

## Is there an Ethics for Historians?

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How should historians treat one another? More generally, what are the ethical obligations that go with belonging to the profession of history? And more generally still, in what ways and in what sense is history a profession and how are professional ethics manifested in the profession? These are the questions I will canvass in this essay. These questions are, it seems, little discussed in Australia, and my discussion will therefore do little more than continue a barely-started dialogue.<sup>1</sup>

In his introduction to *The Historian's Conscience*, Stuart Macintyre observes that in the recent 'public dispute over Australian history ... there is surprisingly little attention to the ethical dimensions of historical scholarship'.<sup>2</sup> I will suggest that this lack of attention is a problem, and I will try to clarify the nature of the problem.

History, as Macintyre rightly says, is 'a moral as well as an intellectual discipline'.<sup>3</sup> However, when we think about it, the moral and the intellectual are difficult to disentangle. The intellectual, we might say, deals with the relationship between the historian and the evidence, while the moral deals with the relationship between one historian and another. But this is too simple, since moral questions arise in the first relationship and intellectual questions arise in the second. My main purpose will be to try to clarify some of these issues.

The reader will notice that Macintyre is speaking of history as a 'discipline', whereas I am focusing on the 'profession' of history. So one immediate question is the relation between these terms. My view is that history is both a discipline and a profession, and I imagine that will be the common view. Some, however, may distinguish between the academic discipline, which in their view is not a profession, and the profession, which is located outside of the university. The issue

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1 For some related discussions, see also Alan B. Spitzer, *Historical Truth and Lies about the Past: Reflections on Dewey, Dreyfus, de Man, and Reagan*, Chapel Hill and London, 1996; Bernard Williams, *Truth and Truthfulness: An Essay in Genealogy*, Princeton, New Jersey, 2001; and Barry Allen, 'Another New Nietzsche', *History and Theory*, vol. 42, 2003, pp. 363-77 (a review of Williams).

2 Stuart Macintyre (ed.), *The Historian's Conscience: Australian Historians on the Ethics of History*, Melbourne, 2004, p. 4.

3 *ibid.*, p. 2.

is important because it relates to the question of whether and in what way the ethics of the practice of history is a branch of professional ethics. My discussion will emphasise the 'professional' dimension of the historian's occupation.

The long-term trend of historical scholarship seems to go in two different directions. One is towards ever-increasing specialisation and compartmentalisation, more and more about less and less, usually with little dispute about the detailed truths turned up in this process of magnifying. The other is towards ever deeper ideological and epistemological divisions and diversification of perspectives, usually with declining interest in showing that any one perspective is better than another, and sometimes with an a priori conviction that no such demonstration is possible. Both trends raise publicly important questions about the value of the discipline. In saying this, I am not offering mere philosophical speculation. The above analysis is the gist of Peter Novick's very illuminating study of American historiography (up to 1988), *That Noble Dream*.<sup>4</sup> Novick describes a slow-growing crisis in the character of his profession, which he sees as having no clear social role, whereas once it was seen as much more than a minor academic occupation, because a large part of its task was to tell the story of the nation and the culture, using the best critical standards developed by historians.

Of course, deep intellectual and ethical divisions amongst historians are nothing new. Historiography has always allowed room for strong disagreement: between sacred and secular, Catholic and Protestant, ancients and moderns, Whigs and Tories, classicists and Romantics, bourgeois and Marxists, monarchists and republicans, conservatives and progressives, nationalists and internationalists, feminists and patriarchalists, indigenous and settlers. The present day is not obviously more deeply divided than many earlier times. Thus, there is no obvious reason why the fragmentation described by Novick should defeat our natural desire for a coherent and critically cogent investigation of our past.

Two opposite notions of historical professionalism need to be distinguished. In the first, historians share fundamental aims, they accept and enforce common standards of evidence and argument, they keep in mind that they are in the end serving a public role—and after that they are free to disagree about the content of their works as much as they see fit. In the other notion, deep perspectival disagreements are taken as given, and these are seen as making futile any discussion of fundamental aims with those who start from an opposing perspective. Here, the idea of accepting and enforcing common standards embodies an impossibility, and each historian should be allowed to get on with his or her own work free of the risk of critical censure.<sup>5</sup> Naturally,

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4 Peter Novick, *That Noble Dream: The "Objectivity Question" and the American Historical Profession*, Cambridge, 1988. For an astute critique of Novick's epistemological propositions, see Thomas L. Haskell, 'Objectivity is Not Neutrality: Rhetoric vs. Practice in Peter Novick's *That Noble Dream*', *History and Theory*, vol. 29, No. 2, 1990, pp. 129-57.

5 For a position roughly of this sort, see Keith Jenkins, *Why History? Ethics and Postmodernity*, London and New York, 1999. For a critical review of Jenkins, see Robert Anchor, 'On How to Kick the History Habit and Discover that Every Day in Every Way, Things are Getting Meta and Meta and Meta ...', *History and Theory*, vol. 40, 2001, pp. 104-16.

these are 'ideal types', and in reality there is a spectrum of possibilities in between them.

If the failure to devise or articulate common standards is a main cause of the fragmentation described by Novick, that may be in part a product of historians' unwillingness to talk much about those standards. Historians seem caught between an old-fashioned anti-intellectual empiricism and a new-fashioned kaleidoscopic relativism, which has its own brand of anti-intellectualism. It may be that philosophy, even moral philosophy, has something helpful to contribute to this unhappy situation. However, I say that speculatively rather than confidently. Moral philosophy as it currently stands has its own inner demons and divisions to confront.<sup>6</sup> My essay will at least try to bring together a moral philosophy perspective and a set of historiographical questions.

I will concentrate on two current contexts. The first is the reflections of various Australian historians in *The Historian's Conscience*. In surveying these reflections, I mean to get a sense of how a sample of practising historians see their ethical environment. The background here is the so-called Australian 'History Wars', mapped to some extent in Macintyre's book *The History Wars* (co-written with Anna Clark),<sup>7</sup> and also in Keith Windschuttle's contributions in various media.<sup>8</sup> I will comment directly on Windschuttle only at the end of this essay, and primarily because of how he is portrayed in *The Historian's Conscience*. The second context is even more daunting, and yet in some ways simpler—the David Irving case. Here I largely follow the analysis put forward by Richard Evans.<sup>9</sup> I claim no expertise on the empirical evidence relevant to any of these matters; my focus is only on the ethical dimension that to some extent informs and shapes them.

## Historians and consciences

Macintyre's introduction to his collection of essays sets out some useful questions posed as starting points for his contributors 'to reflect on the obligations of historians'.

