

iasa

International Association of Sound Archives

Association Internationale d'Archives Sonores

Internationale Vereinigung der Schallarchive

iasa journal

(formerly Phonographic Bulletin)

no. 6 November 1995

IASA JOURNAL

Journal of the International Association of Sound Archives IASA
Organe de l'Association Internationale d'Archives Sonores IASA
Zeitschrift der Internationalen Vereinigung der Schallarchive IASA

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Printed in Budapest, Hungary

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ISSN 1021-562X

EDITORIAL

Helen P Harrison

Interest seems to have heightened and activity gained a certain momentum in the past eighteen months over the legal issues which affect the archives of audiovisual materials: copyright, neighbouring rights and the effects of legal deposit regulations. The Round Table on Audiovisual Records, a grouping of UNESCO non-governmental av associations has addressed the question several times already. At the last meeting and as a result of the report of the AV Copyright Workshop held in Paris in December 1994 - which is fully reported in this issue - the discussion led the participants to ask the question what do the av archives really want from legislation, rights and deposit regulations. Until the archives can come to agreement among themselves and present a concerted effort and common viewpoint there will be little chance of improving the situation. Unless and until we produce cogent, coherent and agreed arguments as to what we want and why we want it we cannot begin to influence the wider world of industry, legal practitioners and intergovernmental bodies involved in drawing up suitable regulations and conventions. The Round Table members are being asked to produce position papers for the next Round Table in March 1996, and it is hoped a joint study will emerge in due course.

The area of 'rights' is a very wide one, and archives have their special needs and requirements, but the one area which seems to be exercising the minds of many people is that of legal deposit, particularly the legal deposit of audiovisual materials. This is probably because statutory deposit exists in only a few countries to date even if many other countries are considering it as the information flow surges and materials develop and deteriorate! Most people agree the necessity for statutory instruments such as copyright acts which are there to protect the rights of artists and writers in their creative works. Many agree rights of ownership, and even commercial rights of the producer who may have borne the research costs in developing the product or in producing and distributing it. What has not yet been agreed in many instances are the rights of audiovisual archives which contain the works and safeguard the cultural heritage by maintaining, preserving and providing access for future users.

Looked at from the point of view of preserving the cultural heritage statutory deposit for audiovisual material would appear a reasonable goal. At present voluntary deposit agreements are in force in many countries based on individual agreements between archives and industry or private owners of material. It has worked quite well up to now, however the 'gentlemanly' agreements could mean that archives have little redress if friends fall out and the owner demands his material back. As attitudes to and for intellectual property rights harden with the ease of electronic transmission so there is greater need for the audiovisual archives to have statutory rights.

Some of the activities which have drawn attention to legal deposit in recent months include an Anglo-Nordic Seminar on Legal Deposit, held in Windsor, England October 1994, the UNESCO AV Copyright Workshop in December 1994, a British Library meeting on the Legal Deposit of non-print materials and the emergence of the European Draft Convention for the Protection of the European Audio-Visual Heritage, now available in its 7th revision and not getting much better I fear.

Another factor which has given impetus to the consideration of legal deposit for audiovisual material is the explosion of e-documents (see: Mats Lindquist's paper in this issue). The detonation has thrown additional problems into the ether and I wonder if AV needs them.

We used to talk of nonbook materials, now too many people are talking of non-print materials, an equally negative term which contains a rag-bag of microform (misplaced perhaps?), CD-ROM, audiovisual materials and the e-documents. Although legislation may be needed for all these materials I believe they should be considered separately, especially the e-documents and av-documents.

To me there is a dichotomy between electronic publishing, CD-ROMs, and other alternatives to print and what I call the true audiovisuals, moving images and recorded sound. And I believe that this dichotomy unless realised and accepted will prove to be the greatest obstacle to the success of many legal deposit agreements.

The phrase non-print is negative and does not try to express the materials which we are actually talking about. Alternatives to print could in theory fly under the same flag as print materials, perhaps with different parameters of access, but audiovisuals do not fit easily within those parameters. We should not lump all these materials together and expect an easy solution to emerge. Let us look at some of the needs which audiovisual archives have and why they are marshalling their forces to get legal deposit legislation.

The first issue may be definition - trying to describe what it is the legislation is supposed to be considering. No IASA member who has read these pages over the past few years will be in any doubt that definition is going to be a long, laborious process. If we cannot decide a definition of AV among ourselves we start at a disadvantage. This will help the legislators to define the scope of the material to be covered in any statute.

Acquisition for different types of material need to be considered. This is the nub of our problem. We need original material, or at least material which the archive can handle. Archives are more capable of acquiring originals but there are of course concerns about preservation and the necessary transfer of many materials from the deposited carrier to a usable carrier. Once deposited the material has to be maintained in such a state as to be accessible in perpetuity.

The importance of selection can be emphasised again and again. Most archives have a finite amount of space and resources - they cannot do everything with their current remit. What av archives need is the right to statutory deposit, that is they should be allowed comprehensive collection before any exclusions are made but that they should be allowed to select what they want in what format they need, most av archives do not want everything this is 'the pantechicon at the door' syndrome without the opportunity to vet and select materials and the right to accept and refuse is essential. Otherwise the volume of material could swamp the archives, fill all the existing space and cause problems for the preservation programme of the most dedicated archives.

Access. In the past there has been a clash of interests in the archives between access (use) and preservation. Commercial interests have often opposed an archive's right to make copies of material for preservation/conservation purposes, never mind allowing

access to the material which the archive expends resources on preserving. This has become even more of a problem with electronic databases, and any legislation will have to look towards this issue.

Also some clauses, in the UK legislation at least, whereby manufacturers have the right to withdraw material which has been conserved without redress to the archive. This is no way to run an archive and preserve the audiovisual heritage. The European Draft Convention is one of the worst offenders in this trend to legalise monopoly and self interest.

The audiovisual world can and should provide a few home truths to anyone drawing up legislation. Do not get the carrier mixed up with the content. Once upon a time the expense of deposit was a stumbling point. Now a record is no less expensive than a CD - we know that, but do the legislators? And they have to be aware that there is a difference between CD and CD-ROM. There is still a confusion between the carrier and the content. The carrier of av will not last - this is proven. There is a confusion between digital mastering and digitisation of information. Just because a CD has digital recording splashed across it does not mean that it is of master preservation quality. It is as vulnerable and fragile as any vinyl record, film or videotape. It is the digital information which should be preserved, not the carrier or format. We know this but I am afraid the print world of copyright law may not. This I need not tell you, but we need to tell the legislators. The av world in the form of audiovisual archivists can make cogent points about the vulnerability.

What we must not do in these circumstances is to fudge the issues, we have to provide clarity of thought in definition, in intent, and in the wording of any proposal. I doubt if anyone in the library/archive area does not want the 'right' of legal deposit of all materials. What they want is the choice of what to collect and where to collect it. The intention is to provide as complete a record of a national or world heritage as possible and allow reasonable access to the material after its commercial value has been achieved. This is not a problem with audiovisuals I would argue, but with electronic information. There are ways around the problem, it could be a question of deposit for a period of years until commercial value has been exhausted, at which point the archival value begins to work and access should be made available to potential users of the archival information.

However I am still not sure that audiovisual archive materials are the major bugbear or problem here. What I do think is that the av materials must fight their battle in this arena - we have to make sure that our voice is heard and some notice taken notice of, this is the purpose of IASA writing a position paper for the Round Table, UNESCO and whosoever. Of course I welcome comment on this issue, it is what IASA should be about - fighting the corner of audiovisual materials, particularly sound materials to try and influence world opinion on this particular issue.

But the concept of legal deposit remains and is becoming more acceptable at least to the library and archive world, if not to the industry. The terms under which audiovisuals are accepted by the archives are best worked out away from the confusions of electronic transmissions, microforms, CD-ROMs, alternatives to print and other confusing entities. Terms for legal deposit have to worked out separately and only then can we begin to work out a scheme of legislation. Any member of IASA who is concerned about national legal deposit legislation should contact the Secretary General of IASA to add to our position paper for the Round Table.

