal insights about the lived experiences of individual lesbians, their communities, and lesbian and feminist activism in Los Angeles from the 1960s to the present. They spoke to experiences ranging from growing up as LGBTQ persons to engaging in consciousness raising, and the changes they have experienced in the lesbian community. Much of what they shared was deeply personal and involved stories of friendship, romantic relationships, and interpersonal conflict. There were also meaningful topics that were foreclosed, in particular because of racial privileges. Difficult decisions had to be made in concert with the narrators about what information was to be restricted, for how long, and what should be erased from the recordings altogether. These decisions were made largely to protect the privacy of record subjects, especially around sensitive information regarding sexuality and sexual orientation. In a relationship of caring, we must balance our desire to capture histories that would otherwise be silenced in the archival record with the privacy, desires, and needs of the subjects of our records.

*Third affective responsibility:* the relationship between archivist and user. Practising radical empathy with users means acknowledging the deep emotional ties users have to records, the affective impact of finding – or not finding – records that are personally meaningful, and the personal consequences that archival interaction can have on users. We can no longer operate as if archival users are all detached neutral subjects without a stake in the records they are

44 The oral histories are described in greater detail in an essay by the second author, "Oral Histories," in *The June L. Mazer Lesbian Archives: Making Invisible Histories Visible – A Resource Guide to the Collections*, ed. Kathleen A. McHugh, Brenda Johnson-Grau, and Ben Raphael Sher (Los Angeles: UCLA Center for the Study of Women, 2014): 61–63.



using: finding out your father was killed at a certain place in a certain way, or that your ancestral land is legally claimed by someone else, or that you are, in fact, adopted – these are affective experiences. We cannot ethically continue to conceive of our primary users as academic scholars; survivors of human rights abuse and victims' families use records, artists use records, community members use records. We need to build policies, procedures, and services with these users in mind, but even more so, we need to shift our affective orientations in service to these users. An archivist's shift toward radical empathy here can be as simple as stocking tissues at the reference desk or as grand as the creation of descriptive systems, such as the Mukurtu system, that allow differential access for users based on historical and social context.<sup>45</sup> These shifts are both micro and macro, personal and institutional, with profound implications for archival practice.

For example, the second author's experiences as a queer-identified user at the Lesbian Herstory Archives (LHA), a grassroots community archives based in Brooklyn, New York, point to the significance of considering the user's affective responses to records. For the second author, walking through the door into its beautiful brownstone for the first time in college remains one of her most powerful archival encounters. She was literally welcomed into someone's home (where the archives is located and where its caretaker resides), offered a cup of tea by the volunteer archivist and a seat on one of many living room couches, given the option of a tour, and then allowed to wander the open stacks on her own. This was a prospect both terrifying and thrilling. This experience reflects the LHA's aim to provide community members with the opportunity to see, to touch, and to feel their own history. That visit and each of her return visits provided "an emotional rather than a narrowly intellectual experience," as scholar Ann Cvetkovich describes it.<sup>46</sup> In this case, honouring affect was about the archivist's reading of the user; for the second author, the opportunity to mediate her own experience of the archives was particularly powerful and gave her the space to feel, to touch, and to begin to build the identification with a queer past she so desperately desired. Being given the space to feel what she needed to also conveyed the archives' significant trust in her as a user and community member. Sometimes allowing for affect can be as simple as giving the user space and time to feel.

*Fourth affective responsibility:* the relationship between archivist and the larger community. In this shift, archivists have "responsibilities towards unseen others" – those who are not direct users of records, but for whom

45 Kimberly Christen, "Opening Archives: Respectful Repatriation," *American Archivist* 74, no. 1 (Spring/Summer 2011): 185–210; Mukurtu, accessed 10 January 2015, <http://www.mukurtuarchive.org>.