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- 6 The fragmented state of modern moral philosophy is well reflected in Peter Singer (ed.), *A Companion to Ethics*, Oxford, 1991. See also Hugh LaFollette (ed.), *The Blackwell Guide to Ethical Theory*, Oxford, 2000. My own viewpoint is largely derived from Julius Kovesi, *Moral Notions, With Three Essays on Plato*, R.E. Ewin and Alan Tapper (eds), Christchurch, 2004. For a different but stimulating ethical analysis relevant to the present topic, see Alasdair MacIntyre, *Three Rival Versions of Moral Enquiry: Encyclopedia, Genealogy, and Tradition*, London, 1990. For a view of ethics as based on the need for cooperation, see R.E. Ewin, *Cooperation and Human Values: A Study of Moral Reasoning*, New York, 1981.
  - 7 Stuart Macintyre and Anna Clark, *The History Wars*, Melbourne, 2003; new edition 2004.
  - 8 Keith Windschuttle, *The Fabrication of Aboriginal History: Volume One: Van Diemen's Land, 1803–1847*, Sydney, 2002. See also his *The Killing of History: How a Discipline is Being Murdered by Literary Critics and Social Theorists*, Paddington (NSW), 1994.
  - 9 Richard J. Evans, *Lying about Hitler: History, Holocaust, and the David Irving Trial*, New York, 2001. Evans is also author of *In Defence of History*, London, 1997.

- 1 How do historians choose their histories? Are they attracted to congenial subjects? What sort of emotional investments do they make in the subjects they choose to study, and how do they control their sympathies?
- 2 What balance do historians strike between history as objective knowledge and history as a form of empathetic understanding?
- 3 On what basis can historians claim such [empathetic] understanding? What are the responsibilities that arise when they enter into the past, when they make the imaginative leap into worlds other than their own? How do they deal with those versions of the past that are powerful markers of present identities?
- 4 How are historians constrained in their investigations? What sort of obligations are they under to bodies that sponsor their work, or those that control access to information? The practitioners who undertake commissioned history as a professional activity have developed codes of ethics, while research agencies and universities impose ethical requirements on academics: do these help or hinder the historian?
- 5 How do historians deal with unpalatable discoveries? Do the conventions of quotation and citation provide adequate warrant for the integrity of their writings?
- 6 Does peer judgement maintain the standards of the profession? How free are historians to form their own judgements, how far are they bound by orthodoxy?<sup>10</sup>

This is a good inventory. Yet, oddly, it perhaps leaves out one of the largest questions, the one I listed first: How should historians treat one another? I will try to keep that question high on the agenda. Macintyre's sixth topic comes close to mine: 'Does peer judgement maintain the standards of the profession?' However, I would prefer to ask: How does peer judgement maintain the standards of the profession? What is 'peer judgement'? How should it operate? What ethical force does it have?

Most of the historians who tackled Macintyre's topics gravitated to the relatively safe ground of first-person reflection. The main question for them became: What motivates me in my writings? This comes out of Macintyre's first topic and is interesting in its own way, but in what way is it an ethical question? Can it shed light on the obligations and ethical standards of the profession? Or is it just of background relevance to the published work of the historian? And is it only the published work that raises ethical issues?

Macintyre's first category of question seems to me to enter the ethical domain only when a historian asks: how do I control my sympathies? To this an obvious reply is: why control them at all? Alan Atkinson discusses the closely-related question of the role of compassion in historiography.<sup>11</sup> According to Atkinson, 'Far from being superfluous, compassion (I leave sympathy aside) is good history's main motive'.<sup>12</sup> It surely follows that good history cannot be written without compassion, which is a very strong claim. However, he does see some need for controls. 'Feeling can undermine as well as justify careful thought'. His emphasis here is on the undermining. 'Some [writers] seem to think that the

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10 Stuart Macintyre, 'Introduction', in *The Historian's Conscience*, pp. 6-7.

11 Alan Atkinson, 'Do good historians have feelings?', in *The Historian's Conscience*, pp. 17-27. I am not sure how he means to distinguish between compassion and sympathy.

12 *ibid.*, p. 18.

capacity to feel is all they need'.<sup>13</sup> His main point, however, is about the way feeling might 'justify' careful thought. Moral sensibility, he thinks, leads the historian deeper into the past than is possible for the 'cool unfeeling historian'.<sup>14</sup> Deep historical sympathies, he notes, are to be found in 'Right' historians and philosophers such as Burke, so it is not a matter of left-wing humanitarianism versus cold right-wing objectivity.<sup>15</sup> All this granted, it is not easy to find an answer in his discussion to Macintyre's hard question: how do historians control their compassions and sympathies? Will dispassion do the job? Apparently not, since Keith Windschuttle is subtly reproached by Atkinson as 'harking back to the habits of an earlier age' for saying that 'I'm trying to find the truth of the matter ... My self is really irrelevant in this'.<sup>16</sup>

This discussion reminds us of Sir Keith Hancock's three-part dictum: 'The historian's cardinal virtues ... are attachment, justice, span'.<sup>17</sup> Hancock's view was that attachment gets one into the subject. We all start with our various sympathies and our pre-conceived sense of belonging to this or that tradition. But when we try to write the history of this or that patch of the past, justice takes control—or should do. It may be that a person with narrow sympathies and limited compassion will be constrained to choosing safe or unchallenging subjects. But, since we all agree that the capacity to identify with the viewpoint and feelings of others is not all that we need, justice must prevail over feeling. Or, to put it differently, the feelings of justice must take precedence over the feelings of attachment. And justice for the historian is justice to the evidence, which is about trying to find the truth of the matter.

Atkinson takes the debate about compassion in historiography back to the formation of the discipline in the Enlightenment, when history and moral philosophy were closely allied. But to my mind he sees only one part of Enlightenment moral thought, the benevolence aspect. The *locus classicus* of the contention between theories of benevolence and theories of justice is Adam Smith's *Theory of Moral Sentiments*. In Smith's account, the claims of justice must take precedence over the claims of benevolence. As Enlightenment moral thought evolved into the 19<sup>th</sup> and 20<sup>th</sup> centuries, the theory of benevolence and humanitarianism gained the upper hand—as is the case in John Stuart Mill's *Utilitarianism*. Nevertheless, Smith's 'impartial spectator' remains an important

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13 *ibid.*, p. 25.

14 *ibid.*, p. 21, with the phrase taken from Gibbon (*The History of the Decline and Fall of the Roman Empire*, chapter 30). Atkinson is perhaps missing Gibbon's characteristic irony. The historian Gibbon had in view is Orosius, of whom J.G.A. Pocock says: 'Orosius is a fierce critic of what we should term imperialism; the values of his criticism are not the same as ours, but he shares with contemporary post-colonial writers a determination to tell the story of empire from the bottom up'. Pocock, *Barbarism and Religion: Volume III. The First Decline and Fall*, Cambridge, 2003, p. 82.

15 *ibid.*, pp. 1-20, 26.

16 *ibid.*, pp. 24-5.

