

## Access, information technology and legal aspects

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### *Archives and information technology*

Does Information and Communication Technology moves archivists from keepers of records to providers of information? There is no serious archival seminar or congress in these days without at least one paper on the subject of access to information. What makes the issue so popular - I think a second best just behind electronic records? Indeed, both topics have the technology in common, so likely the technology is the very reason that archivists are redefining their profession.

Archivists have recognised the challenging possibilities of the Information Technology more than 20 years ago. One should read the old ADPA issues, published by the ICA in the mid-seventies - and compare them with what is happening now in this arena. Who will even recall where the abbreviation ADPA stands for: Automated Data Processing in Archives, if I remember well. What a world of difference with the time in which we live today, in which communication technology dominates, and the PC one buys in a supermarket is thousand times more powerful than the mainframe of the early days.

Looking back in the history of archival automation, we may distinguish three stages

Stage 1, the seventies, was mainframe oriented, a technology to which only a very few archives had access to. The typical application was indexing, indeed, data processing, resulting in hard copy lists, in an horrible layout. No doubt, however, the application was user oriented.

The second stage, the eighties and early nineties, brings the PC, firstly stand-alone, later networked. The typical applications are word processing and the improvement of archives management. The user is slightly pushed back

The third stage, we may witness today, focuses again on the user. The continuously increasing of the computer power, in tandem with the emerging network technologies, brings the archives in the global village. The whole world is the reading room, the Internet our finding aids. The attention of archives management with respect to automation moved rapidly from computer literacy towards use of communication technology.

### *Archives and Communication Technology: The Internet*

The magic word is the Internet. The Internet opens the Archives, said the headlines of a Dutch newspaper a few weeks ago. To tell you the truth, I don't think the Internet does anything by itself - but apparently some archivists forget that they still have to do the job.

To Internet or not to Internet, that's the question. It looks like a run to the sea. Every day another archival institution opens a web-site. In many countries an archives without its own home page is completely out of time.

The home page is the first step to the land of milk and honey. It would be nice to make some comparison between the home pages of various archives - and may be somewhere in the world an archival student already wrote a master thesis on the subject. The first thing to do is usually to put a picture on it - so that the user has to wait a minute or so before getting any information. Somebody told me that there is even a home page with the picture of the archivist on it! Hopefully she or he is handsome, to attract users to pay a visit. Other examples show the front of the archival building, or an old document, preferably with seals and fine calligraphy. Information on hours of opening, exhibits and the address make the home page almost complete. The Archives Is On The Web. To make the home page really complete a mailbox must be added, in which the client can leave remarks, questions, and suggestions.

A logical next step is putting finding aids on the web. Usually it is not more than a one to one digitising paper finding aids. Without any intelligence or hyperlinks. To make more out of it would require re-keying the finding aids, and even quite a bit more. Again, some systematic research to archival Internet strategies might uncover no other policy than just putting on the web what's available.

Some archives have started to put the documents themselves on the web - for instance as a way of making exhibits, but also more permanently for research. In many cases we may see the strange phenomenon that the well-known pieces are made available, and become even more known, whereas the less-known treasures stay unknown in the strongrooms. Yet, we may foresee a shift in the near future, when electronic records can be made available easily over distance, just because they are created in electronic format.

There is no question about it, that the Internet, and its eventual successors offer great opportunities for archives - although the competition on the information market is dramatically heavy.

In the first place: Publicity. Likely within a few years it will be the case that who's not on the web, does not exist. The clue is: how to let you find in the melee of information. It is indeed a matter of being there, to compete with many other institutions in a sort of struggle for life.

A more promising challenge, however, is aiming for improvement of services, at least by making known the existence of the holdings; by facilitating the preparation of research on distance. In addition to this, "on demand services", including fast delivery of copies of records on request might meet user needs.

A future more far away, may bring integration of originally electronic and digitised paper records to the users.

The challenge has some pitfalls:

(1) Up-to-now archival finding aids on the web have too often a disappointing quality: hundreds of pages of plain text, actually requiring to be printed out for browsing. The development of really Internet oriented finding aid systems is still in its infancy. A really

interactive finding aid system will require more than straight-forward HTML conversion of existing paper inventories. It calls for redesigning archival description.