But now to this issue: the Washington conference as all good things came and went - I collected as much as possible of the offerings and they are reproduced here. There are still some one or two to come for the next issue. There is also a good mix of interests - not many technical items - but those are scheduled for the next issue. However for this time we start with something left over from Bogensee - Joachim-Felix Leonhard gave an address in Bogensee which contained a philosophy - it was one of the better keynote speeches I have heard at IASA conferences because it dealt with issues we are facing as audiovisual archives. The issue also considers copyright in some varied conditions including a very interesting paper by Grace Koch which gave a new meaning to 'personal property rights' in the indigenous population of Australia. Intellectual property rights we acknowledge, but Grace' paper dealt with the rights of indigenous peoples with a distinct identity and ethos, something many an oral historian has to deal with, but not all other sound archivists might recognise. In view of some of the comments in this editorial I especially recommend the paper by Mats Lindquist on copyright of e-documents.

The issue continues with articles on discography by Chris Clark and Jerome Weber. These had to be heard to be appreciated, but the essentials are reproduced in print. I wonder when IASA will start issuing the *Journal* in cassette form! There are several reports from seminars and conferences held in the recent months including an one from Ray Edmondson on the ASEAN seminar held in June 1995 in Canberra. With a dose of cataloguing information and a full report on the Training and Radio Sound Archives session with special reference to the Training of Radio Sound Archivists there is plenty for most of us. If not you know who to contact to remedy the situation and balance.

The *IASA JOURNAL* is constantly looking for material to publish: articles, reviews, reports of meetings or new developments. Please send anything which you may consider of interest to fellow members to the Editor, address on the front inside cover. Please send copy in either good letter quality or better on PC floppy disc in ASCII format.

The date for copy of the next issue, Number 7 to be published in May 1996 is

31 March 1996

THE FUTURE OF THE PRESENT PAST AUDIOVISUAL TRADITION AND CULTURAL HERITAGE

Joachim-Felix Leonhard, Deutsches Rundfunkarchiv, Frankfurt

Opening Address at the First Joint General Conference of IASA and FIAT at the International Education Center in Bogensee, Germany, September 1994

It is probably the vivid connection of effects of the awareness of the present with the fact that the knowledge of its own past is the source of all historical questioning that makes it so difficult to value recent documents or sources with regard to their future meaning. This holds for approaches in world history as well as for social historical questions of methodology, but it has a special concern when it refers to contemporary history, contemporary cultural history, and - finally - especially to classification and evaluation of audiovisual sources and their transmission as a cultural heritage. The fact that 'past' is no objectively intrinsically safe term for what happened, for the historical or even history itself must always be taken into consideration. The past has, as the British historian J H Plumb writes in the preface of his *Contemplations of the Future of History*, "The past for all societies has been a living past, something that has been of importance day after day, life after life from here to eternity. The more well-read and educated a society becomes, the more complicated and power-orientated the purposes get for which the past is being used." (*Die Zukunft der Geschichte*, München 1971, S. 11).

The more well-read and educated a society becomes, the more complicated and power-orientated the purposes get for which the past is being used. This could still be the opinion of a scholar at a lecture way back in 1968 in New York. Hardly could he then foresee how much "more well-read and educated" society has meanwhile become: If one sees the fact that mankind's knowledge as published in books and papers doubles every 5.2 years as a kind of indicator, or at least quantitative proof as well for concentration as for diversification of the communicative process, the much more this may be true as far as the development of communication techniques is concerned, of whom the multiplication of radio - and television-broadcasts at ever growing ranges at the end of the Sixties and beginning of the Seventies in and through all countries of our earth was only the beginning - the beginning of a development of which we may know that technical and geographical location, but whose end of development we cannot even suspect. Compression and acceleration of the communicative process will, by means of digital technique, broadband cable, and networks, throw a vast part of tradition, even those of communication, overboard. It seems as if the different societies of mankind are gathering in the 'global village' of telecommunication. This is not only a possibility for the future, but the interest of a few multimedia-trusts that, resembling a modern kind of Citizen Kane, govern already multicontinental media-empires and consider researchers into the future like Marshall McLuhan as "mayors of the global village" and especially as co-creators of a new world order that is kept together by an electronic digital network. It is only coherent that for one of the biggest media-trusts and its chairman Rupert Murdoch five of the biggest growth industries (computer technics, communication and entertainment electronics, entertainment and distribution of news) are brought together to a dynamic whole where the chairman plans to "create the best media-society of the world" (*Spiegel* Nr. 32/1994, p. 125).

It also seems as if we face, according to Paul Virilio, prophet of the "*Racing Standstill*" (Munich 1992), an age of "intense time", where means of physical

transportation will not be important any more because they are replaced by means of telecommunication. Whether this age will grant us more communication in the literal meaning of the word, i.e. more social and cultural interaction because in that global village we will be able to notice each other faster and more directly and maybe even better by electronic mail or sky channels, or more isolation because the change in communication will lead rather to more isolation due to "domestic motionlessness" (Virilio) where passwords replace words, is a highly important question. It is an ethical and political question too. It cannot be answered here and today.

This outlook into the future may be gloomy and is, of course, determined by total aporia, as were those of former generations when they looked from their present into the future. Often enough different societies strained to find in their transmissions of the past clues for prognosticating, even deterministically drawing conclusions for the cultural development of the future by investigating their cultural heritage.

As to documents of sound and vision, this does not only have an effect for their evaluation as cultural heritage, but also for the function of radio and television as a medium. For a long time now we have been dealing with radio and television in an everyday fashion and regard these means of communication - that are not exactly new to us - with more or less interest and attention. However, it is not easy to estimate their value in cultural history because there is no chronological distance, and sound and vision have a more immediate impact than documents of literacy. And we do not only want to see so-called outstanding events, developments, achievements, persons etc. as documents and as cultural heritage for tomorrow, but also give our attention to supposedly meaningless documents of everyday culture as, from a social historian's point of view, they also represent an expression of our civilization.

What has been said so far referred to transmission of audiovisual documents as a problem of retrospective contemplation and an attempt at prognostication, but this is only one side because it is also important, whatever audiovisual products are produced today, how they could be turned into the cultural heritage of tomorrow. This leads to the question how the transmission of media society will present itself to future generations, a question that has to remain open as future itself. However, the visual perception of television today already raises the question of truth and reality and whether we do not already take for real what is presented to us that way. After all, we ourselves have become part of this media society that, with broadening its channels of communication, will even in relations of quantity demand a lot from future generations if they want to turn to the transmission of the cultural heritage of today. So the question what we want to regard as worthy for being transmitted as a future past has to remain open too. Might it be possible not only to interpret history but to shape it? But whose task should that be and how?

After these rather general, retrospective and prognostically orientated thoughts about understanding for time and valuation of historical heritage, it seems to make sense to turn towards concrete politics, to programs and projects world wide, European, and national. If one takes a look at audiovisual transmission of the past that has been brought into the present, it is possible to detect a tradition of perception preferring the principle of chronological-geographical distance. To a certain extent this is also true for the UNESCO, the one institution of the United Nations that is like no other concerned with improvement of education and therefore with international understanding, as well as with description and valuation of the cultural heritage of the world. This referred for a long time only to monuments and documents of literacy. Only a few months ago at the 27th General Conference of the UNESCO from October

25th to November 16th 1993 in Paris, it has been accepted, not for the first time, but this time more determinedly, that audiovisual documents also form part of the cultural heritage of the world. UNESCO has actually created a basis for discussions and measures to provide for the cultural heritage of film when at the 21st general conference, in 1980, unanimously passed "Recommendations for the Safeguarding and Preservation of Moving Images." This was to focus on preservation, conservation, restoration, recording of visual documents, as well as on filmographies, on training of specialists and, last but not least, on making movies in the archives more accessible to the public. What had been praised in 1980 as "Magna Carta" of film was in more than one aspect incomplete: These recommendations refer only to movies, including transmission of television and video documents, but not to sound documents within and outside radio, as for example records and audio cassettes as cultural heritage of our times. They were not even mentioned.

This deficit has already been noticed at a symposium of Member States of the KSZE, dealing with the security and cooperation in Europe, from May 28th to June 7th 1981 at Krakow dealing with questions of cultural heritage. Although the recommendations the symposium gave took up the UNESCO recommendation of 1980, paragraph 23 of the concluding document goes far beyond the UNESCO definition and states that "they (Member States) will try to improve the storage conditions for transitory cultural material like paper, film and audiotape as well as draw up national programs for safeguarding transitory cultural heritage as well as agree upon regulations for all kinds of conveyors of cultural productions and to guarantee the continuance of such cultural items (UNESCO-heute, 1994, S. 201).