17 W.K. Hancock, *Professing History*, Sydney, 1976, pp. 1-21, p. 3. 'Span', he says, 'places the object of immediate and intense study in its proper relationship with the other objects, near and distant, to which it is necessarily related. Attachment is to the particular thing, span is a consciousness of the relations of things' (p. 6). See also his *Country and Calling*, London, 1954, pp. 72-3.

character, and can't be written out of the historian's repertoire.<sup>18</sup> Justice for the historian is more commonly known as judiciousness, detachment, objectivity, fair-mindedness, or impartiality. To say that is not to endorse any of Keith Windschuttle's specific historical claims, but it is to say that (at a very general level) he has a defensible moral theory. No-one can complain that Windschuttle is addressing morally uninteresting questions; the encounter between the indigenes and the settlers is a topic of moral importance. Getting as far as we can towards the truth of that encounter by a critical examination of all the available evidence is no small aim. As far as I can see, any criticisms that his objectors might want to make about Windschuttle's historiographical work can be made perfectly well from within the 'objectivist' paradigm that Windschuttle himself endorses. It is a valid criticism to say that he lacks sympathy only if that claim is backed by an argument to show that he has failed to properly evaluate the relevant evidence.

Greg Denning says his original ambition was to write the history of 'indigenous Pacific island peoples and Australian first peoples', seen as being among '[t]hose on whom the forces of the world press most hardly'.<sup>19</sup> In pursuing this noble-seeming aim, he encountered the anti-colonialist objections of Frantz Fanon. Fanon contended (in Denning's words) that:

In a world of victims of colonisation ... there are no innocents. No one can write two-sided history who in some way benefits by the power of victors. No one can mediate between the dispossessed living and the voiceless dead.<sup>20</sup>

But if Fanon is right then Denning could not do what he set out to do, assuming that he—like any mainstream member of all modern societies—'in some way benefits by the power of victors'. We do, after all, live on land once traditionally owned and occupied solely by Aboriginal Australians. Denning's only answer to this self-posed challenge is that 'I haven't silenced any one's voice by adding mine'.<sup>21</sup> This, however, doesn't answer Fanon's point. If Fanon is right then all Denning can do is reinforce an already privileged worldview. In fact, Denning seems to agree: 'The first realisation that the past belongs to those on whom it impinges rather than those who have the skill to discover it came like a kick in the stomach'.<sup>22</sup> If Fanon is right, Denning's work must be confined to writing the viewpoint of his white Christian heritage and stopping whenever his story crosses the path of the 'wretched of the Earth'. The threat of fragmentation and

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18 Adam Smith, *The Theory of Moral Sentiments*, D.D Raphael and A.L. MacFie (eds), Indianapolis, 1982. On Smith's historiography, see J.G.A. Pocock, *Barbarism and Religion: Volume II. Narratives of Civil Government*, Cambridge, 1999, pp. 309-29.

19 Greg Denning, 'Living with and in deep time', in *The Historian's Conscience*, pp. 40-8, pp. 43-4.

20 *ibid.*, p. 45. See Frantz Fanon, *The Wretched of the Earth*, New York, 1963. It is not clear why Fanon's argument did not preclude him from writing about 'the victims of colonisation'. The ethical difficulties confronting Western post-colonial humanitarianism are well discussed in David Rieff, *A Bed for the Night: Humanitarianism in Crisis*, London, 2002. See also Michael Ignatieff, *The Warrior's Honor. Ethnic Wars and the Modern Conscience*, New York, 1997.

21 Denning, 'Living with and in deep time', p. 46.

22 *ibid.*, p. 45.

relativism is very obvious here.

Elsewhere, just a few pages earlier, Denning contends that some of the Mabo Papers, the papers 'of judges, lawyers, anthropologists, historians, witnesses of first people telling their stories—belong to the Memory of the World because the whole world faces the issue of how it lives with the Deep Time of all its first peoples, overrun and dispossessed as they are'.<sup>23</sup> If Fanon is right, there is no 'Memory of the World'. Each people's memories are their own and theirs alone. It is a position that would make much historiography and anthropology, from Herodotus on, impermissible.

Graeme Davison argues for a 'civic pluralism' which, if it can be made to work, might also be a model for the historical profession as a whole.<sup>24</sup> He is discussing museum policy. If Fanon is right, we should have at least two kinds of museum: one telling the story of the victors, another telling the story of the vanquished. Whitefellas would visit one, blackfellas the other. Each would tell a patriotic and uplifting story. But of course we do not want cultural apartheid. In Davison's 'civic pluralism' model,

... interpretative differences are not suppressed ... or submerged ...; instead, they are encouraged and made part of the [museum's] show... [T]he pluralist model invites visitors to share the excitement and tension of thinking about the nation's past and future for themselves.<sup>25</sup>

But how is this to be done? His answer goes to the question of how historians should treat one another. As historical adviser at the controversy-dogged National Museum of Australia, he found that:

Sometimes the label [proposed for exhibits] reflected an interpretation or viewpoint that I did not hold myself; but, because it was backed by evidence and the scholarship of other historians whose work I considered sound, I noted the difference yet did not suggest that the label be changed.<sup>26</sup>

Likewise, he says, 'the composition of [museum] councils ought to reflect a wide range of political views and relevant professional skills'.<sup>27</sup> The key to the problem is to get some agreement on what counts as good evidence and scholarship. It is an epistemological problem as much as it is a moral or political one.

What might this mean in practice? In museum terms, how can a debate between opposing viewpoints be encapsulated in static exhibitions? Debate requires arguments, whereas exhibitions are made of objects. Will some exhibits stand for viewpoint A, and others for B, C, and D? This is the counterpart of having each history department employ a liberal, a feminist, a conservative,

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23 *ibid.*, p. 43.

24 Graeme Davison, 'A historian in the museum: The ethics of public history', in *The Historian's Conscience*, pp. 49-63.

25 *ibid.*, p. 57.

26 *ibid.*, p. 59.

27 *ibid.*, p. 56.

a Marxist and an indigenous representative, at the cost of cutting corners on 'individual merit'. Will that institutionalise 'civic pluralism'? Or is the only relevant consideration 'evidence and scholarship'? The problems lack an easy solution. Historians, Davison says, are 'united by an unending conversation between text and footnote, object and label, argument and evidence'.<sup>28</sup> Perhaps they are—but why not say they are *divided* by these things? What makes it a unity is perhaps only that a majority of them share Davison's willingness to respect viewpoints other than his own—that is, they practice the virtue of critical engagement.

