

## The History Trust

By Bill Horner, MD

“The idea of nature contains, though often unnoticed, an extraordinary amount of human history.”<sup>1</sup>

—Raymond Williams

As we celebrate the co-centennial of Acadia National Park and the National Park Service, we should remember the hopes and intent of those nineteenth-century voices that advocated for the conservation of wildness and landscapes. They include the artist George Catlin, Henry David Thoreau, Frederick Law Olmsted, John Muir, Theodore Roosevelt, and notable to us on Mount Desert Island, Charles W. Eliot. In the 1830s, Catlin said of the sweeping Western vistas he saw, “What a splendid contemplation when one imagines them ... by some great protecting policy of the government, preserved ... in a magnificent park ... a nation’s park, containing man and beast, in all the wild and freshness of nature’s beauty.”<sup>2</sup> Some seventy years later, on the Arizona morning of May 6, 1903, President Theodore Roosevelt stood for the first time at the North Rim of the Grand Canyon and beheld what John Muir had termed a “grand geological library,” a six thousand-foot cleft into the deep time of our planet. In Roosevelt’s remarks are found these words:

I hope you will not have a building of any kind, not a summer cottage, a hotel, or anything else, to mar the wonderful grandeur, the sublimity, the great loneliness and beauty of the canyon. Leave it as it is. You cannot improve on it. The ages have been at work on it, and man can only mar it. What you can do is to keep it for your children, your children’s children, and for all who come after you, as one of the great sights which every American if he can travel at all should see.<sup>3</sup>

---

*The idea for this article flowed from my associations with the Mount Desert Island Historical Society and Friends of Island History. Tim Garrity, in his Acadia Senior College course on borderlands history, was of immeasurable help, as were my classmates Anne Funderburk, Mary Holway, Roz Rea, and Betsey Hewlett. Editorial assistance from John Gillis, Mark Messer, and my great friend Emily Beck, was invaluable.*



A gathering at Sieur de Monts Spring, circa 1920. *Courtesy of the National Park Service, Acadia National Park, William Otis Sawtelle Collection*

Conservationist visionaries of the nineteenth century hoped that a forward-thinking United States of America with a staggering abundance of natural resources and visual wonders, through stewardship, would preserve these places in trust for the people, for all the people. Our country was the first to give the world what the author and conservationist Wallace Stegner called her “Best Idea”: a Yellowstone National Park, and ultimately, a national park system.

In this centennial year, which celebrates another national park that is dear to our hearts, we will look to these founders and assess what the intervening century has brought to their legacy, remembering that our descendants one hundred years from now will assess ours. What have we learned from them? What have we done to conserve our natural history and heritage?

And from the historian’s perspective, what will we do to conserve our human historical heritage? Can we who are passionate about history emulate the past accomplishments of the land conservation community in passing that history, improved, to future generations? As historians, what can we bring to this borderland of past and future, and to the borders that exist in our own historical community?

## *What Natural and Human History Have in Common*

Academic historians increasingly recognize that natural and human history are inexorably intertwined. To this point, William Cronon, author of *Changes in the Land: Indians, Colonists, and the Ecology of New England*, said, “Our project must be to locate a nature which is within rather than without history, for only by so doing can we find human communities which are inside rather than outside nature.”<sup>4</sup>

Cronon’s book is an important and seminal examination of the essential differences between Native American and European land practices during the period from 1600 to 1800. He said, “Perhaps the central contrast between Indians and Europeans at the moment they first encountered each other in New England had to do with what they saw as resources and how they thought those resources should be utilized.”<sup>5</sup> He went on to say, “Indians had a far greater knowledge of what could be eaten or otherwise made useful in the New England environment. ... Very few resources were accumulated for the explicit purpose of indicating a person’s status in the community. ... There was little social incentive to accumulate large quantities of material goods.”<sup>6</sup>

In sharp contrast, the European colonists’ point of view turned on “... perceptions of ‘resources’ [as] filtered through the language of commodities, goods which could be exchanged in markets where the very act of buying and selling conferred profits on their owners.”<sup>7</sup>

This contrast in the conceptualization of resource, common vs. commodity, provides a valuable platform for us to consider alternative ideas of the nature of history and historical resources. Here I pose the central question of this paper: Is history a commodity that someone can own? Or are we merely its stewards?