46 Ann Cvetkovich, *An Archive of Feelings: Trauma, Sexuality, and Lesbian Public Cultures* (Durham, NC: Duke University Press, 2003), 241.

the use of records has lasting consequences.<sup>47</sup> This approach resonates with, but also expands on, Joel Wurl's assertion of ethnicity as provenance and Jeannette Bastian's idea of a "community of records."<sup>48</sup> Here, the archivist has an ethical obligation to empathize with all parties impacted by archival use – the communities for whom justice or impunity has lasting consequences, the community of people for whom representation – or silencing – matters. Elsewhere, the first author borrowed the term "symbolic annihilation" from feminist media scholars to describe how communities feel when people with whom they are identified are ignored, maligned, or misrepresented in archival collecting.<sup>49</sup> Symbolic annihilation is also a useful concept here to discuss the consequences when archivists fail to empathize with larger communities for whom the records in their care have import. In the affective responsibilities to larger communities implicated in archival work, archivists must ask: What are the consequences of my decisions on the larger community? Whose voices are silenced if a particular collection is not accessioned? Is the descriptive language I am using respectful to the larger communities of people invested in this record? Am I preserving and providing access to this record in ways that are cohesive with the culture of the community from whom the records emerged? Too often there are too many barriers between local communities and the academic and government repositories where records documenting community history reside. In contrast, practising radical empathy with larger communities of records entails that the archivist place herself in an affective relationship with the community. The tangible results of this approach may be the creation of new appraisal policies that bolster social inclusion or the reconceptualization of outreach programs in response to legacies of intellectual extraction, inequity, mistrust, colonialism. In this re-framing, archivists sit within the ever-changing dynamics of community.

An example from the second author's experience demonstrates the importance of creating new records and reconceptualizing outreach programs when engaging in radical empathy with larger communities. Such an affective orientation to communities can document, speak to, and challenge long legacies of marginalization, inequity, and mistrust. The Polk Street: Lives in

47 McEwan and Goodman, "Place Geography and the Ethics of Care."

48 See Joel Wurl, "Ethnicity as Provenance: In Search of Values and Principles Documenting the Immigrant Experience," *Archival Issues* 29, no. 1 (2005): 65–76; Jeannette Bastian, *Owning Memory: How a Caribbean Community Lost Its Archives and Found Its History* (Westport, CT: Libraries Unlimited, 2003); and Jeannette Bastian, "Reading Colonial Records through an Archival Lens: The Provenance of Place, Space and Creation," *Archival Science* 6, no. 3–4 (December 2006): 267–84.

49 See Gaye Tuchman, "Introduction: The Symbolic Annihilation of Women by the Mass Media," in *Hearth and Home: Images of Women in the Mass Media*, ed. Gaye Tuchman, Arlene Kaplan Daniels, and James Benet (New York: Oxford University Press, 1978), 3–38; and Michelle Caswell, "Seeing Yourself in History: Community Archives and the Fight against Symbolic Annihilation," *Public Historian* 36, no. 4 (November 2014): 26–37.

Transition project demonstrates the stakes and possibilities of such an affective community engagement. The project, led by public historian Joey Plaster, collected and interpreted more than 70 oral histories relating to contemporary neighbourhood change and conflict, which are housed at the GLBT Historical Society in San Francisco.<sup>50</sup> Polk Street is a neighbourhood that has historically been home to some of the most underrepresented persons in the LGBTQ community – transgender women, queer people of colour, homeless youth, sex workers, and immigrants.<sup>51</sup> In the words of Plaster, the community “predates the modern gay rights movement and remains a visible manifestation of the stereotypes the movement has worked to scrub clean over the past 40 years, that is: queer people as mentally ill, criminal, licentious, doomed to lonely lives.” Instead of repudiating this history, Plaster sought to “embrace and learn from it.”<sup>52</sup> The project intervened in a period of significant change when gentrification with its rising rents was forcing out long-term residents, working-class gay and trans bars were closing, and new mid-income residents and businesses were rapidly moving in. Through oral histories, exhibitions, a radio documentary, and community meetings and events, the project built community and facilitated dialogue about these issues. Plaster formed deep affective bonds with community members and recorded their stories where they felt most comfortable – in bars, churches, apartments, and streets and alleyways. Plaster’s oral histories (which the second author had the pleasure of transcribing as a volunteer for the GLBT Historical Society) focused on those who had the deepest emotional connections to the neighbourhood and were at the centre of the conflict – the homeless and marginally housed youth and new business owners. Such projects and affective ethical relations are not just about the preservation of history, but also about creating social change. As the Reverend Megan Rohrer, executive director of the neighbourhood organization Welcome Ministry, said, “It’s hard to discount someone once you’ve heard their story.” Rohrer credits the project with helping merchants better understand the needs of the homeless, thus shifting attitudes and garnering support.<sup>53</sup> Creating space for the voices of communities that are often misunderstood, vilified, and/or deemed unable to speak for themselves and making those stories public, both within those communities and far beyond them, is key to building trust, honouring the voices and experiences of individuals whose stories are too

50 GLBT Historical Society, “Polk Street: Lives in Transition,” accessed 6 March 2015, <http://www.glbthistory.org/PolkProject>.

