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## Widening access to the Dead Sea Scrolls

By William A. Moffett

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The purpose of America's great research libraries is to support the pursuit of truth: not merely to collect and preserve information, but to make it accessible to those who want it, and to do so in as free and unfettered a way as we can. Nothing could be more antithetical to that mission than the conduct of those who have controlled access to the Dead Sea Scrolls for the past forty years. The Huntington Library's traditional independence and unusual resources enabled it to play a sudden and decisive role in bringing the long and sorry saga of secrecy and exclusivity to an end—to commit what *The New York Times* would call "a just and valuable act," what an Omaha editor described as "hitting a home run for intellectual freedom."

In undertaking to stand up to the Scrolls cartel, we knew we ran some considerable risks, and those who have hailed the step we took said it required courage. But given the commitment made to the donor who gave us the photographs of the scrolls, given the clear policy of open access established long ago by the trustees, and given their resolute commitment to principle, we really had no other choice. In the end we simply reaffirmed our basic mission, our reason for being here.

At one time it was not uncommon for research libraries, including the Huntington, to restrict access to research materials, especially original materials, and to grant exclusive permission to a single scholar to edit or publish such materials. To justify such restrictions it was held that granting of exclusive permission avoided duplication of effort in identical projects and tended to assure that only qualified individuals undertook editorial tasks. Such thinking underlay the set of regulations laid down in 1938 by the President and Fellows of Harvard College for the use of Harvard's archives and of other manuscripts in all branches of the university,

and which for a long time was held up as a model for other repositories.

One of the admitted drawbacks was that the practice often delayed the appearance of materials in print, and discouraged legitimate scholars from undertaking important projects. Indeed, some scholars staked out claims to manuscripts which were never developed.

Thirty years ago American research libraries began adopting a far more open approach. Exclusive access became the exception. The trustees of the Folger Shakespeare Library, for example, passed a resolution declaring all its holdings to be in the public domain and freely available to any scholar requiring their use. As director Louis B. Wright put it: "We make no effort to protect anybody's [exclusive] right to edit a document. In my opinion that is the way it ought to be. I have never believed that a research library should undertake to police its docu-

ments. Any such effort leads inevitably to trouble. Furthermore, I doubt whether a tax exempt institution could support any policy of exclusion if the case were ever taken to court. Some of the universities which try to preserve documents for the use of their graduate students are in constant hot water and have made many enemies....I advise complete freedom of access." [Letter to Herbert Schulz, April 20, 1967.]

By that time the Huntington Library had already widened access to its holdings, and in 1967 its trustees officially established a far-reaching policy totally eliminating restrictive practices in the study, publication, and reproduction of its rare books, manuscripts, and art objects, except in cases where the terms of a gift limited the use of the material, or "for other compelling cause." [Minutes of meeting, August 18, 1967.]



Photo credit: Star News

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alike. It is behavior, as we have read, which "(although legal) should be avoided."

What mechanisms can the library profession employ to persuade an institution to behave differently? The Huntington Library has offered one example. What, beyond heightened public awareness and pressure, has been gained? The Huntington Library has released only photographic reproductions of the Dead Sea Scrolls. The increased availability of the reproductions does not obviate the need for scholars to have access to the originals because what is being produced, albeit on a schedule unsatisfactory to nearly all, is a scholarly edition of a text. Editors of texts need access to the originals

of surviving manuscripts if their edition is to have authority. Running around the Israeli Antiquities Authority, the Rockefeller Museum in Jerusalem, and the scholars privileged to work with the original Dead Sea Scrolls may, in fact, be one way to jump the hurdles they have erected, but it may not help attain the ultimate goal of having democratic access to the original scrolls. The controlling parties need to be convinced that their methods are not conducive to even the chosen editors producing an authoritative text because they stifle the free flow of scholarly inquiry and discourse; but that may require persuasion of a different sort than the Huntington's bold move. ■ ■

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That policy has been consistently applied in succeeding years to the thousands of scholars who have drawn on the Huntington's fabled resources, as well as commercial and educational enterprises that have used its materials.

It is that same principle which is embedded in ACRL's and the Society of American Archivists' 1979 "Joint Statement on Access to Original Research Materials:"

"A repository should not deny access to materials to any person or persons, nor grant privileged or exclusive use of materials to any person or person, nor conceal the existence of any body of material

from any researcher, unless required to do so by law, donor, or purchase stipulations."

Am I wrong in thinking that most of us simply accept that statement as a commonplace? Do any of us still contend with restrictions that mimic the Dead Sea Scrolls scandal? I sincerely hope not. But should any librarian or archivist find himself or herself in the position we found ourselves in at the Huntington this year, I trust that person will take heart from our experience. Be resolute! Take arms against even a sea of troubles—and by opposing, end them. ■ ■

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ted, access will be dependent solely on the availability of study space and the number of other readers seeking access to the same materials. Use during some periods of the year is predictably very heavy, especially in the summer months.

"In the case of the scrolls archive, the reader will initially be expected to work from images on microfilm. In most cases it will not be necessary to go directly to the master negatives.

"If a person wishes to review the library's scrolls holdings at a distance, he or she can arrange to examine the microfilm set by asking his or her institutional library to secure it from the Huntington on ordinary interlibrary loan. (According to the library's customary practice there may be a modest charge to offset costs of copying, postage, and handling, but the Huntington does not propose to charge a fee for access.)"

### **What is the current state of events?**

"I think it [the controversy] is over for us," commented Moffett. "The action should shift to the scholars." When asked if he's heard from the Israeli Antiquities Authority, Moffett replied that he's received an invitation from Emmanuel Tov of the Hebrew University in Jerusalem to attend a conference, tentatively scheduled for December 1991, to discuss the issues surrounding the scrolls. Authorized scholars and representatives of those institutions holding images of the scrolls are invited to attend. "The invitation is under consideration," said Moffett, who reported that the "response to the Huntington Library has been overwhelming. Not a single negative comment has come in. It's been a remarkable event to be involved in."—*Mary Ellen K. Davis, editor and publisher, C&RL News* ■ ■