If we accept that current thought argues for the confluence of natural and human history, how can this new vision change our former ways of thinking about history?

I submit that borders exist among holders of historical resources, chief among them historical societies. These borders that separate historical collections should be opened. If we can agree that history is not a commodity but a natural and common resource that is held in trust, imagine the public benefit if the trustees found a common

pathway, if traditional borders and boundaries could be reshaped and newly defined.

It is important to understand the nature of trusts and trusteeship. If we seek to model a history trust after what has already been applied to land, nature, and natural resources, we need look no further than our own Mount Desert Island's history to find an example.

On the afternoon of August 22, 1916, the public gathered at the Building of the Arts near Kebo in Bar Harbor, Maine. The occasion celebrated President Woodrow Wilson's July 6 proclamation to establish the Sieur de Monts National Monument, a crowning achievement of land conservation on Mount Desert Island brought about by an organization called the Hancock County Trustees of Public Reservations. Several of the original incorporators spoke that day, including Charles W. Eliot and George B. Dorr, but perhaps the most eloquent voice was that of a local attorney and judge, the Honorable Luere B. Deasy, who said,

The establishment of this monument guarantees that it will be perpetually open for the use of the public ... not as a matter of suffrage but as a matter of *right*. ... That these mountains, standing at the very edge of the continent, looking out across the ocean far beyond our country's domain, should remain in private ownership, bought and sold by metes and bounds and used for private gain, is incongruous. That they should be held by the nation in *trust* for all its people is their appropriate destiny.<sup>8</sup>

Deasy was careful to emphasize the words "right" and "trust." And in his final sentence, we have a clear expression of something called the "public trust doctrine," which holds that certain public resources are so essential to the public weal as to be incapable of alienation. The doctrine has its roots in the Roman and English concepts of *res communes*, the notion that certain property was held by the crown for the benefit of all the people.<sup>9</sup> Conceptually, the word "trust" has an inevitable connection with property or land. Witness the number of voluntary conservation easements entered into between willing property owners and local land trusts here in

Maine. But what of other meanings of property, such as resources like air and water, elements falling under the general notion of “the commons”? How might these principles apply to the more abstract commons of history?

This paper will consider the nature of trust and trustees, first as it applies to nature’s resources—a “Nature’s Trust”—and argue that a similar analysis can be applied to historical resources—a “History’s Trust.” The natural tendency of historical organizations is to focus on local or regional themes rather than to integrate with the broader view or context. In some cases, there is a sense that history is “owned” by the locale in which the organization evolved. Boundaries or borders can result, and the public often finds itself having to navigate a challenging landscape to discover its own history. If we were to replace the notion of ownership with stewardship, how might the nature of these borders change? By introducing trust principles, how might the public benefit?

### *What a Nature’s Trust Is*

An example can be found in Professor Mary Christina Wood’s recently published *Nature’s Trust: Environmental Law for a New Ecological Age*. She has developed “a paradigm called a ‘Nature’s Trust’ to reconstitute environmental law in countries throughout the world. It calls forth an ancient duty embodied in the public trust doctrine, a legal principle that designates government as trustee of crucial natural resources and obligates it to act in a fiduciary capacity to protect such assets for the beneficiaries of the trust, which include both present and future generations of citizens. ... The public trust imposes a strict duty to protect the people’s commonwealth.”<sup>10</sup>

These ideas remind us of Deasy’s prescient Building of the Arts speech in 1916. Professor Wood’s argument focuses on the principles espoused by the nineteenth- and early twentieth-century voices we have noted, on the establishment of innovative environmental law that those voices inspired, and of the gradual and inexorable erosion of those laws by an increasing political attitude that common land is a commodity, an attitude that has spread in our time to planetary dimensions. Her remedy lies in a universal recognition and enforcement by governments of their fiduciary responsibilities as trustees to us, the public, now and in the future.

What are the historian's fiduciary responsibilities? What parallel lessons may we historians, amateur and academic alike, draw from Professor Wood's environmental analysis? And what can we do to assure the survival of our history? What concrete steps can we take to conserve that history?