Beverly Kingston sees her formation as an outsider—a girl, a north Queenslander, growing up in 'an intellectually and culturally impoverished environment'—as having the consequence that 'try as I might to enter them, in reality or in my imagination, there were many worlds that were ultimately closed to me'.<sup>29</sup> She holds to a mixed epistemology: 'anyone can try to write any kind of history but the outcome will always be related to the quality of the input'.<sup>30</sup> This should put her in a privileged position to write the story of outsiders similar to herself, and indeed she says 'Perhaps my own experience has made me sensitive to the position of those who were powerless or had no voice in society'.<sup>31</sup> But she is no moral crusader, describing herself as 'not easily shocked ... and impervious ... to a normal sense of right and wrong'.<sup>32</sup>

In a curious passage Kingston writes: 'Because I know I am a product of my own limitations and they are extensive, I have never believed in the possibility of objectivity. I think that I should strive for even-handedness in my treatment or [sic] the different sides of any question, but sometimes I may not know enough to know how simple-minded or biased I am'.<sup>33</sup> The second of these sentences suggests that she is very well equipped to be objective. The first seems to confuse objectivity with confidence in one's own judgement, but these are two quite unrelated attributes. She has an admirable attitude to evidence: since it is impossible to study 'all' the relevant evidence,

I came to the conclusion that I would have to rely on 'available' rather than relevant sources, and study and use them according to my own criteria of significance. That meant I had to justify to myself the value of each source, be able to explain what I made of it and place it in a hierarchy of significance. Therefore I needed to know as much as I could about its provenance'.<sup>34</sup>

This is exactly what R.G. Collingwood took to be a main distinguishing mark of modern professional historiography.<sup>35</sup>

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28 *ibid.*, p. 61.

29 Beverly Kingston, 'A plea from the peripheries for modesty', in *The Historian's Conscience*, pp. 75-83, pp. 76-7.

30 *ibid.*, p. 76.

31 *ibid.*, p. 78.

32 *ibid.*, p. 79.

33 *ibid.*

34 *ibid.*, pp. 81-2.

35 R.G. Collingwood, *The Idea of History* (1946), Oxford, 1961, pp. 249-82. Modern historiography

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Soon after, however, Kingston contends that;

There is nothing very special about history or mysterious about how it is done... [T]he crucial thing is the desire to know as much as can be known about some aspect of the past. Some of our best history has been written by journalists or by passionate enthusiasts. The idea of history as a profession with a set of skills to be taught and examined cannot be sustained. Bad history is not life threatening like a faulty bridge or a wrongly diagnosed illness.<sup>36</sup>

Her claim is much more than the obvious truth that there are good amateur historians. The practice of critically evaluating one's sources extends beyond simply having a desire to know as much as can be known about some aspect of the past. And the question of whether bad history might be life threatening requires us to take a much broader picture than she allows. If nations might go to war in part motivated by bad history, then bad history can be life threatening. Aboriginal people may not have been killed by those historians who left them out of Australian history, but their sense of their own citizenship and social identity may suffer as a consequence of this exclusion.

John Hirst opens his essay with the observation that 'Historians write from the evidence, but also from their understanding of how the world works and how they would like it to work'.<sup>37</sup> He then describes how—at least partly through the study of 'the evidence'—his own social and political views shifted from a conventional enthusiastic Laborism to a position 'very sympathetic to the problems of governing' and critical of a society that 'has become too suspicious of authority'.<sup>38</sup> He notes that 'The great majority of the historians of Australia over the last forty or fifty years have been left-leaning, progressive people'.<sup>39</sup> His own teachers taught 'a sort of debased Marxism which looked to economic interests to explain events'.<sup>40</sup> Nevertheless, 'They were all properly trained academic historians and none was a crude propagandist. They wrote under tighter control of their discipline than the next generation of radicals. I still value and draw on their books'.<sup>41</sup> His general point—if there is one—seems to be that shifts in thinking such as his own are not impossible even from within a profession that is largely ideologically homogeneous. If he is making an ethical claim, it might be that ethical integrity is consistent with writing history from one's general sense of how the world works or even from how one would like it to work. But he stops short of discussing such matters in any general way.

Marilyn Lake says that 'our distinctive ethical obligation as historians is

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requires 'a systematic examination of authorities, in order to determine their relative credibility, and in particular to establish principles according to which this determination should be carried out' (p. 258).

36 Kingston, 'A plea from the peripheries for modesty', in *The Historian's Conscience*, p. 83.

37 John Hirst, 'Changing my mind', in *The Historian's Conscience*, pp. 84-93, p. 84.

38 *ibid.*, pp. 85-90.

39 *ibid.*, p. 84.

40 *ibid.*, p. 91.

41 *ibid.*, pp. 84-5.

*explanation*: to explain the past—people’s choices and their sense of themselves—to people living in the present’.<sup>42</sup> But in what way is this an ethical task, rather than simply an intellectual one? Her answer is that the task involves empathy. ‘Paradoxically, historians are required to make sense of the difference and strangeness of people in the past through a process of identification. Humanist empathy underpins most good historical writing’.<sup>43</sup> She shows how this has worked in her own writings, firstly about maternalist feminism in early 20th century Australia and more recently in her attempts to make sense of Australian white male nationalism. Despite ‘the discipline’s relentless focus on the experience of white men only’, even ‘the architects of White Australia’ can be viewed with a historian’s humanist empathy.<sup>44</sup> ‘As their self-appointed interpreters, we must try to understand what our historical subjects were about, to grasp their intended meaning and unintended effects, to comprehend their contexts and subjectivities, to enter their world’.<sup>45</sup>

But how far can empathy extend? Can history be written without empathy? Will dispassion do the job equally well? Clearly, like Atkinson, she thinks not. She says that Keith Windschuttle ‘failed most signally as a historian’ where he lacked the ‘imaginative empathy’ to see ‘Aboriginal Tasmanians as fellow human beings and historical agents’.<sup>46</sup> She takes her argument no further here, and refers the reader to another essay where she has developed it more fully. Is it possible to be empathetic to both white settlers and dispossessed Aborigines? Or should we be dispassionately critical of the dispossessors and empathetic to the dispossessed? Or, perhaps, taking the common critical portrayal of Windschuttle’s view, empathetic to the settlers and coldly critical of the Aborigines?

Curiously, Lake’s objections to Windschuttle involve disputes about gender relations in Aboriginal society, with Windschuttle contending that Aboriginal men brutalised their women and Lake contending that ‘Aboriginal women’s autonomy, independence and self-sufficiency may more accurately be read as a source of status and self-esteem rather than as subordination’.<sup>47</sup> Windschuttle’s argument ‘simply recapitulates nineteenth-century moral judgments and sexist double standards’. Lake goes even further in linking ‘the excessive nature of Windschuttle’s argument’ to what others have described as a kind of ‘violent innocence’, part of ‘the nationalist syndrome of denial and defence, through “projection” of what you least like about yourself on to an other’.<sup>48</sup> This itself seems ‘excessive’ to me. In any case, I don’t see that it is the role of an historian to comment on the psychological foibles of a fellow historian.

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42 Marilyn Lake, ‘On history and politics’, in *The Historian’s Conscience*, pp. 94-105, p. 95.

43 *ibid.*, p. 95.

44 *ibid.*, p. 104.

45 *ibid.*, p. 95.

46 *ibid.*, pp. 95-6.

47 Marilyn Lake, ‘History and the Nation’, in Robert Manne (ed.), *Whitewash: On Keith Windschuttle’s Fabrication of Aboriginal History*, Melbourne, 2003, pp. 160-73, p. 168.