All that happened at a time of Cold War - as in 1980 when the UNESCO-recommendations were made. Now that the Cold War is over, one could assume these problems could be handled more easily because it is possible to discuss them more openly in an international or national setting. The point in question is whether the problems already known, such as bad storage conditions and inadequate safeguarding, have not been replaced by new ones, especially export and sale of cultural heritage in sound and vision. These problems include the privatization of institutions under public law with the possible consequence that less access to the public is given or only to those agreed by the private owners.

Regarding the UNESCO, not much has happened during the last 10 years, until the 27th General conference in 1993 when the problem was again on the agenda. The German Delegation filed a petition that - independent of the acknowledgement of preservation of historical and cultural monuments at all - the definition of cultural heritage as proof of cultural identity cannot be restricted to monuments only. Landscapes, nature, submarine landscapes and movable and transitory cultural heritage deserve our attention as well. Cultural heritage is more than continuity and tradition, it also stands for life and change. Therefore, the petition asked that when drawing up future programs, a better balance between different forms of cultural heritage should be found. For example, the position of the museums should be reinforced, and safeguarding threatened cultural heritage on paper, microfiche, tape and film be seen as the most important challenge (Hans Dieter Dyroff, Kultur für Entwicklung und Frieden, in UNESCO-heute 1993, S. 70ff.

It is a good thing that the UNESCO now recognizes the variety of cultural heritage and accepts audiovisual documents as part of cultural identity. The stock is threatened by disintegration (even if not everything can be saved, there remains the question which material should be selected), but, more than that, after the disintegration of political structures these documents are in peril of losing their cultural identity, especially in Eastern Europe.

Not at all restricted to Eastern Europe is our concern that archives of audiovisual documents coming under pressure by privatization and commercialisation, which starts with cultural export and might end in, for example, a media trust restricting access to certain material. We had our experiences with this not far from here. After the reunification, private broadcasting stations were interested in buying the complete productions of German Democratic Radio and TV, including rights, and using them for their own programs. One can hardly imagine - or perhaps only too well - what it would have meant to put the cultural heritage of a whole country, a country which again forms a unity with the other part of Germany that needs to be reappraised historically, into the hands of a private trust. It is only due to the effort of the Association of German Broadcasting Stations (ARD) that this material was taken over eighteen months ago in Berlin by the German Broadcasting Archive and is now accessible under conditions of public law to all users - program producers as well as scholars - and secure as cultural heritage and part of a joint cultural identity.

So, sound and visual documents as cultural assets do not only require to be safeguarded against disintegration, but also against privatization as well. But this alone is not enough. It is also time to integrate safeguarding of audiovisual transmission more into the Haager Convention for the protection of cultural assets in case of war and conflict because this serves as a reminder to countries of their duty to safeguard as well as conserve those forms of cultural heritage. This is even more important as the number of armed conflicts unfortunately did not drop after the end of the Cold War but rather increased. Maybe it would be appropriate for IASA and FIAT as international professional associations to take care of these matters, to work out recommendations for the UNESCO, and even to appeal to the United Nations in this case. When doing this, both institutions could emphasize that audiovisual transmission as cultural heritage consist of visual aspects, i.e. film, as has been stated in various documents of the UNESCO and others. They could point out that not only film is worth being protected but also TV-productions and especially sound documents, which are too easily and too often forgotten.

In the wake of efforts, petitions, and recommendations of the UNESCO and KSZE, some efforts of the European Council and the European Union to protect cultural heritage followed. To create an awareness of political union in Europe is not only a question of alignment of currencies or increasing economical productivity in a common European market, but also after years of understandable preferences for economical and trade issues, there is a growing need to understand the heritage of several communities as the common cultural heritage of Europe. That cannot be easy if one takes into account the fact that, according to Arnold Toynbee (*Meine Geschichtsbetrachtung in 'Kultur am Scheidewege'*, S. 12): "History, seen as a history of human societies that we call culture reveals itself as a series of parallels simultaneously and especially shortly undertaken efforts towards a new beginning."

Politically and from the point of view of cultural history it is extremely important to see all heritage, determined by several traditions, as a whole. It is interesting to note that during the most recent discussions of the European Council, the audiovisual discussion on European cultural heritage was included from the outset. However, this only happened in the headline of the draft where European audiovisual heritage is mentioned, while the text itself refers only to visual heritage. A reduction of meaning that parallels to a certain extent the UNESCO recommendations from 1980.

At the moment, this draft is in circulation between the European Vertragsstaaten of the European Council, which includes countries that are not members of the EU. According to Paragraph One, the treaty aims at "preservation of European audiovisual heritage and guarantee of usage as a form of art and evidence of our times. To accomplish that, this treaty aims at:

- Placing every Member State under the obligation to deposit its audiovisual productions,
- Supporting in every Member State the issuing of copies of audiovisual productions for cultural use.

Paragraph Sixteen of the new treaty draft also recommends new measures of cooperation. To achieve optimal usage of resources, to avoid inefficient doubling of work if one applies for access to the material, and to rule out any inefficient economic usage of it, every subscribing party commits itself to require from its organizations of archives to cooperate among each other and with other organizations of archives in the other Member States, with the aim to:

- a) Draw up an European audiovisual catalogue.
- b) Develop standardized procedures for preservation, distribution and actualization of audiovisual documents and information connected with them.
- c) Develop common standards for an automated exchange of information.
- d) Support the preservation of material that makes reproduction of moving images possible.
- e) Support the development of an international standardized number for film to make identification of moving images easier.

These efforts, especially towards developing more concrete terms, can only be appreciated particularly since some of the activities for documentation have already been started as a project of Memoires-Archives-Programmes TV (MAP TV) shows This is mentioned later. It must also be emphasized that the draft - and at the time being it is nothing more than that - expresses principles which center around recommendations to oblige every member state to deposit a copy of whatever films are produced in the particular country and to take care of its preservation and restoration. There are quite a few countries for which this could open completely new territory, but because conditions in the member states are different, the recommendations of the European Council restrict themselves when confronted with this complexity. Paragraph Seven provides exceptions from the obligations to deposit

material, but only as far as historical documents are concerned which have been produced before the treaty comes into effect. Paragraph Nine gives the opportunity that, for example, radio stations can be released from the obligation, but only as far as TV material they themselves have produced is concerned and when they guarantee it being archived.

It is important that the parties should take more responsibilities and obligations - financial responsibilities included - and guarantee public access to the material, as long as this does not violate copyright or other similar rights.

As far as access is concerned, there is a lot to catch up with. In the first place, public interest in audiovisual documents, especially broadcast material, has increased noticeably. Secondly most of the institutions - run by government or by broadcasting stations under public law - which store the material - are not (yet) prepared for such an increase of interest. One has to add that serving the public is not one of the fundamental tasks of a broadcasting archive. Thirdly, these institutions only started editing their audiovisual documents quite recently and are, as far as methodology of editing is concerned, still in their infancy. Here is a lot to catch up with, and this has to be discussed among producers, archivists and scholars and might be topic of an international symposium - even one initiated by IASA and FIAT - dealing with questions of experience and fundamental ideas.

To encourage the development of a conscious cultural identity, knowledge as an important part of education and information is vital. On the European scale, this task was taken over a few years ago by the EU when it set up the so-called media program and within that the sub program Lumière (for restoration of movies) to draw up a filmography, Documentary (to support the production of documentary films) and last, but not least, Memoires-Archives-Programmes TV (MAP-TV). The first two programs deal rather with restoration of material and support of productions, while MAP-TV -residing in Strasbourg - convenes archivists, producers and broadcasting stations, broadcasters, that means archives and their users. MAP-TV supports joint European projects for documentary films which have to cooperate intensively with archives and has also during the last eighteen months supported a joint European project for improving documentation of movie- and TV-archives, publishing the first ever document of this kind.

This project is the European Guide of Film and Television Archives, coordinated by the British University Film and Video Council, London. Information and data about stock have been ascertained by means of a questionnaire translated into the language(s) of the respective countries. This has been coordinated by nationwide archives of the member states, for example by the Institut National de l'Audiovisuel in France, by the Deutsches Rundfunkarchiv in Germany. Organized with British pragmatism, this collection of data will form a catalogue that is to be published in two volumes at the beginning of 1995. Even now it is clear that this will not only be an important work of reference to serve users with various interests but also represents a big step towards drawing public attention to these parts of cultural heritage and the perils they face.

Let us now discuss the situation of audiovisual transmission in Germany of public access to audiovisual documents and their integration into the reappraisal and research of contemporary history.