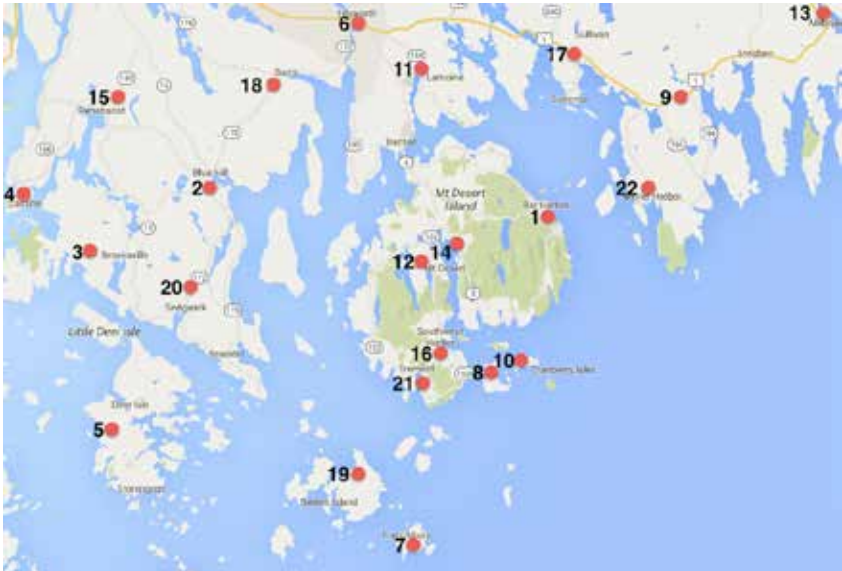
### *What a History Trust Might Be*

Consider the idea that history, like land, is a form of property that could fall within a public trust doctrine: that "certain resources—that is, history—are preserved for public use, and that the government—that is, historical resource holder—is required to maintain them for the public's reasonable use."<sup>11</sup> Furthermore, let's paraphrase the definition of a trust as "the legal relationship between one person having an equitable ownership in property and another person owning the legal title to such property." In the context of the public trust doctrine, the legal title is vested in the historical resource holder and the equitable title in the public. Thus the historical resource holder is responsible as trustee to manage the property—that is, history—in the interest of the public.<sup>12</sup> Simply put, the mission of a history trust would identify history itself as a valuable and irreplaceable resource to be preserved and shared with the public by us, the history resource trustees, as a fiduciary responsibility.

### *How a History Trust Might Work*

Frenchman Bay, Blue Hill Bay and Union River Bay encompass the communities that inform the essential history of this part of Maine. Collectively, these villages, towns, and one city have given rise to twenty-two historical societies. While it is true that the several area museums and libraries serve the public by freely sharing their very relevant collections, it is the historical societies that contain many undiscovered gems. Historical societies vary widely in terms of locale, size, governance, focus, staff and volunteer cohorts, cataloging, funding, seasonality, and community support.

In 2014 a group called Friends of Island History (FOIH), a consortium of eighteen repositories of historical archives, engaged the consulting firm HistoryIT to assess the physical condition of collections, archival management, cataloging systems, and the



The locations of historical societies on or near Mount Desert Island are depicted on this map by Virginia Mellen. *Mount Desert Island Historical Society*

Map Key:

1. Bar Harbor Historical Society
2. Blue Hill Historical Society
3. Brooksville Historical Society
4. Castine Historical Society
5. Deer Isle-Stonington Historical Society
6. Ellsworth Historical Society
7. Frenchboro Historical Society
8. Great Cranberry Island Historical Society
9. Gouldsboro Historical Society
10. Islesford Historical Society
11. Lamoine Historical Society
12. Maine Granite Industry Historical Society
13. Milbridge Historical Society
14. Mount Desert Island Historical Society
15. Penobscot Historical Society
16. Southwest Harbor Historical Society
17. Sullivan-Sorrento Historical Society
18. Surry Historical Society
19. Swans Island Historical Society
20. Sedgewick-Brooklin Historical Society
21. Tremont Historical Society
22. Winter Harbor Historical Society

technologies and metadata standards of its member organizations.<sup>13</sup> The HistoryIT study found that about half the organizations were in need of acquisition policies, preservation measures, and management systems. The problem of backlog constituted the greatest need, with an impressive 89 percent showing a cataloging backlog. The extent and ubiquity of these problems suggest the need for a cooperative approach to fix them.