48 *ibid.*, pp. 164-5.

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Penny Russell concludes her discussion in this way:

As historians, we must tell what we find. But what we find is inevitably distinctive, individual, political and personal. We read the unknowable past through the intimate knowledge we have of ourselves: we interpret through our own experience, responding to the archives with our own embodied sense of justice, humanity, anger and love.<sup>49</sup>

The first obvious reply to this is to ask: What if ‘what we find’ is at odds with what our emotional predispositions would lead us to expect? The second reply is to ask: What if historian A has different predispositions from historian B? Russell is less subjectivist than her conclusions would suggest. Historical research, she says, ‘demands attention to detail, rigorous respect for evidence, awareness of contradictions, assessments of validity, careful paper trails of documentation’.<sup>50</sup> Yet she can soon after write:

If trust depended on the proof of footnotes, a historian who failed to meet the implied contract, who misdirected readers to a source which did not in fact contain the quoted information, failed to direct them at all, or—cardinal sin—simply made the reference up, would dissipate trust in a flash.<sup>51</sup>

But, she continues, ‘mistakes do not destroy our trust in history’. Here she reports her own ethical judgement: ‘I form my contract of trust with the analytic, interpretive, narrative “voice” of the historian—not with the small change of footnotes’.<sup>52</sup> Keith Windschuttle, she says, ‘would like us to believe that trust relies on proof, and that the proof of honest, truthful practice lies in the footnotes. And of course that is the first, self-evident role of footnotes’.<sup>53</sup> Somehow she makes this look like a criticism. She does not comment on whether his ‘voice’ is one she ‘trusts’.

In all of these discussions, one finds very little about how historians should treat one another. Professional courtesy is barely mentioned. This is perhaps understandable, since it was not highlighted by Macintyre’s chosen parameters. Nevertheless, it is a central part of any professional ethics. The natural way for a moral philosopher to think about ‘the historian’s conscience’ is through the lens of professional ethics.<sup>54</sup> Yet these discussions barely mention history as a profession. In the one place where it is commented on, by Kingston, it is only to deny—very cryptically—that history is a profession!<sup>55</sup> The whole

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49 Penny Russell, ‘Almost believing: The ethics of historical imagination’, in *The Historian’s Conscience*, pp. 106-17, p. 116.

50 *ibid.*, p. 107.

51 *ibid.*, p. 109.

52 *ibid.*, p. 110.

53 *ibid.*, p. 109.

54 For a recent contribution to professional ethics, see Justin Oakley and Dean Cocking, *Virtue Ethics and Professional Roles*, Cambridge, 2001. A useful starting guide to professional ethics is the website of the Australian Association of Professional and Applied Ethics, <http://www.arts.unsw.edu.au/aapae/index.htm>.

55 Keith Hancock once seemed to question whether history is a profession: ‘Profession is a word

of 'the historian's conscience' topic is tackled in a personal mode, and that approach seems to leave little room for discussion of the public obligations of the historian. The most obvious exception here is Davison's 'civic pluralism', emphasising constructive disagreement, based on his 'old-fashioned liberalism'. There is also Hirst's appreciation of his 'debased Marxist' teachers, whose works he continues to value and draw upon. Beyond that what is there about public and professional obligations?

What is evident in some contributions is a desire to show Keith Windschuttle to be not just honestly mistaken but morally deficient. But—it seems to me—the attempts to show this are simplistic and contradictory and far too sketchy, if it must be attempted at all.<sup>56</sup> The relevant question to be asked should be couched in terms of professional standards. In an ideal world, those who dislike and deeply disagree with Windschuttle's views could treat him as a 'debased ideologist' from whom one might still learn valuable insights. In an ideal world, Windschuttle himself might treat his opponents in a similar manner. I will discuss this further at the end of this essay.

### The David Irving case

If David Irving had not existed, he would have had to be invented, if only as a thought experiment in the ethics of historiography. His case will help to concentrate our minds; it is the leading test case on the professional standards of contemporary historians.<sup>57</sup> Irving is a professional historian in perhaps every sense except the ethical. He is highly intelligent; he has considerable archival expertise; he is extensively published, sometimes by well-regarded publishing houses; his research topics are important ones; and he usually defends unconventional positions. On these grounds he is a historian to be valued; on these grounds, he would deserve to be highly ranked in the academic world, if he had chosen to work within the university. On the ethical front, however, he is a model of anti-professionalism. My opening question was: How should

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that ran in double harness with calling—"we profess and call ourselves Christians"—until quite recently, when it was revalued in association with standards of a quasi-technical type' (*Country and Calling*, p. 71). His point, I think, was that a true profession must also involve a sense of 'calling'. See further, Julian Thomas, 'Keith Hancock: Professing the Profession', in Stuart Macintyre and Julian Thomas (eds), *The Discovery of Australian History, 1890–1939*, Melbourne, 1995, pp. 146–57; and Sandra Stanley Holton, "'History is About Chaps": Professional, National and Gender Identities in Hancock's Autobiographies', in D.A. Low (ed.), *Keith Hancock: The Legacies of an Historian*, Melbourne, 2001, pp. 268–86.

56 In a fuller analysis, I would need to consider at least two further essays in the 'history wars': A. Dirk Moses, 'Revisionism and Denial', in *Whitewash* (see footnote 47), pp. 337–70; and Martin Krygier and Robert van Krieken, 'The Character of the Nation', in *Whitewash*, pp. 81–108. See also John Dawson, *Washout: On the Academic Response to the Fabrication of Aboriginal History*, Paddington (NSW), 2004. No doubt many other contributions can and should be considered. However, it is not my aim here to pass judgement on all the various ethical elements of the 'history wars'.

57 Irving is not mentioned in *The Historian's Conscience*. I should make it clear that, in discussing both Irving and Windschuttle in this essay, I neither intend nor imply any comparison between these two very different authors.

historians treat one another? In the Irving case, the answer clearly is that his fellow historians should have examined his claims with the greatest possible exactness and care and exposed his fraudulence at every point, large or small. But did they do this?

We might imagine that Irving's failings would be exposed by the everyday processes of his profession. The striking fact, however, is that he was able to build up a substantial publishing career and public reputation with relatively little challenge from his colleagues. Before the trial, Irving's work had been subject to some professional peer scrutiny, but in truth not much. Richard Evans' account lists only two scholarly critiques of Irving's historiography, one by Martin Broszat and one by Charles W. Sydnor Jr. Other leading historians had made negative judgements in newspaper and magazine reviews. Evans remarks that 'Sydnor's thirty-page demolition of Irving's book [*Hitler's War*] was one of the few reviews of any of Irving's books for which the reviewer had manifestly undertaken a substantial amount of original research'.<sup>58</sup>

These criticisms aside, the only thing that brought about Irving's downfall was Irving himself, when, by suing Deborah Lipstadt and Penguin Books for libel, he made his credibility as an historian the subject of a case in the High Court of England. Having taken that crucial step, Irving found himself in the witness box in front of Judge Charles Gray; the defendants, Lipstadt and Penguin Books, were able to hire leading historians to sift through Irving's writings in fine detail; the rules of discovery compelled Irving to produce a mountain of relevant documents; and he was subjected to many hours and days of cross-examination. In those very rigorous circumstances his credibility disintegrated.