If one wants to regard history - not only looking back to our days from 100 years afar - as cultural history and not - or not only - as the history of states (Toynbee 'Begegnungen zwischen den Kulturen', S. 160), each culture is also, but not exclusively, - closely related to the respective language and culture group of a certain state or nation. First of all, history is a recollection that is not to be lost, if one does not want to sink into a state of historical unawareness. To lose historical awareness means to become estranged from the roots of one's own culture: "Who is rooted in one's own history and culture", Richard von Weizsäcker, former President of Germany, said, "gains respect for other people's transmissions." So it is necessary to become closer to one's own roots and also to keep an eye on the branching of other trees. Of course this does not mean that one could or should look into the past for directions for a practical shaping of a future, that is and has to remain open, but one should not forget that in many cases in our country research into contemporary history - after the reunification - has to begin anew because the past can so easily be dispelled.

It may have to do with the conservatism German contemporary historians or political scientists show in methodical questions that audiovisual transmission of our most recent history only played a small role in reassessment and analysis. Added to this, unfortunately, documentary broadcasts concerning questions of political and cultural transmission in the radio, the one medium most documents come from, get fewer and fewer because the design of program follows more a philosophy that only considers quantitatively assessable viewing, listening figures, than covering the area of information and culture (which does not necessarily exclude entertainment!). Competition in a dual system of private radio stations and such under public law has, not only in our country, been politically needed to help the transfer back to private ownership of public services, it could mean that cultural politics increasingly has to follow economic principles.

The situation in Germany is certainly not unique, in other countries with private broadcasting stations for radio as well as for TV, the number of those who also archive or keep an archive is insignificantly small. But if transfer into private ownership is going to dominate this part of communication at the end of the 20th century and the beginning of the 21st more and more - would it not be professionally required to pose the question of archives also to the private stations and to draw up certain recommendations? What could, what should IASA and FIAT do, in their role as international specialist associations? Could they actively refer to that question from its political, i.e. cultural political meaning, and integrate it into questions of cultural politics?

The intense use of audiovisual material in schools and universities guarantees a growing cultural interest in audiovisual documents. All the same, industrialized Germany can be seen as a civilized country though there is a lot to catch up with as far as public access to audiovisual documents is concerned. It is beyond question that the archives of broadcasting stations under public law gain access to sources and documents, but only as far as their staff and organizational capacities go. Their true task is to support the production of the program. But in our country there is no institution that could be compared to the New York Museum of Radio and Television or the Videothèque de Paris and that would offer audiovisual transmission, if not complete, at least a selection, as a mixture of a publicly accessible museum, archives and audiovisual library.

Only recently, after several initiatives during the last eight years, such an institution seems to come into being, even if at present it only has the institutional and organizational stability of a delicate plant. Typically enough users, mainly producers, scholars and archivists started from the Berlin Academy of Arts to become active organizing themselves as Friends of the German Mediathek, drew up the idea of a German Mediathek and went so far as to found an office in Berlin-Adlershof in 1995. It is the aim of this trust to set up a German Mediathek in Berlin, which has also been approved by Berlin Council. So, a new institution will arise in our new and old capital, which as other cultural institutions - museums, libraries and archives - should present a cultural mirror image of our country.

Some more thoughts as a conclusion of this address and for the beginning of our conference.

History is always moved and caused by drastic incisions and radical changes. For contemporaries who live during these times it is often difficult to recognize historical processes because they start imperceptibly. It is, after all, possible that the people of 2094 will view our age as we do our past. Karl Jaspers, the famous German philosopher, was probably right when he stated: "We want to understand history as a whole in order to understand ourselves. History is, for us, the past we do not only know about but out of which we live" (in: *Vom Ursprung und Ziel der Geschichte*). It is therefore all the more important to document developments. This has been the case during all ages of mankind. Do we not, after the inventions of Edison, Lumière and Nipkow for magnetized sound documents, film and television, face the task to document our age which is vehemently oriented towards sensory perception according to its acoustic and visual sources? Far from as it was, for example, in the days of Gutenberg this task today seems to be incomparably more difficult and because in the first case the number of those partaking in the communicative process at the end of the 20th century as producers, receptors and reproducers, is far higher and multiplies itself all the time. Secondly, communication is no longer dependent on time or space due to new techniques of whose development; there is no telling.

All librarians and archivists, even those concerned with more traditional conveyors of communication as books or historical written documents, but especially those in sound-, film- or broadcasting archives face the problem of increasing quantities, that archivists of earlier epochs were not confronted with: in those earlier times there existed some criteria of selection, individual or collective ones, theologically or ideologically determined; but the quantity of audiovisual transmission in our days calls for the discussion of criteria to value these transmissions qualitatively. It is an old problem of archives that arises again and again.

To integrate valuation under qualitative and quantitative aspects, to preserve audiovisual transmission as documents of the past in our present for the future as cultural heritage - this voyage is not dissimilar to the one Ulysses and his companions undertook, when they had to manoeuvre between Scylla and Charybdis. Ulysses contemplated his route well - by the way, he did not go right down the middle - but he passed. He had chosen the compromise.

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THIS LAND IS MY LAND; THE ARCHIVE TELLS ME SO; SOUND ARCHIVES AND RESPONSE TO THE NEEDS OF INDIGENOUS AUSTRALIANS

*Grace Koch, Collection Manager, Sound Archive (Music and Oral History)
AIATSIS*

Paper presented during the joint session on copyright and neighbouring rights at the IASA/ARSC/FIAT conference in Washington DC September 1995

In 1988, Australia threw a huge party for its citizens when they celebrated the Bicentenary - the 200th anniversary of the British settlement of Australia. Yet 2% of these citizens, the Aboriginal and Torres Strait Islander people, declared 1988 as a Year of Mourning.

Justice Michael Kirby, then President of the Court of Appeal, Supreme Court, Sydney and Former Chairman of the Law Reform Commission stated hopefully (and prophetically) :

"Notwithstanding the current mood, the Bicentenary may yet stimulate the national consciousness simply because it focuses attention upon our origins (which, from the first, amounted to a typical denial of Aboriginal Australia) and our history since (which has repeatedly reinforced that denial). Ahead of us lies an agenda for change in attitudes, laws and policies." (Kirby 1988: 30)

Kirby's agenda has become reality. Since 1991, a number of dramatic political developments have caused Australian libraries and archives to reexamine their attitudes, laws, and policies in relation to the needs of the indigenous people of Australia. I will describe four of these events and outline some of the responses taken by archives and the government, looking specifically at how changes will affect audiovisual archives. I will also raise a number of questions, including some legal issues.

THE EVENTS

Royal Commission into Aboriginal Deaths in Custody (1991) Recommendation 53:

The shocking increase in suicides and premature deaths of Aboriginal people held in jails led to the establishment of a Federal investigatory team, or Royal Commission.

Research commissioned by the Royal Commission showed that the death rate was highest for Aboriginal people who had been taken away as children from their families because of past policies of the Government. Recommendation 53 outlined the need for Federal, State and Territory governments to provide access to archival records pertaining to family and community histories for indigenous people so that they could

re-establish community and family links (Rosly 1995: 65). The oral history collection of audio tapes in the AIATSIS Sound Archive is a source of such genealogical information.

Council of Reconciliation Act 1991

Supported by the Department of the Prime Minister and Cabinet, this Council was formed to promote a deeper understanding of the history and culture of indigenous people and to address current disadvantages. Indigenous people hold 14 out of 25 places on this Council. One concern of their work is how Aboriginal people have been portrayed in literature and the media. (Australian Institute for Aboriginal and Torres Strait Islander Studies 1993: 38) Our archives hold copies of broadcasts and other recordings that reflect the attitudes of the times.

Native Title Act of 1993

Since the first white settlement in Australia, there was the legal fiction that the land was not owned by anyone, even though people had been living there for thousands of years. This concept, known as 'terra nullius' failed to recognise any rights to land for the indigenous inhabitants.

The injustice to Aboriginal people was partially redressed in 1976, when the Federal Government passed the The Aboriginal Land Rights Act (NT). Groups of Aboriginal people could gain title over land that had not been previously "alienated" or registered as having been purchased, provided that they could meet the criteria of "traditional owners" as defined in the Act. This Act, however, was only valid in one area of Australia, the Northern Territory.

In 1982, four Meryam people from Murray Island in the Torres Strait questioned the right of the Queensland Government to control the use of the island without considering their rights. The case, known as the Mabo case after one of the claimants, Eddie Mabo, was taken to the High Court of Australia.