### *A History Trust as Consortium*

A history trust would be conceived in terms of a collaborative or consortium that recognizes and accepts that history is largely a local phenomenon and that participating historical societies should be allowed autonomy while simultaneously contributing to the larger whole. The notion of a collaborative serves to diminish if not negate the sense of competition that sometimes exists among nonprofit organizations. Of course, that competitive sense is often driven by a need to support the real financial needs of any organization. *We can be friends as long as you don't perturb my donor base.* Much of this is driven by the perception of conflict of interest as each institutional director hews the line of fiduciary responsibility. Is this an insurmountable problem?

If we take a serious look at the history of a century of land conservation and stewardship, we may find that the problem is not insurmountable. As historians, we can emulate the successes of the land conservation movement. The first step forward is not financial; it is philosophical.

### *A Philosophical Core of Agreement*

To begin, we could agree to the following:

- We are not owners of history; we are stewards.
- We are, in fact, trustees of history with fiduciary responsibility. The public is the beneficiary.
- History, like air and water, is a common element that “belongs” to everyone.
- Collaboration carries more potential mutual benefit than competition or “business as usual.”



We should agree that history has value. History nurtures personal identity; teaches critical, unbiased thinking skills; builds strong, resilient communities; catalyzes economic growth; engages citizens in conversation and action; provides leaders with inspiration and role models; and creates legacy, a foundation for the future.<sup>14</sup>

### *Moving toward a Plan*

If these essential philosophical points can be agreed upon, the next step lies in moving forward with a plan. Following up on the first survey of collecting organizations, FOIH engaged HistoryIT to identify ways to:

- assist all cultural heritage organizations in the region
- provide financial support, shared collections space, human resources, and expert guidance
- gain a comprehensive understanding of the existing state and needs of area organizations
- create a step-by-step plan for developing and sustaining the trust, distributing funding, and explaining the level of commitment for each participant.

In defining these goals, the consultant thoroughly surveyed about 90 percent of the membership of FOIH, several of whom contributed digitized files of items from their collections—totaling some six hundred—that served as a sample protocol for an online “Collection Compass”: <http://foih.archivestree.com/>.

Of greater significance, the prospectus detailed the characteristics of each organization in a specific format that allowed a clear definition of needs, both organization-specific and across the board. The emerging picture enabled FOIH to propose a collective strategic plan:

- to summarize specific goals and phases for each participating organization to eliminate its backlog, a significant issue for virtually every organization
- to plan for designing, sharing, and promoting their collections *as autonomous organizations*, through participation with the trust and through Digital Public Library of America
- to estimate and analyze the cost and timeline for reducing and eliminating backlog

- to suggest means for collective fundraising efforts and digital outreach presentations that would appeal to donors interested in the collective historical resources.

### *The Benefits of Consortium*

The collaborative benefits of consortium stem from a series of synergies, including cost savings, additional revenues, higher profiles for each institution, community involvement, and an improved ability to preserve island history. Specific examples might include:

- more likely success in grant applications
- creation of the position of a multi-organization coordinator
- creation of centralized climate-controlled and fire-protected storage environments
- creation of common signage for all area societies
- community involvement in addressing a growing backlog of items needing proper cataloging
- community benefit in coordinator training and supervision of multiple age groups, thus creating a broader base of interest in history with increased skills and participation
- models of governance that would involve community as well as historical societies in creating greater stability and a commonwealth of area historical resource holders
- improved research and scholarship by open cataloging and sharing of resources
- regular communication among members
- cross participation in presentations and forums
- increased awareness of and online relationships with sister organizations and digitized international resources.

### *Moving Forward*

As a consortium, Friends of Island History still needs to accomplish some basic organizational steps, such as developing a mission statement; defining bylaws to define the group's name, purpose, membership, board of directors, officers, and meetings.