The defence had been required to show that 'the misrepresentation by Irving of the historical record was deliberate in the sense that Irving was motivated by a desire borne of his own ideological beliefs to present Hitler in a favourable light'.<sup>59</sup> This was a hard task. It was also a high-stakes encounter, since, as Neal Ascherson put it, 'Should Irving win this case ... his credibility as a historian would be salvaged ...; his version of the Holocaust and his interpretation of Hitler would suddenly count as plausible'.<sup>60</sup> Yet, in his 350-page judgement, Judge Gray found that Irving's works contained nineteen proven instances of error or selective quotation; that these were not excusable slips; that he had 'misrepresented and distorted the evidence which was available to him'; and that these distortions all tended in one direction, towards a favourable view of Hitler and a diminution of the common view of the Holocaust. In his public speeches and interviews, 'He makes surprising and often unfounded assertions about the Nazi regime which tend to exonerate the Nazis for the appalling atrocities

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58 Evans, *Lying about Hitler*, pp. 8-15, 267-8. See Martin Broszat, 'Hitler und die Genesis der "Endlösung": Aus Anlass der Thesen von David Irving', *Vierteljahrshefte für Zeitgeschichte*, vol. 25, 1977, pp. 739-75; and Charles W. Sydnor, Jr., 'The Selling of Adolf Hitler: David Irving's *Hitler's War*', *Central European History*, Vol. 12, No. 2, 1979, pp. 169-99. Other critics of Irving in passing comments, reviews and interviews included Hugh Trevor-Roper, Peter Hoffmann, John Lukács, Wolfgang Benz, and Gitta Sereny.

59 Evans, *Lying about Hitler*, p. 227.

60 Neal Ascherson, 'In dubio pro Hitler', *Süddeutsche Zeitung*, 29 January 2000; quoted in *Lying about Hitler*, p. 38.

which they inflicted on the Jews'. Irving's 'political agenda' as a 'right-wing pro-Nazi polemicist' disposes him 'to manipulate the historical record in order to make it conform with his political beliefs'.<sup>61</sup>

For all his cleverness and archival knowledge, Irving failed dismally to construct a credible alternative to the mainstream position that the Nazis very largely carried out a full-scale plan to exterminate European Jewry. The Irving case illustrates the moral importance of the basic professional competence and truthfulness of the hundreds of historians who have constructed that position. In his account of the Irving case, Richard Evans spells out the epistemological principles of conventional historiography.

Historians assumed that the work of fellow-historians, or those who purport to be fellow-historians, was reliable in its footnoting, in its translations and summaries of documents, and in its treatment of the evidence at a basic level. They might make mistakes and errors of fact, but they did not deliberately manipulate and distort documents, suppress evidence that ran counter to their interpretation, wilfully mistranslate documents in a foreign language, consciously use unreliable or discredited testimony when it suited their purpose, falsify historical statistics, or apply one standard of criticism to sources that undermined their views and another to those that supported them. These were the kind of things that [Deborah] Lipstadt claimed Irving had done.<sup>62</sup>

This, I imagine, is an expanded version of what Hancock had in mind as 'justice'. It is an answer to Macintyre's fifth question: 'How do historians deal with unpalatable discoveries?' (at least if we reinterpret that question as a normative one, which is what I suppose was intended). The Evans passage might serve as the basis for an historians' Hippocratic Oath. Mediocrity of 'attachments' and a limited sense of 'span' may make for poor historiography, but failures of 'justice' raise ethical questions. A one-off failure may be excusable, though it falls short of proper professional standards.<sup>63</sup> Repeated failures imply gross incompetence, professional negligence, or, if the motives are malicious, fraud or lying.

What should be done about figures such as Irving? Evans observes that 'Few historians or reviewers had had the persistence, knowledge, or time to expose Irving for the fraud that he was'.<sup>64</sup> This seems to imply that little can be done, on the grounds that the task of refuting Irving's archival research was beyond the means of his fellow-historians. And, at first sight, this seems reasonable—the defence case cost £2 million, not a sum affordable by any regular research process. But is this view really so plausible? Scholars frequently put together collections of essays on the works of one of their peers. Usually this is done as a form of celebration of a career's achievement, but it can equally well

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61 The judgement is accessible at <http://www.bailii.org/ew/cases/EWHC/QB/2000/115.html>. See sections 13.136 to 13.163. The quoted passages are at sections 13.51 and 13.162.

62 Evans, *Lying about Hitler*, p. 33.

63 In some professions today, even one-off failures may lead to litigation and be, effectively, career-destroying.

64 Evans, *Lying about Hitler*, p. 103.

have a more critical purpose.<sup>65</sup> Why did his fellow historians not parcel up between themselves the task of critically analysing Irving's various claims? It can't be because the task was not warranted. Irving was publishing prolifically, mostly with the more-or-less clear purpose of exonerating Hitler, diminishing the credibility of the Holocaust, and maximising the war guilt of the Allies. It may be because the task looked too difficult, but historians commonly set themselves very difficult tasks, involving very tedious archival explorations. Did the historical professional simply decide to swallow this particular camel? All I can do here is ask the question; I do not have even a sketch of an answer.

If we apply some of the contentions of 'the historian's conscience' to the Irving case, what might we learn? Can Irving be included in Davison's 'civic pluralism', as one more voice in the liberal dialogue? Obviously not. Under cross-examination, Irving was shown to use intellectually disreputable methods to support a morally repulsive cause. As one journalist accurately summed up the outcome, Irving was not 'as he pretends to be, a controversial historian posing difficult questions that need to be addressed, but a propagandist and liar, masquerading as a historian who needs, once and for all, to be exposed'.<sup>66</sup> There are rational ethical limits to dialogue. Professional dialogue must be based on 'evidence and scholarship', as Davison says. That is why professions need to determine who is really masquerading and who is quite properly acting the part of controversial scholar posing questions that need to be addressed.

No modern museum should be required to represent the Holocaust denial as 'balance'. Irving's scholarship and use of evidence have been demolished, largely by the trial process. By any standards, the most wretched of the earth's wretched were the Jews and others being transported in the cattle trucks of 1942-43. If Fanon's principle is right, then well-off modern historians have no business telling the Holocaust story. Nor can we take the view that the writings of historians and pseudo-historians are of no great practical consequence. Irving has sold hundreds of thousands of books on subjects of great moral sensitivity. Most of his readers are unlikely to be able to distinguish between good and bad historiography. Had he succeeded in his trial, the Holocaust deniers would have been given a huge boost and the anti-Semitism that accompanies this denial would also gain ground.