In 1992, one of the most dramatic legal decisions in the history of Australia was handed down by the High Court. They ruled in favour of the Meryam people, thus overturning the concept of 'terra nullius'. A new type of land right was established- Native Title. The Meryam people were acknowledged as having rights to the land by virtue of maintaining their customs and their laws. Part of the proof consisted of reference to archival materials - wax cylinder recordings made in 1898 by the Cambridge Expedition to the Torres Strait.

In 1993, the Federal Government of Australia drafted the Native Title Act, which extended the concept of Native Title to all of Australia. The Act came into effect on 1 January 1994.

Native Title differs from the Aboriginal Land Rights Act (NT) of 1976. The earlier Act allowed for Aboriginal people to claim land in that Territory provided that they could meet the criteria of "traditional owner" as defined in the legislation. Native Title, however, allows the claimants themselves to define the meaning of that title. An application is lodged with a government body. This includes a map of the area being

claimed and a statement of the sort of rights which define their ownership of that area, such as the right to perform a particular ceremony there.

Historical evidence showing continuous connection to the land is of prime importance, and recordings form a vital part of this evidence. Archives and libraries are receiving a rush of requests for relevant information. AIATSIS has received funding to appoint a person to co-ordinate requests from local Aboriginal representative organisations and land councils for sound recordings, videos, photographs, and print material. The importance of such documentary evidence is stated clearly in the next event.

Appointment of the Aboriginal and Torres Strait Islander Social Justice Commissioner 1993

The present Commissioner, Michael Dodson, is also a member of the AIATSIS Council. In his 1994 lecture to the Membership of AIATSIS, he says.

"Far from being dead, passive or conservative, the past is dynamic, active and potentially revolutionary. It (is) ... a powerful reality in which we can root our autonomy, our sense of ownership of ourselves, and our resistance against assimilation. ...In this sense, (AIATSIS) is a resource of freedom. It holds many of the memories and stories from which the contemporary voices of Aboriginality will emerge ... Aboriginal peoples have found the liberating power of remembrance." (Dodson 1994: 1 1)

Recordings of those memories and stories form an integral part of the AIATSIS Sound Archive.

SOME RESPONSES:

Towards Federation 2001 meeting (March 1992) and Review (December 1993.)

In March 1992, the Australian Council of Libraries and Information Services (ACLIS) participated in a national conference entitled "Towards Federation 2001: Linking Australians and their heritage. The aim of that meeting was to discuss ways of developing a system of information retrieval via computer networks which would allow all Australians to gain access to all "significant items of the Australian recorded documentary heritage, and to obtain access to the intellectual contents of those items within a reasonable time at reasonable cost." (Cochrane 1993: 1)

This draconian plan recognised the need for special care to be taken with indigenous materials, and in the Review resolutions, it was stated that:

"...the National, State and Territory libraries and archives and other collecting organisations, establish advisory mechanisms which will result in improved access to documentary heritage by and for Aboriginal and Torres Strait Islander peoples." (Towards Federation 2001 Review 1993: p.25)

One of these mechanisms was a Roundtable on library and archive collections and services relevant to Aboriginal and Torres Strait Islander people. Our experience in managing collections which are almost totally made up of Aboriginal and Torres Strait Islander cultural materials gives AIATSIS an important advisory role at the meetings, and we sent two staff members to the December 1993 Review meeting.

Council of Australian Museums Associations (CAMA) Dec 1993 launched the policy document, Previous Possessions, New Obligations

A step further in recognising the need for a new policy for managing Aboriginal cultural heritage material held in museums was developed by CAMA after negotiation with many indigenous groups both in Australia and overseas. Chief among the recommendations was the recognition of indigenous control and self-determination in relation to their cultural heritage. In our terms, this means increased participation of indigenous people in managing and developing collections.

The workshop, 'Gathering and Sharing', held at AIATSIS in November 1993.

This meeting brought indigenous and non-indigenous information management staff from a number of institutions together in order to discuss the special issues involved in handling Aboriginal and Torres Strait Islander materials, such as training of staff, customer service and handling of ceremonially restricted and other sensitive materials. An outcome of this meeting was the formation of the Aboriginal and Torres Strait Islander Library Resource Network (ATSILRN). This network and AIATSIS were represented in the next project.

The Consultative Workshop on National Protocols for Aboriginal and Torres Strait Islander Information in Libraries, Archives and Information Services, September 1994.

The original protocols, or guidelines, were drafted at University libraries in Darwin and in Adelaide by Aboriginal and other librarians. These outlined procedures for sensitive handling of print and audiovisual materials relating to indigenous people within institutions. They address issues arising from:

- content about and representation of Aboriginal and Torres Strait Islander people within collections
- access to these materials by indigenous people
- employment of Aboriginal and Torres Strait Islander people in the management and control of cultural materials

The protocols should be interpreted within each collecting institution's mission statement, collection policies and client base. ATSILRN will be discussing these protocols further at its meeting in Darwin. I will refer to these later on.

The issues paper, '*Stopping the Rip-offs*', was put out jointly by the Federal Ministers for Justice (Duncan Kerr), for Aboriginal and Torres Strait Islander Affairs (Robert Tickner), and for Communication and the Arts (Michael Lee)

In 1981 the Government-sponsored Working Party on the Protection of Aboriginal Folklore released its report which examined the difficulties of protection for such folklore within existing copyright law, looked at activity overseas in protecting indigenous cultural property, and, on the basis of these points, proposed legislation to protect "artists and folklore." (Department of Home Affairs and Environment 1981: 3). Unfortunately, nothing was done to implement the findings.

However, in October, 1994, in response to the Prime Minister's call for reconciliation between indigenous people and other Australians in his 'Creative Nation' policy statement, the paper, '*Stopping the Rip-Offs*' was published. Some of the issues raised by the 1981 report appeared again, this time in shorter form.

It describes the current copyright protection available for indigenous Australian cultural expression (which includes all forms of artistic expression which are based upon culture and tradition derived from communities which are continually evolving (Hawkins 1995: 7)). The paper suggests new ways to improve that protection. (Commonwealth of Australia 1994: v). Approximately 3000 copies of the paper along with a set of provocative questions inviting comment were distributed to Aboriginal Land Councils, Legal Services, indigenous media associations and other relevant groups. Some of these issues will arise later in this paper.

LEGAL ISSUES:

The AIATSIS Sound Archive, along with the other AIATSIS collections, has been influenced profoundly by the political events of the last four years. Sound and video recordings provide evidence in court for some of the following types of legal proceedings:

1. Tracing parentage: oral historical evidence identifying the families of Aboriginal people who had been removed from their communities and sent to training centres or orphanages because they had some white ancestry.
2. Native Title Act 1993: recorded song series which trace the travels of totemic or ancestral beings through the land in the time before living memory (the Dreamtime). The owners of the songs traditionally own the land being described.
3. Land Claims (NT Act 1976) Videos documenting the reactions of old people returning to their land after being away for long periods of time, such as calling to spirits and crying to assert their identity as owners who had finally returned.

RESPONSES OF SOUND ARCHIVES:

Sound archivists are having to face a number of issues in relation to their holdings of indigenous cultural materials. The National Protocols outline procedures for consideration in handling of these materials. I will examine three areas requiring a response, refer to some relevant Protocols, and demonstrate how AIATSIS is working

to answer these issues.

1. Archives who actively collect such materials are re-examining their collection strategies and policies.
2. Archivists have had to look at copyright laws that govern Aboriginal and Torres Strait Islander cultural materials.
3. All archives within Australia have had to examine their access policies in the light of needs of Aboriginal and Torres Strait Islander people.

1. Collection strategies and policies.

Three of the Protocols (Draft recommendations 1995: 2) are particularly applicable to sound archives. All can be reduced to one phrase: indigenous involvement.

Seek to balance collections by acquiring material by as well as.. about Aboriginal and Torres Strait Islander people.

This means increasing our collection of published music recordings by Aboriginal performing groups, oral history projects, and indigenous broadcast material. AIATSIS is funding projects in oral history by indigenous researchers, and systematically ordering published recordings made by indigenous music groups.

Promote the existence and availability of collections and provide clients with an explanation of any conditions governing access.

As yet we do not have a published catalogue of our holdings, however we are in the process of establishing a home page on the Internet. Many Aboriginal communities have sophisticated computer facilities. Also, our Community Access team, who publicise AIATSIS and its activities to Aboriginal Councils and groups throughout Australia, has been taking listings of relevant recordings on their visits.