### *Final Thoughts While Fishing*

In this issue of *Chebacco*, the reader will encounter borderlands in many forms: human, cultural, geologic, to name a few. In all there

is an element of history, of course, but I would argue that history itself, when considered through the lens of time, is a borderland. Our human existence and its expression in our minds live inevitably in the present as we explore the past and seek to anticipate an unexperienced future. I was reminded of this during a recent fishing trip to Alaska as we floated a one hundred-mile stretch of an ancient river that wended from its origins in a tiny glacial tarn to its confluence with the Bering Sea, close to that equally ancient land bridge that brought the first human immigrants to North America.

Within that Alaskan river were thousands of salmon, all responding to the ancient biologic imperative encoded in their genes. As a historian and fly fisherman, every cast I made into the river touched on a moment in the life of a salmon swimming upstream toward the past and future, the place where it had been spawned and would spawn. The river itself—in one way, the sum of those moments—flowed downstream into the future. From any one of those moments, what could I predict of the future downstream? It is only now that the journey is complete and in the past that I can reflect on the whole.

If one casts his fly into the river of historical societies, he finds a lot of fish, a lot of moments, each a point in time on the borderland between past and future. Only by seeing all those moments together can we gain an accurate understanding of the past and interpret it in the light of a coming future. Let us do that.

Land preservation is a useful model for history preservation. History is no less precious a resource than is land. Like land, it should be conserved in trust as a matter of right for a public to which we have a fiduciary responsibility. A consortium model of governance would best serve the essential purposes of freely sharing historical resources while maintaining institutional autonomy and thereby recognizing and taking down the borders that separate us.

.....

*Bill Horner, MD, is Mount Desert Island bred and a retired general surgeon. His family ties to the island's history have spawned an intense interest in research, writing, and thinking about free access to our collective historical treasures. He is president of the Mount Desert Island Historical Society and founder of Friends of Island History.*

---

<sup>1</sup> Raymond Williams, “Ideas of Nature,” in *Culture and Materialism* (New York: Verso, 2006), 67.

<sup>2</sup> George Catlin, *Letters and Notes on the Manners, Customs, and Condition of the North American Indians* (New York: Wiley and Putnam, 1841).

<sup>3</sup> Roosevelt to the governor of Arizona, May 6, 1903.

<sup>4</sup> William Cronon, *Changes in the Land: Indians, Colonists, and the Ecology of New England* (New York: Hill and Wang, 1983), 15.

<sup>5</sup> *Ibid.*, Kindle edition, location 2985.

<sup>6</sup> *Ibid.*, Kindle edition, location 2991.

<sup>7</sup> *Ibid.*, Kindle edition, location 2998.

<sup>8</sup> Luere B. Deasy, “Addresses on the Establishment of the Sieur de Monts National Monument” (speech, Bar Harbor, ME, August 22, 1916), Acadia NP: Sieur de Monts Publications II, accessed February 27, 2016, [http://npshistory.com/publications/acad/sieur\\_de\\_monts/2/sec2.htm](http://npshistory.com/publications/acad/sieur_de_monts/2/sec2.htm).

<sup>9</sup> Mark Squillace, “Common Law Protection of Our National Parks,” in *Our Common Lands: Defending the National Parks*, ed. David J. Simon (Washington, DC: Island Press, 1988), 96–99.

<sup>10</sup> Mary Christina Wood, *Nature’s Trust: Environmental Law for a New Ecological Age* (Cambridge University Press, 2014) 335–336.

<sup>11</sup> “Public Trust Doctrine,” accessed July 14, 2015, [https://en.wikipedia.org/wiki/Public\\_trust\\_doctrine](https://en.wikipedia.org/wiki/Public_trust_doctrine).

<sup>12</sup> Lucas Bento, “Searching for Intergenerational Green Solutions: The Relevance of the Public Trust Doctrine to Environmental Preservation,” *Common Law Review* 11 (2009): 7–13.

<sup>13</sup> Friends of Island History (FOIH) commissioned HistoryIT to perform a study that resulted in a detailed prospectus.

<sup>14</sup> “The Value of History,” accessed August 23, 2015, <http://www.historyrelevance.com/#!value-statement/ca2m>.