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65 Robert Manne's collection, *Whitewash* (see footnote 47), is one such example. For a model instance of tough but fair historiographical criticism, see J.H. Hexter, 'The Historical Method of Christopher Hill', in his *On Historians: Reappraisals of Some of the Makers of Modern History*, Cambridge, Massachusetts, 1979, pp. 227-51. For an example from anthropology, though also concerning Western Australian history, see Rodney Needham, *Remarks and Inventions: Skeptical Essays about Kinship*, London, 1974, especially chapter three, pp. 109-62.

66 David Robson, 'The Liar Exposed at Last', *Daily Express*, 12 April 2000; quoted in Evans, *Lying about Hitler*, p. 255.

## Professions and standards

How should historians treat one another? The question has a simple answer: one should treat one's colleagues as colleagues – as people engaged in a common enterprise, governed by common standards and therefore deserving of professional courtesy. But this simple answer is only half correct. It fails to explain how we decide who is an historian and a colleague in good standing. The Irving case shows that this is not an idle question. It also shows that only through tough professional criticism can we decide who is really a colleague deserving of professional courtesy.

In addition, the two general trends mentioned at the outset of this discussion also come into play here. In a profession where deep disagreements are common and epistemological divisions exist, and where extreme specialisation is the norm, how can common standards be recognised and made operative? This seems difficult, to say the least. On this, however, the Irving story suggests some grounds for hope. There may be deep disagreements between Holocaust deniers and their mainstream opponents but this in no way hindered the authentic historians from making their arguments. Likewise, specialisation in this context proved to be an aid, not an impediment, to exposing unprofessionalism. Only experts who know the archives as well as Irving does are able to argue with him successfully. Against this optimism it might be argued that only the stringent special conditions of a trial made it possible for disagreements to be fully pursued and specialist expertise to be fully engaged.

Matters are complicated in two further ways. Firstly, the history profession is an open structure. It ranges from career academics with doctorates to free-lancers with no academic credentials. David Irving is a free-lancer, having not even an undergraduate degree; the objection to him is not that he lacked credentials, because he clearly has the *ability* to be a distinguished historian. Secondly, the profession has both an academic and a public aspect. Thus far in this discussion, the public historian has played little part. He or she was not overlooked by Macintyre. His catalogue of topics included the public historian:

How are historians constrained in their investigations? What sort of obligations are they under to bodies that sponsor their work, or those that control access to information? The practitioners who undertake commissioned history as a professional activity have developed codes of ethics, while research agencies and universities impose ethical requirements on academics: do these help or hinder the historian?<sup>67</sup>

But in fact these questions were little discussed in *The Historian's Conscience* where all contributions came from academic historians.

Before we can discuss the value of codes of ethics, which I take to be a second-order question (since the codes are intended to spell out professional standards), we need to discuss the two kinds of professionalism. In fact all

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67 Macintyre, 'Introduction', in *The Historian's Conscience*, p. 6.

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professions have both academic and public branches. What is unusual in the case of history is that the academic branch is the dominant one; in most professions—for example, law, medicine, engineering, accountancy, and teaching—it is the other way around.<sup>68</sup> The key difference between the two branches is that in public professional practice there are immediately identifiable clients. For the public historian the client might be a corporation, a community organisation, a family, a museum, and so on. Usually there will be a contract between the historian and the client, which specifies some of the historian's duties. Some, but not all, because the historian also has a duty to maintain proper professional standards, which are over and above the requirements of the contract. And it is in the nature of the case that only a professional is a good judge of whether those standards are being met.

The discussion keeps pointing to the concept of the profession, so here some general elucidation of the concept may be useful. Roscoe Pound once defined a profession as 'a group ... pursuing a learned art as a common calling in the spirit of public service—no less a public service because it may incidentally be a means of livelihood'.<sup>69</sup> In his classic discussion of the nature of professions, Abraham Flexner set out six criteria of professionalism:

... professions involve essentially intellectual operations with large individual responsibility; they derive their raw material from science and learning; this material they work up to a practical and definite end; they possess an educationally communicable technique; they tend to self-organization; they are becoming increasingly altruistic in motivation.<sup>70</sup>

Norman E. Bowie offers a convenient seven point summary. A profession, he says, must:

- possess and draw upon a store of knowledge that is more than ordinarily complex;
- secure a theoretical grasp of the phenomenon with which it deals;
- apply its theoretical and complex knowledge to the practical solution of human and social problems;
- strive to add to and improve its stock of knowledge;
- pass on what it knows to novice generations not in a haphazard fashion but deliberately and formally;
- establish criteria of admission, legitimate practice, and proper conduct;
- and be imbued with an altruistic spirit.<sup>71</sup>

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68 Philosophy is in the same position as history, and perhaps physics is similarly placed.

69 Quoted in William F. May, *Beleaguered Rulers: The Public Obligations of the Professional*, Louisville and London, 2001, p. 14. See also Keith Hancock's insistence that the profession of history involves a 'calling' (footnote 55 above).

70 Abraham Flexner, 'Is Social Work a Profession?' in National Conference of Charities and Corrections, *Proceedings of the National Conference of Charities and Corrections at the Forty-second annual session held in Baltimore, Maryland, May 12-19, 1915*, Chicago, 1915

71 Norman E. Bowie, 'Business Ethics as a Discipline: The Search for Legitimacy', in R. Edward Freeman (ed.), *Business Ethics: The State of the Art*, New York, 1990, pp. 17-41, p. 18. (I have

This 'altruistic spirit' manifests itself in not exploiting a monopoly position, in undertaking pro bono work, in a willingness to teach the next generation the craft and expertise of the profession, and in a general enthusiasm to share one's knowledge.

For our purposes here, one obvious question arises from these useful definitions: in what sense, if at all, is the historical profession self-organising? Does self-organisation apply only to the public, and not to the academic, professionals? Or does it apply at all, given that the historical field is open to all, free-lancer and professional alike? If history is to some degree self-organising—as law and medicine plainly are—then where are the 'criteria of admission, legitimate practice, and proper conduct'? Where is the monopoly? The seven professional historians associations in Australia have national criteria of admission and a code of ethics and professional standards but public historians can practice without joining an association.<sup>72</sup>

Academic historians do not have clients in the ways that lawyers, medicos, engineers and accountants do. But they do have a social role to play. How do academic historians serve society? In three direct ways. One, by servicing the educational market through the writing of school and university textbooks. Less directly, they provide the non-academic writers of school textbooks with the substance of their evidence and arguments. Two, like public historians, by reaching out to the lay readership interested in the past, through commercial publishers. Again, this can be indirect, as when non-academics write popular histories, borrowing from the more basic work of the professionals. And thirdly, in the education of university students, who may be taking history degrees or degrees in other disciplines, sometimes ones rather remote from history. All three services lead to a more educated society, one better able to debate its future because it knows something of its own past and has a reasonable sense of the broader human past. The moral philosopher William May supports this general view. He says:

If the academic life is a profession, then at its deepest level and in its central activities of research and teaching, it must offer a service... All other helping professions, formally and ideally considered, purport to serve the common good by drawing on theoretical knowledge to address and resolve a client's practical problems without violating the common good... The academic profession differs formally from the others in that it attempts to discover and transmit truth; it does not directly apply truth to a client's practical problems. The discovery and

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slightly altered the tenses and added the dot-point formatting.)