(2) Another pitfall is the fact that currently only selections of finding aids and documents are made available. The user will be quickly disappointed, and having not found where he or she was looking for, turns the back to the archives. Who will realise that there is much more to look at in the repositories? Again: What's not on the web, does not exist.

(3) A third risk, probably at the short term even bigger is the fact that many archives won't have the resources to answer questions. The mailbox is indispensable, but the questions have to be answered, and even to be answered quickly. Electronic mail is an easy and fast médium, and the sender expects an immediate answer. And no doubt that the user will heavily use the mailbox facility. Consequently the archives becomes easily the victim of its own success.

### *Some legal implications*

From a technical point of view the Internet has proved to be a rather stable means for communication - of course depending of the security and reliability of the back office computer system in the archives, depending of the reliability of the communication network, and depending of the quality of the Internet provider.

From social and legal points of view many questions still have to be answered. Let us look briefly at a few issues relating copy right and privacy protection.

Putting information on the web is a way of publication! This reflects both, privacy protection and copy right.

To start with privacy protection. At first sight it is not too much new. No archives, I think, will bring records with restricted access on the Internet. Yet, it makes sense to be careful with making world wide available any sort of current record series. There is a big difference - if not legally, than at least emotionally - between giving access in a reading room, and putting records, and indexes and other finding aids with personal information on the Internet. I know, for example, that the Birth register which contains the registration of my grandfather is open for research, but in fact it will only be read by one reader at the time, and in the limited space of the reading room. Publishing the register via the Internet is another case - and although it might be completely legal, I can imagine that some people it do not like too much.

If we look at the aspect of copy right we may see similar situations. Again, access on request (right to see the records) is different from right to publish them. This is true again in particular for recent records. One example: a private letter sent might be public under an Archives Act, or under a Freedom of Information Act. But neither acts support the right to publish them. With respect to copyright pictorial information, very popular on the Internet, is even more complex. A photograph in an Archives can be viewed by anybody. On the Internet it is publication, and the copy right owner may claim a considerable sum - and probably get his rights at court.

### *The Role of ICA*

Both, legal and strategic questions, have to be answered in advance, before opening a website. And a few questions more as well, such as the impact on the organisation of the archives, on the budget, and so on. These questions have to be answered by the managing archivists and their staff. But they might get some support from the International Council on Archives.

In the past, the ICA put some effort in getting hands on the technology. In these days that is not the case anymore, at least it does not get the highest priority. In stead of running after the technology, ICA committees are stressing the need of strategies, rather than disseminating technical knowledge and skills. The technology is faster than any ICA publication. That is nothing to be ashamed of. Even professional prophets in the field of Information and Communication Technology, such as the world famous Gardner Group, did not foresee Internet; how could ICA anticipate it?

The focus of technical committees is on developing strategies and methodologies for using ICT, identifying opportunities and pitfalls. The committee on Information Technology published recently guides on IT-strategy planning, Archives and the Internet, and on Image Technology. All of these publications will be updated.

The new technologies enable the dissemination of archival information, indeed, archives become virtual elements in the global society. This opportunity, however, calls for standards - in the first place archival standards. That is why the Information Technology Committee cooperates with the Committee on Archival Standards on the implementation of the ISAD and ISAAR standards into archival databases.

The new technologies call for policies to integrate archival finding aid systems and electronic records. That is why there is a co-operation between Information Technology Committee and the Electronic Records Committee, in particular in the field of designing meta data repositories and archival description repositories. (Actually, it is because of this very subject why I am not here).

And finally, just because of being international, the ICA committee on legal matters could do research the various juridical aspects of the Internet and other emerging technologies.

### *The Role of the archivist*

The most important role, nevertheless, is for every archivist and for all national archival communities. The position of the archivist is changing. To get back to the first words of my paper: an archivist is not just an information professional; archival work is not just giving access to information, but access to records, to evidence. And that is way more than information. It is the recorded evidence of activities of public and private bodies. The technology requires reconsidering archival concepts and methodologies, exchanging ideas among archivists, and among archivists and other information professionals. It requires redesigning the profession and redesigning archival education. But: the archival profession is a profession in its own. There is no need to be defensive, or to imitate what other information professionals are doing. It is careful looking at our very roots. We are a generation of change. Isn't that great?