Facilitate the development of Aboriginal and Torres Strait Islander community keeping places.

Our policy of Return of Materials to Aboriginal Communities whereby we provide up to \$ 100 worth of specified, relevant recordings to incorporated local resource centres or "keeping places" partially answers this request.

2. Copyright laws

The Protocols insist that the primary rights of the owners of cultural material must be recognised and ways must be established to protect those rights.

Legal reform for copyright law is being sought in three areas: recognition of

ownership, concrete expression of ideas, and the definition of originality. While copyright protects most living Aboriginal artists (and performers), it is at variance with some major aspects of Aboriginal customary law. Copyright protects individual rather than collective rights, the expression of ideas rather than ideas themselves and originality rather than tradition (Riordan 1993: 42).

- Most living Aboriginal artists and performers who live in major population centres are covered but not the group who may be traditional owners of the knowledge.

- The publications produced from recorded materials are protected while the people holding the knowledge recorded are not protected. If such publications are issued against the will of the traditional owner of the songs or stories, the only legal recourse would be to claim "breach of confidence". This could be very difficult to prove in court.

- Traditional songs and stories which have been handed down orally for centuries are not covered if the originator cannot be identified.

The Issues paper, *Stop the Rip-Offs*, offers several possibilities for legal reform. Sound and audiovisual archives would be affected by the following suggestions.

1. Unlimited term of protection.

Determining the owners of copyright for audiovisual materials could be very difficult beyond the 50-year rule which now exists.

2. Recognition of group ownership

How could the law define the membership of a copyright-holding group, especially in the case of a dispute which is based upon tribal affiliations? Archives will need to establish workable procedures to clear copyright, especially with the demands of the world music industry and the interest in traditional music.

3. Recognition of moral right by law

Moral rights mean that traditional owners hold all rights to their tradition in every way. Such moral rights will include the right to be named as the creator of a work, or 'right of attribution' and the right to object to derogatory treatment of the work that will reflect upon the creator's honour or reputation, or 'right of integrity.' (Federal Government of Australia 1994: 4). This will mean that collectors of recordings will have to inform the archive of who holds the moral rights to the songs, stories and other contents of the material on the tapes. It also means that when copies are made, a license stating the user's intent should be issued. The 'right of integrity' also requires that any restrictions as to secret/sacred material be respected and negotiated with the people having moral rights.

3. Access policies

Several of the Protocols outline major changes in the way many archives will deal with indigenous cultural materials. I will list these with AIATSIS's response.

a) All archivists dealing with indigenous cultural materials should have some form of cultural awareness training. They should be able to understand issues relating to restricted materials, such as the fact that some songs can only be heard by men or only by women, and should know how to relate properly to Aboriginal and Torres Strait Islander people from various parts of Australia. This involves recognising moral rights.

At AIATSIS, all people working in the Sound Archive have worked previously with Aboriginal people in communities or have done significant research in Aboriginal Studies. Also, we are planning a course in Cultural Awareness to be run by indigenous staff members for new employees.

b) Aboriginal and Torres Strait Islander people should be employed by collecting institutions to deal with the public, especially in reference areas. Another part of this recommendation is to employ indigenous liaison officers to publicise the collections to Aboriginal and Torres Strait Islander communities.

Approximately 25% of AIATSIS staff are Aboriginal and Torres Strait Islanders. AIATSIS maintains a Community Access Programme which travels to Aboriginal and Torres Strait Islander communities, publicising AIATSIS activities and its collections. Our Technical Services section has run a successful work-study programme for the training of audio and video technicians.

c) Aboriginal and Torres Strait Islander people should be consulted in the planning and design of archives to create welcoming and suitable environments.

Within the next decade, AIATSIS will be moving its premises to co-locate with the Gallery of Aboriginal Australia - a part of the National Museum of Australia. Our Council will have strong input into the design.

d) In consultation with Aboriginal and Torres Strait Islander people, develop a national thesaurus and subject headings which are culturally sensitive and promote effective retrieval. (National Roundtable 1995: 4)

Alana Garwood, a qualified librarian and Aboriginal woman from the State of Victoria, has been working for two years on this project as part of a team. This thesaurus is now in the last stages of preparation, and will be published by the end of this year.

IASA'S ROLE

At the International Council of Traditional Music (ICTM) conference in January 1995. Anthony Seeger proposed three ways in which ICTM could help indigenous peoples maintain their rights in the audio and video recordings produced during field work.

1. Encourage the intellectual study and practical recommendations on areas that are appropriate to the Society.
2. Avoid any official associations with companies or organisations that do not act appropriately in this area.
3. Encourage the transfer of practical knowledge to local communities so that they may take steps on their own to protect their rights within the laws of their particular country.

I would like to suggest that the IASA Research Archives Committee and the Copyright and Ethics Committees could consider these suggestions in their work.

In conclusion, Marcia Langton, Chair of AIATSIS, states a vision of our future role.

The challenges in devising policies for research, museum, library or archive collections lie in finding the best way to provide a high curatorial standard, so that the heritage values are preserved, and at the same time to avoid repressive policies that restrict the freedom of researchers. (These policies must) preserve the integrity of Aboriginal culture, history, religion and ceremonial life. This is particularly important given the demand by Aboriginal and Torres Strait Islander people themselves to have aspects of their (culture) recorded for posterity. We can and ought to demand restricted access to some records. But (for) any particular item, it must be the indigenous people with the authority in the particular group who own the information who advise on research and curatorial practices.(Langton 1993)

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U.S. COPYRIGHT AND THE REST OF THE WORLD

Mitchell Salem, NBC

Paper presented to the session on copyright during the IASA/ARSC/FIAT Conference in Washington DC, September 1995

We hear a lot today about "cutting edge" issues in the world of copyright. Truthfully, though, cutting edge issues impact infrequently on a what I do for a living, except in the abstract. I do a lot of things at NBC, including "Saturday Night Live" and other shows, as well as a great deal of trademark, but my responsibilities include the copyright issues associated with the NBC News Archives. I thought I would look at the day-to-day functioning of a network television archive and the copyright issues that really do come up on a regular basis.

NBC's Archives relate mostly to its news programming. Although there are collections of NBC's entertainment programmes, they are mostly with the Library of Congress and the Museum of Television and Radio. There are a variety of reasons for this, many of which relate to tax or other business issues. We have the right to continue to use these materials, and the Library and Museum work with us with respect to licensing third parties.

I am not going to say very much about NBC's entertainment programming today, since the bulk of the network's organised archival program relates to news, but there is one interesting copyright issue that is worth mentioning. Some of you who have experience dealing with programs from the early days of television may be aware that the agreements under which they were produced seemed to lack something that we all take for granted nowadays: a provision stating who owned the copyright. Networks, production companies and sponsors worked together in ways which were in some cases quite different from the way they work today, and the documentation often neglects to specify who owns the resulting show. This can - and does - lead to questions about ownership, now that vintage shows may have value for cable, videocassette and other uses. In the absence of written agreements, the whole relationship between the parties has to be examined, looking for indications of authorship and ownership. Who hired the talent? Who chose what projects to film? Who dealt with the unions? These tangled issues are some of the reasons that certain classic television shows remain locked in network and other vaults.

Turning to NBC News - the NBC News Archives consists of television videotapes and kinescopes, sound recordings from the days of radio, and documents. Much of the material existing in Archives is of historical interest and importance. In addition, particularly in this universe where new media and new potential uses seem to spring up every few moments, much of it is potentially of commercial value. Use of it also may entail some risk.

The NBC News Archives has two basic functions. Archives provides footage for internal use on NBC programming, and licenses out footage for use by third parties.

Let us talk first about NBC's internal use. This may involve use on NBC's regular shows such as the Nightly News, Today, or Dateline. Archival footage may also be used in documentary specials. The footage, incorporated in the new piece, may be fed out to NBC's affiliates for use on local news. In addition, NBC has two cable networks, CNBC and America's Talking, which sometimes have need of footage.

As you know, footage in Archives consists sometimes of finished, prepackaged news pieces and sometimes of raw footage that was or could be used for news packages. This may include some outtakes, although as a matter of general policy we do not license outtakes out to third parties. A great deal of the footage in Archives is shot and owned by NBC, and NBC has the right to reuse it in whatever media and whatever context it wishes. However, some of the footage is owned by others, and was used by NBC under certain legal or contractual rights.