72 See the Australian Council of Professional Historians Associations' website, [www.historians.org.au](http://www.historians.org.au). Some government agencies and other prospective employers advertise positions or projects that call for the engagement of PHA members or historians eligible for PHA membership, i.e. eligible for accreditation under the National Standard. The PHA Code of Ethics (<http://www.historians.org.au/acpha/bm~doc/code-2.pdf>) stipulates that 'Members should not publicly question the integrity or competence of their colleagues. Complaints of this kind should be directed to the Executive of their Professional Historians Association' (section 2.4). Such a requirement would be normal amongst lawyers, for example. But whether it is appropriate for historians generally, who must engage in rigorous mutual criticism if they are to be properly professional, is open to question.

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transmission of truth constitutes the academy's primary service to the common good.<sup>73</sup>

May adds that:

the humanities can justify themselves to society. They contribute to a society in at least three ways: by honing critical intelligence, by cultivating the civic self, and by preparing graduates to be good teachers of what they know.<sup>74</sup>

Professional standards are, in the nature of the case, not matters that can be maintained by coercion, except to discipline the most flagrant offenders. In fact, there are no very strong mechanisms for the maintenance of general high standards. At best we have a limited number of formal procedures that assist in their maintenance.

- Professional practice boards. These deal with the extreme cases of professional misconduct (short of illegality). They do not apply to the academic professions, and they are not currently applicable to public historians.
- Peer review of publications. This operates effectively only where publication is important, and even then it fails to cover the case of publication by publishers (book publishers especially) that choose not to use peer review.
- Research ethics committees. These are focused on protecting living subjects of research and rarely consider the ways in which historians' accounts of the past may have unethical effects in the present.
- Professional development courses and conferences, focused on controversial practical cases.
- Undergraduate courses on historiography, which may include critical analysis of ethical problems.

Given the obvious limitations of these procedures, it is clear that professional standards are maintained very largely by individual vigilance and personal integrity, especially at the senior leadership level. Personal integrity is, of course, not an institutional mechanism, and it will operate only haphazardly. Nevertheless, it is important; it is the bedrock on which professional standards are grounded. This is not just a matter of personal morality. To see this, we can come back to the distinction between a discipline and a profession. Many human activities, academic and non-academic, are 'disciplines': physics, pure mathematics, chess, violin playing, opera singing, surfing, and winemaking, for example. Each of these, if performed well, involves considerable skill and knowledge; each has its recognised leading exponents; but only some of them are publicly funded. Professions are all publicly funded, through the funding of their university base. The maintenance of professional ideals and standards is a vital part of the rationale for such funding.

This essay has been an exploration more than an argument. I don't have

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73 May, *Beleaguered Rulers*, pp. 257-8.

74 *ibid.*, p. 261.

a categorical conclusion to put forward. Tentatively, it seems to me that two related things can be said. One is that the institutional processes for dealing with unethical conduct are weak, and that this seems to be necessarily so. The second, given this weakness, is that ethical historiography has to be sustained by nothing much more than personal commitment. In theory, stronger institutional controls could be constructed, but the notion that history should have a professional practice board for both academic and non-academic historians would almost certainly be greeted with derision. We should ask: why this reaction? Why not welcome some institutional mechanism for dealing with any future David Irvings? The idea of institutionalised discipline is not regarded as outrageous by lawyers, medicos and many other professionals. Could it be that those professions have such bodies because they deal with matters that are more important than those dealt with by the historian? Or could it be that those professions, in their public aspect, are dealing with particular clients with specific complaints or concerns, rather than with the very general and more distant tasks of the historian? In any case, it is not my purpose here to argue for such an institutional strategy for the history profession.

I conclude with a brief comment on the Australian controversies. By comparison with matters of the magnitude of the Irving case, the rhetoric of the 'history wars' seems terribly over-cooked. The very notion of a 'history war' is hyperbole. In a heated controversy there may be ill will, or even some rancour, and against this the principle of professional courtesy can look rather feeble. There is a more heroic ideal that can be invoked, that of genuine dialogue, in which the opposing parties make a serious effort to see the best in each others' contentions, while arguing carefully and modestly for one's own position. Whether this is achieved seems to depend entirely on the personal qualities of the participants. Short of this high ideal, we should put up with antagonism and antipathy rather than allow Irving-style corruption to go unchecked through lack of a habit of vigorous debate.

Keith Windschuttle's work has undoubtedly stirred up a hornet's nest, raising questions not just about the frontier encounter between Aborigine and European, but about the nature of evidence and interpretation, about footnoting, about background assumptions and political motives in historiography, and about the moral issues of 'fabrication', 'invention', 'deception' and 'fraud'. One curious feature of his stance is that he sees himself as mostly doing battle with 'postmodernism' and 'relativism', whereas in fact his opponents (such as Henry Reynolds) are mostly anti-relativist. A further obvious point is that his 'objectivist' position on historical standards can be turned against him by his critics, though only if those critics acknowledge those same standards. Objectivism, unlike relativism, implies that anyone can judge anyone else and they can in turn be judged. 'Judge not, that you be not judged' has no place here. Any 'old-fashioned liberal' can welcome the ferment created by Windschuttle, on the premise that painful intellectual conflict is always preferable to comfortable intellectual somnolence. However, the Irving case shows that some kinds of intellectual ferment are not productive of increased historical understanding,

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so old-fashioned liberalism is no panacea. Clearly, the Windschuttle show has a long way to run.<sup>75</sup> But the biggest questions, I have tried to show, are not about the early Australian frontier but about the nature of the historical profession and its capacity to maintain standards.<sup>76</sup>

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75 His latest intervention is 'Academic Freedom and Australian History', which encloses another essay 'Postmodernism and the Fabrication of Aboriginal History', which are submissions to the Senate Employment, Workplace Relations and Education Committee's *Inquiry into Academic Freedom* (accessible at [http://www.aph.gov.au/Senate/committee/eet\\_ctte/academic\\_freedom/index.htm](http://www.aph.gov.au/Senate/committee/eet_ctte/academic_freedom/index.htm)). These two essays discuss historiography but don't in fact discuss academic freedom or even the historical profession as such.

76 I am grateful for helpful comments on draft versions of this paper by Nick Tapper, Robin Tapper, David Thomson, Bob Ewin and Cathie Clement. I also thank this journal's anonymous reviewer for some well-made criticisms and advice.