

CRITICS SEE HIM AS UNFIT TO OVERSEE RECORDS, NOTING HIS DUBIOUS ETHICAL STANDARDS.

The Archives and Allen Weinstein

JON WIENER

The White House nomination of Allen Weinstein, a historian of Soviet espionage, as archivist of the United States has caused a storm of protest in the normally quiet world of archivists and historians. Nineteen organizations, including the Society of American Archivists and the Organization of American Historians, have issued a joint statement expressing concern and calling on the Senate, which must confirm the nomination, to hold hearings to find out why the current archivist is being replaced and whether Weinstein is qualified. That call was heeded; hearings will be held “in the coming weeks,” according to a Senate spokesperson.

The groups’ first concern is that the nomination appears to be a political move, while the position of archivist was supposed to have been depoliticized. Weinstein has close ties to Republicans in Congress, and the board of his Center for Democracy includes Henry Kissinger. The archivist should be a non-political appointment because, as the custodian of the nation’s history, the person is confronted with issues that have major political consequences—from the JFK assassination records to the Nixon White House tapes. Decisions about access ought to be nonpartisan; that’s why the archivist’s term is not linked to the President’s. It is indefinite, and the archivist can be fired by the President only for cause. There was no need to replace the present archivist, John Carlin, a Clinton appointee; Carlin had made it clear that he intended to remain at his post until July 2005. He did announce on April 8 that he would leave before that—reportedly in response to White House pressure—but declared in his statement that he is not resigning until his successor is sworn in.

Why, then, has the White House nominated a new archivist? Many speculate that George W. Bush, as well as his father, thinks the younger Bush may lose the election, and they want their man in control of their archives before that happens. The new archivist will deal with access to the papers of the 9/11 Commission after it closes up shop in August and with the release of the archives of the presidency of Bush Senior, which, under the Presidential Records Act, can be made public starting in 2005 (ex-



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cept, of course, for classified documents). These records include, for example, documents on Bush Senior’s role in the Iran/*contra* scandal of the late 1980s, when he was Reagan’s Vice President. And if Bush Junior does lose the election, the new archivist would have a third new task: appointing a director for the Bush Junior presidential archives.

Whatever Bush’s motives may be, Weinstein, who declined a request for an interview, is considered by many archivists and historians to be unqualified on ethical grounds. They point to his buying exclusive access to restricted archives and his withholding of archival materials from other scholars, which appear to violate the ethical standards of the archivists’ and historians’ organizations. The Senate should consider these issues in confirmation hearings.

For Weinstein’s 1998 book *The Haunted Wood: Soviet Espionage in America—The Stalin Era*, his publisher, Random House, in 1993 paid a group of retired KGB agents a substantial amount of money—Weinstein has told people \$100,000—in exchange for “exclusive” access to the KGB archives (see Ellen Schrecker, “The Spies Who Loved Us?” May 24, 1999). This appears to violate the code of ethics of the International Council on Archives, which calls for “the widest possible access” to documents.

In contrast, when Yale University Press obtained access to the Moscow archives of the Communist Party, editors pledged to make their documents available to other researchers. Jonathan Brent, now editorial director of the *Annals of Communism* series at Yale, explained to the *New York Times* that Yale made that pledge because “we want to enhance scholarship, not impede it.” Commercial publishers of course want exclusive access in order to make a profit, but the US archivist should be held to a higher standard. Joyce Appleby, past president of the American Historical Association and emeritus professor of history at UCLA, told me that “buying exclusive access raises serious ethical questions.” Senate confirmation hearings should consider this issue a well.

Brent added that “KGB files are very problematic from the standpoint of authenticity and reliability,” which makes it all the more important for other scholars to see the materials Weinstein used in his research. But the Russian government withdrew access to the KGB archives for Weinstein’s co-author, Alexander Vassiliev, and everyone else. Amy Knight, a scholar of Soviet

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history, wrote in *The Wilson Quarterly* that the consequences of this problem were that “many of the standards by which scholars traditionally judge historical writings have been lowered, or discarded altogether,” in works like *The Haunted Wood*.

Similar objections to the Weinstein book were raised by Anna Nelson of American University, who has extensive experience in governmental archives policy. She was partly responsible for the drafting of the Presidential Records Act of 1978, and she was a member of the John F. Kennedy Records Review Board, which won the release of tens of thousands of pages of assassination-related documents. Writing about *The Haunted Wood* in the *Chronicle of Higher Education*, Nelson described the “special access” given to Weinstein and co-author Vassiliev, as “problematical.” “Many questions could be answered if other scholars could examine the same records,” she wrote. “But Russian officials have now closed the KGB files to researchers, and we have no way to confirm the contents of this book.” The result is that scholars are unable to make a judgment about Weinstein’s work. I asked Nelson what she thought about the nomination of Weinstein to be archivist. “I don’t think he’s qualified,” she said.