In theory, Archives is not responsible for determining the ownership of the footage included in pieces sent to them. The people who send the footage to Archives are expected to notify Archives that the pieces they send are potentially problematic by saying what footage is contained and what the potential issues are - which is not to say that this actually happens as much as it should. Often Archives is left to make judgements itself.

Footage put in Archives that is not owned by NBC is referred to as "Restricted", although in fact it may be usable again in certain circumstances. Restricted footage may have been licensed to NBC for use in the original piece, or may have been used under the doctrine of "fair use."

What about "fair use". The judgment of whether something is or is not fair use is not made in Archives, simply because Archives does not know enough about the context of the desired use to make the decision, and besides, the lawyers are supposed to be getting paid to do something. Many of you are probably aware of the concept of "fair use" under copyright law, which in certain circumstances allows limited use of portions of copyrighted works without the permission of the copyright owner, I cannot give you any rules that clearly define fair use, in terms of number of seconds or nature of use - I can only say that it is a decision we face on a case-by-case basis, and that we are fully aware that as a television network and producer, we are copyright owners as well as users of others' copyrighted works.

One point on fair use that is relevant here is that the fact that material was used once under fair use has no bearing on whether a subsequent use is also fair use. Material that makes its way into Archives because it was fair use in an NBC piece must be reevaluated whenever someone wants to use it in another piece.

So, essentially, non-NBC footage in a piece is always to be labelled as restricted, unless it has been given, sold or licensed to NBC without restriction, or where it is in the "public domain."

"Public Domain" is a term you hear often, and let me take a moment to clarify the term. Materials that truly are in the public domain are completely fair game, not only for one user but for anyone in the world. (This is with respect to its copyright - there could still be right of publicity or other rights associated with the materials.) They fall into certain specific categories.

Materials created by the government are public domain. They may be restricted by security and other concerns, but the government cannot stop the press from using them by claiming copyright infringement. However - and this is an important caveat - the government may include materials copyrighted by others in its reports or other works, and those materials, are not placed in the public domain merely by virtue of their being in a government report. One real-life example was the recent Justice Department report on the Waco shootout: the report included clips from a local station's footage of the Waco incident. That footage, as the station was quick to point out, continued to be under copyright, and could only be used under license or as justified by fair use. In NBC's case, the Nightly News used just a few very specific seconds to illustrate the fact that the videotape showed shots coming from a certain direction. Dateline, on the other hand, wanted to include more of the station's video, and entered into a license for its clips.

Government works are in the public domain from the moment of their creation; other works may be copyrighted initially, but lapse into the public domain when their term of copyright expires. As of now, this would include works copyrighted prior to 1964 which were not renewed by the copyright owner. Works after 1964 either have been automatically renewed or are still in their original term of copyright.

It is important to note, on a practical level, that one should always assume copyrighted works were renewed unless there is specific reason to believe otherwise. Basically, the only specific reasons that are meaningful are where the Copyright Office tells you the work has not been renewed, or where someone is willing to represent and warrant in writing that the work has not been renewed, and is willing as well to indemnify you against any loss, liability or other damages if they're wrong. Incidentally, an indemnification is only worth as much as the indemnifier has; indemnification by a small company or individual with limited assets which turns out to be wrong will give your company limited comfort.

For your information, works created in 1978 or later are protected, if originally copyrighted by the author, for the life of the author plus 50 years. This period is currently under debate legislatively, and may be extended to life plus 60 or more years. For works from 1978 or later, if copyrighted by the author's employer or anonymously authored, the work is protected for the longer of 75 years from publication or 100 years from creation, with no need for renewal in any case.

Published works copyrighted prior to 1920 have passed their renewed period, and should be in the public domain. However, there are exceptions. If the work was never published, it would not be public domain unless it were created prior to 1895. The question of "publication" under the Copyright law is a complicated one; for example, the mere broadcast by NBC of a work is not considered to be publication, but the delivery of a show to NBC by an outside producer may be.

Note, in addition, that even if an underlying work is in the public domain, the version that you have may not be. For example, a Beethoven symphony is clearly in the public domain. However, the recording of a particular orchestra's performance of the symphony is separately copyrightable, and so is a new orchestration or other modification of the original work. This applies to new translations of classic written works as well.

The other category of works in the public domain are there because they used incorrect copyright notices or otherwise violated the rules of copyright. These rules have recently been made far more lenient, and in some cases recapture of copyright may even be possible. In addition, there is the "It's a Wonderful Life" situation, where the film as a whole had passed into the public domain, but certain elements of the film such as the music were separately copyrighted, and a company was able to claim exclusive rights to distribute and exhibit the film based on those elements. This is still a somewhat controversial approach, but NBC, as the purchaser of the exclusive TV rights to "It's a Wonderful Life," has accepted it.

Let me mention one tricky point about public domain works. As you may know, NBC is now to some extent an international service: we broadcast in Europe over NBC Superchannel, and in Asia over CNBC Asia. The fact that a work is in the public domain in the US does not mean that it is public domain throughout the world, particularly if it's US status is due to a lapse in notice or other formalities. Be very careful in sending out a work that you know will be used internationally - if you do not know whether it is public domain on a global basis, be sure that you are not liable for any risk. With respect to NBC's own daily international use, obviously it is not possible on a practical basis for us to be experts in the laws of a hundred countries. We try to tread carefully.

Apart from copyright, the other types of restrictions on materials included in NBC pieces are contractual. Often the network licenses footage from the copyright owner for use in a report, and we do not have any more rights to use the footage than the license gives us. Again, the producers of the piece are the ones who know what licenses they have entered into, and it is their responsibility to inform Archives if the footage was only permitted for one-time use, or only on broadcast TV, or only in the United States, or has other limitation. Even if fair use would apply to a subsequent use, release of the footage for the later purpose may expose the company to liability for breach of contract, because there was legitimate access to the footage only for the uses licensed.

The subject of licensing brings me to the other major function of NBC Archives, which is licensing out our footage to third parties. As you can well imagine, a huge variety of users want to licence NBC material, to be shown in feature films, documentaries, CD-ROMs, online services, videocassettes, cable television shows, museum editions, and even sometimes in advertising and promotional campaigns. Providing this footage is a service that NBC performs; it is also a profit center for the company. So long as the use is one NBC does not mind being associated with, we are usually cooperative. Naturally, our licenses are specific as to the media and territory of the licensed use.

We put a copyright notice on any footage we license - the rules requiring notice have loosened up quite a bit, but we still we believe it to be good practice. In addition, all videotapes that Archives sends out contain a notice telling the user that the footage may only be used for the licensed purpose, that no additional exhibition, distribution, duplication, performance, broadcast or other use is permitted, and that the tape may not be used in any litigation without the consent of NBC. This latter restriction is important, because obviously it is not unusual for parties to lawsuits or criminal proceedings to want footage from NBC in order to prove some aspect of their cases. We will provide broadcast footage, (but not outtakes) in response to a formal subpoena unless we believe there is a reason to fight the subpoena, but we will not stumble inadvertently into becoming embroiled in a litigation simply by responding to a party's request for a tape.

Regarding the issues I just went over, as to whether we have the necessary rights to all the footage and other material contained in our reports, we do not take any risk on that issue when we license out our pieces. Our agreements require that the licensees get all releases, permissions and consents necessary for use of the materials contained in the tape - this includes not only clearance from copyright owners of the materials contained in the piece, but also may involve right of publicity, potential libel, union and other issues for the participants in the footage. We require that the use of the footage not distort its original meaning. We make no representations or warranties as to our ownership of the materials we license. In addition, the licensee must indemnify us for any failure to obtain consents and releases or other liability arising out of the licensee's use - although, as I noted before, an indemnification is only worth the resources that the indemnifier has.

Our licenses specifically do not include any use of NBC trademarks, logos, talent or voice-over. We do on occasion allow use of those things, but they require special approval of the network's corporate communications department or the specific talent involved. The danger here is that use of these things may imply actual NBC endorsement of the work we are licensing to, or endorsement by our on-air talent, and we only allow that with our eyes open and with a willingness to make such an endorsement.

We require that NBC receive a credit in the finished product for the use of its materials, and we also require that the licensee provide us with a copy of the finished work, so that we can check that our requirements have been met.