51 Joey Plaster, “Polk Street: Lives in Transition,” accessed 6 March 2015, <http://jplaster.commons.yale.edu/polk-street-lives-in-transition>.

52 Joey Plaster, Jay Allison, and Viki Merrick, “Polk Street Stories: A Transom Radio Special” (21 June 2010), accessed 6 March 2015, <http://transom.org/2010/polk-street-stories>.

53 Katherine Seligman, “Oral Histories Tell Polk Street’s Story,” *San Francisco Chronicle* (8 August 2009), accessed 6 March 2015, <http://www.sfgate.com/entertainment/article/Oral-histories-tell-Polk-Street-s-story-3220904.php>.

often silenced, and upholding in the wider community our ethical relationships as archivists.

In the first author's experiences working with SAADA, for example, she is beholden not only to the donors of records, the organization's financial supporters, and diverse groups of users (all of whom she is certainly beholden to), but also to larger South Asian American communities – and even then, not just to existing communities, but to the generations of communities yet to come.<sup>54</sup> She has an affective responsibility, forged through archival labour, to those “unseen others” whose world is and will be shaped by SAADA's work in the present, to those whom Verne Harris calls “the ‘non-subjects,’ the ones excluded, erased, expunged, unimagined.”<sup>55</sup> Even for those community members who never have and never will visit SAADA's website, our existence as an archives matters because our work shapes how the community conceives of its past, documents its present, and imagines its futures. Here, we demonstrate the larger societal impact of archives. It matters if South Asian American children can see themselves reflected in history lessons. It matters if South Asian American anti-racist activists can be inspired by the radically anti-colonial Ghadar party of the 1910s. It matters if South Asian American hip hop artists can appropriate, sample, and repurpose oral history interviews from SAADA's collections to create new anthems for new generations. These uses, real and imagined, ongoing or unforeseeable, matter because they have the potential to change the shape and direction of the community beyond the archives. As such, we have an affective responsibility beyond the record, beyond the record's creators, the record's subjects, and the record's users, beyond the archives, to the future.

### **Conclusion: Toward a Feminist Archival Ethics**

In summary, a feminist ethics of care approach places the archivist in a web of relationships with each of the concerned parties and posits that the archivist has an affective responsibility to responsibly empathize with each of the stakeholders. The act that creates the record binds the record creator with the record subject, the subject with the larger community, and the archivist with all involved parties. In this light, radical empathy can guide each archival decision. This approach not only acknowledges the affective labour that many archivists already perform, but places such affective labour at the centre of the archival endeavour.

54 This echoes Verne Harris's call for archivists to be responsible for the ghosts “not yet born”; see Verne Harris, “Hauntology, Archivy, and Banditry: An Engagement with Derrida and Zapiro,” *Critical Arts: South-North Cultural and Media Studies* 29, suppl. 1 (December 2015): 18.

55 Verne Harris, email communication with first author, 21 November 2014.

An archival approach based on the feminist ethics of care replaces the abstract legal and moral obligations of archivists as liberal autonomous individuals (as heretofore conceived through scholarship and professional codes of ethics) with an affective responsibility to engage in radical empathy with others, seen and unseen. It acknowledges that relationships change over time, that while the record may be fixed, our obligations to it – its creator, its subject, its users, its community – are constantly evolving in ways unforeseen. And it remains guided by social justice concerns, that is, by attempts to use archival thinking and practice to enact a more just vision of society.

Much more work needs to be done to further conceptualize how feminist ethics may cause us to rethink archival roles. Deeper interrogation is needed to unpack this notion of radical empathy and to examine archival relationships in ways that do not erase differences about and between bodies. Given the importance feminist theory places on situated knowledges, multiple case studies are needed to explore how an archival ethics of care has been or can be enacted in real world environments. More theoretical work needs to be done at the intersection between feminist and queer approaches to archives, opening up new possibilities for radical reinterpretations of archival ethics in the future. This article marks a first step in what we hope will be a large and rich trajectory of research and practice.

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