A related problem concerns Weinstein’s documentation of his sources in *The Haunted Wood*. On this point he has been criticized even by people who agree with his conclusions. Sam Tanenhaus, now editor of the *New York Times Book Review* and author of the leading biography of Whittaker Chambers, criticized *The Haunted Wood* in *The New Republic*, where Weinstein has often published. Tanenhaus wrote that he agreed with Weinstein about Alger Hiss and Chambers, but that *The Haunted Wood* was marred by what he called Weinstein’s “failure” to document his sources properly. According to Tanenhaus, Weinstein did not use the accepted system of referencing these archival documents, which he attributed to Weinstein’s “weakness for mystification”—not a quality you want in the archivist of the United States.

Weinstein has also withheld research materials from other scholars—another ethical violation—refusing to make his interviews for his earlier book, *Perjury* (on the Hiss case), available to historians who disagree with him. This violates the Standards of the American Historical Association (see Victor Navasky, “Allen Weinstein’s Docudrama,” November 3, 1997). Published in 1978, the book presented new evidence that Hiss, the prominent New Deal figure accused of espionage in 1948 by the former Communist Chambers, was guilty as charged. Most reviewers said Weinstein’s new evidence laid the case to rest. Weinstein’s research was challenged, however, by Navasky, publisher and editorial director of *The Nation*, who contacted six of Weinstein’s key sources and found that each said he or she had been misquoted or otherwise misrepresented in the book.

Weinstein replied on national TV that he had tape recordings of his interviews to prove he had quoted them correctly. He invited Navasky “and anyone else” to hear the tapes; Navasky accepted. But when Navasky and two colleagues from *The Nation* arrived at Weinstein’s home at the agreed-upon time, Weinstein refused to let them hear the tapes. Weinstein then stated in *The New Republic*, “All my files and tapes will be available to Victor Navasky and everyone else at the Truman Library later this year. I have been inundated with requests from scholars and others for access to these materials, and have decided this is

the best way to provide it without totally disrupting my life and other work.”

That was 1978. Twenty-six years later, Weinstein has yet to deposit the tapes at the Truman Library or any other archive. Weinstein’s continuing refusal to make the disputed materials available to other scholars violates the AHA “Statement on Standards of Professional Conduct,” adopted in 1987, which states that historians should “make available to others their sources, evidence, and data, including the documentation they develop through interviews.” Weinstein is also not complying with the 1989 AHA “Statement on Interviewing for Historical Documentation,” developed jointly with the Oral History Association, the Organization of American Historians and the Society of American Archivists; it declares that “interviewers should arrange to deposit their interviews in an archival repository that is capable of...making them available for general research.”

In a 1991 telephone interview, Weinstein, by then president of the Center for Democracy in Washington, DC, told me, “I’m happy to say to that I’m happy to consider any request from any scholar for specific files they would like to look at.” But to “consider” requests from other scholars is different from what the AHA Standards of Professional Conduct require: depositing the interviews “in an archival repository that is capable of...making them available for general research.” Weinstein went on to say, “I’m happy to donate all the material to the Truman Library; the question is under what conditions.” The AHA statement clearly states the conditions: “free, open, equal, and nondiscriminatory access.” Truman Library archivist Dennis Bilger, who retired in December 2003, told me that Weinstein “did finally sign the deed of gift, but he never sent copies of the interviews to the Truman Library.” Bilger concluded that Weinstein had not complied with the code of ethics of the Society of American Archivists.

Weinstein’s interviews on Chambers and Hiss provide vital

evidence about a central event in the history of the cold war. Garry Wills, who agrees with Weinstein that Hiss was guilty, told me, “Weinstein said he would donate the tapes; clearly he should do it.” He should be asked about that at the Senate hearings.

Weinstein has also been charged with other improprieties and misrepresentation in *The Haunted Wood* by an unlikely source: his co-author, Alexander Vassiliev. In the course of a recent trial in London, Vassiliev complained, as he had done earlier, that, among other derelictions, Weinstein never showed him the manuscript before it was published. If true, that is clearly improper. Weinstein doesn’t read Russian—the deal with the former KGB agents permitted Vassiliev to see documents that he was told were from the archives, which he translated into English for Weinstein. Thus Weinstein has never seen the documents on which his book is based. This is a problem, because Vassiliev has told at least one interviewer—Susan Butler, biographer of Amelia Earhart—that he disagreed with some of Weinstein’s claims about KGB documents that appear in the book. If Vassiliev is right that Weinstein has misrepresented the documents, that could disqualify him for the archivist position. Vassiliev should be invited to testify at the confirmation hearings.

Another issue relevant to Weinstein’s nomination concerns the sources of funding for his Center for Democracy. The Center’s IRS returns list contributions of \$2.9 million during 2000–01 from one contributor—this could be a foundation or individual donor—whose identity is blacked out (which is normal IRS practice). Where did this money come from? That’s a question that Weinstein should answer at confirmation hearings.

Whatever one thinks of Weinstein’s conclusions about Soviet espionage, his methods of dealing with archives have been problematic from an ethical standpoint. A nominee for archivist should be held to the highest standards. Weinstein is not the right choice for this job. ■