There is just one other area I want to mention here today, because it is the most talked-about kind of new use: computers and on-line services. NBC has its own web-site on the internet, and is also a participant in the new Microsoft Network, where our area is called NBC SUPERHET. We also have a service called NBC Desktop, which provides live business news and proceedings on people's office computers, as well as transcripts of such proceedings. In addition, we are increasingly asked to provide materials for others' use. One issue we very recently had was a proposal to digitize certain historical NBC broadcasts so that they could be put on the internet. This is unresolved as we speak, but we have certain concerns about such use. As you know, it is now possible for users to make almost perfect copies of materials received on-line - once we release our footage or sound recordings, we feel that we will have lost all control over their future use by others. Even though we would theoretically be able to pursue infringers and unauthorized users, that may do us little good on a practical level. In addition, such unrestricted release could drastically reduce the commercial value of the materials. This is also an issue on CD-ROMS, of course, but at least there we are licensing the work for such use and receiving some revenue, so the risks have their compensations.

In terms of our own online uses, one of the things we have been putting in our Microsoft Network area and NBC Desktop core transcripts of NBC News broadcasts. On a business level, this raises issues as to whether we want our own use to be exclusive or whether we are willing to allow others to print our transcripts as well. Legally, the transcripts are now done so quickly that we have to put a disclaimer on the materials, noting that we are not responsible for errors or sessions in the transcribed works.

And there you have it. For the most part, NBC News Archives manage to provide footage and materials both internally and outside NBC that is of historical value and great interest. We try to do this with a minimum of risk and a fair amount of care.

COPYRIGHT: NEWS AND SPORT

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Paper presented at the joint conference of the IASA/ARSC/FIAT conference in Washington DC, September 1995

INTRODUCTION

Audiovisual archives are the genuine treasures of our time. They are pure gold to any journalist, any TV - or production company, any teacher or scientist. Film, video and sound recordings, they are all there for us to pick up and enjoy, on our own premises, but alas ! - not always available for secondary use outside.

AND WHAT DO WE MEAN BY "SECONDARY USE" ?

For any broadcaster's archive material, "secondary use" is of course first and foremost a repeat transmission on its own channel, either in its original form, or included in a new programme. Further, it is also secondary use when we sell it to other broadcasters, either as a programme or as footage.

But more and more often we find that "old" programme material is of great interest outside good old broadcasting, for distribution on video, for instance, or on CD - or even CD-Rom. To sell stockshots for use in commercial advertising, is another source of possible income.

WHAT SORT OF MATERIAL DO WE POSSESS ?

We are in this context primarily talking about film, video and sound recordings. In principle, however, also about photographs, sketches and written material.

The material that we can call fiction, including drama, music and light entertainment, will normally be protected by law as "creative work", implying that it has come about as a result of an intellectual effort by its creator. However, I will not go into the use of "fiction" material.

Neither will I go into documentaries - reports on real life, presented in a form that in itself is a "creative work", and like fiction, protected as such.

I am merely going to talk about the material that we can call news and sports. The reports on actual events that takes place in the world around us, in a form that in most cases does not represent an intellectual effort, a creative work, and is not protected as such. However, it may still be protected and may still not be available for secondary use! Simply because it belongs to somebody else! Somebody may own it!

WHAT IS "NEWS AND SPORTS" MATERIAL ?

I suppose we all know what "sport" is; either we love it or we hate it - and especially so when it's on television. "Archive sports material" is of course then simply a report - in some form - on a sports event.

One could on the one hand say that there is very little difference between figure skating or a gymnastic floor exercise - and a ballet. In both cases slim youngsters move choreographically to beautiful music. And sometimes there is much more drama in a good game of football than in an average feature film! Still, the one is considered "a creative work", the other is not. Why ?

We all know the difference, but sometimes it is hard to define. Why don't you try, all of you, and give me a hint?

The same goes for the term "news". We all know what it is, but it still may be difficult to put into words. My definition would be, "news is a short report - in some form - about something which has actually happened, somewhere in the world around us".

But - reliable as it may seem - the definition already invites a number of questions: - Does the report have to be true? - Does it have to be of general interest? - Does the event have to be unexpected? - Does it have to be recent? The Norwegian explorer Roald Amundsen reached the South Pole in December 1911; the news of the event reached the world in March 1912.

And finally, is it the event itself that is "the news", or is it the report on the event ? I put the question. Do tell me!

WHO OWNS THE NEWS AND THE SPORTS MATERIAL ?

If it is not all your own, there will be two possibilities: - somebody may own the event on which we have a report or somebody may own the report.

Allow me to make one strong basic claim: The event itself is never owned by anybody, and anybody is free to do a news report on it - in any form and for any purpose whatsoever. Anybody can take a picture of a traffic incident or a killing and sell it to a broadcaster. But!

And indeed, there are a lot of "but's"! Such as the one that you are not permitted into anybody's house - or garden - not even to report on a criminal offence. Or the one that you cannot bring your camera into anybody's concert hall or football stadium. And you cannot primarily because these events take place on private property, and "they" - the owner of the place or the organizer - can set the rules for your entry.

Back in the good old days, broadcasters - at least in Europe - could do news reports on any and all sports events, free of charge, just like that. This is no longer true, and in most cases we have to buy news rights the way we buy ordinary transmission rights. The Golden exceptions are the Olympics Games and the International Ski Federation's World Cup Events. They still grant news rights to all, free of charge.

And when it comes to the world of the more intellectual arenas, like the theatre, concert halls and art galleries, we are, in most countries secured a certain right to cover opening nights and the like - by law. But that is about it. All further exploitation will have to be cleared in advance with organizers, authors and performing artists - even when it is only for "news".

And above all, do remember that even though you at the time did have a right - by agreement or by law - to do a news report, this does not automatically give you the right to use it again, neither for your own programme, nor to pass it on to others. "News" is not "news" forever!

So much for the event itself. But what is probably more of a problem, is the fact that the report itself is always owned by somebody - and unfortunately not necessarily by you. It may well rest in your archives, and the physical copy may well be yours, but the content - the report itself - may be somebody else's property. Like another TV- or production company, like a news agency or a freelance journalist. Anybody but you!

And the vitally important thing to do, is, of course, to look into the agreement by which you got hold of the material in the first place - and find out what rights you were granted, at the time.

In this context I will draw your attention to three different cases - in my experience all very essential.

The one applies to all active members of The European Broadcasting Union (EBU) and states that all news items received from another active member via the Eurovision News Exchange can be used free of charge in any sort of programme and with no time limit - by your own broadcaster. But they cannot be sold or given to non-EBU members! So, if such an item is included in one of your own programmes, this programme cannot be sold without permission from the EBU-member by which the item is produced and offered.

The other example applies to material received from a news agency. In most cases these items can be used again by your own broadcaster, but "in news programmes only". You may, of course, choose to define "news programmes" in a somewhat liberal way and let's say include a CNN item in your own current affairs programme on political refugees from Cuba or Bosnia - and risk being faced with a hefty CNN charge.

However, do remember that the question of whether or not you did go too far, can only be decided by a court trial. Even CNN does not always possess The Truth.

My third example is the one where you want to use again - or sell - an item where there is no agreement at all. An item brought to the house in a rush by a freelancer, with no written contract, and then stored in your archives - just in case. Do you recognize the situation? The only decent thing to do, is of course to get in touch with the poor fellow and offer him an additional fee for the secondary use. But then again, we are not all decent all the time - are we ?

PARTICULAR SPORTS PROBLEMS

We have till now been looking at secondary use of news. News items can of course also be news on sports, 90" of highlight from a football match or the finish of the London Marathon. But in our archives many of us do also keep recordings beyond news, of longer transmissions on important sports events.

Do remember that these recordings - like news items - are also protected by owner's rights, even though they may not be considered "creative works". The fact that they are on your tape in your archives does not necessarily mean that they are free for you to run again, to sell on video - or to pass on to other users.

Therefore - once again a warning - do not touch them, until you have checked your contract, and do remember to check your rights towards both the owner of the event (the organizer) and the owner of the signal (the host broadcaster).

Finally, since we now - in a time of growing greed - are dealing with the buying of transmission rights even for radio, I will just warn you, that you may find that there will be limits to your secondary rights even on your own radio commentators' reports.

WHAT ELSE CAN LIMIT YOUR SECONDARY RIGHTS ?

Not much. However, let's not forget that you in your archives also may possess sensitive material. Sensitive with regard to private citizens, or the State. Material that - at the time - it was fully acceptable to exploit, but that we today - with hindsight - may do right in withholding.

Finally a word on the question of copies for schools, universities, researchers and private users in general. I am sure you all get a lot of such requests, and I'm sure you all have found your own way to deal with them. Let me just stress one vital point here, namely the fact that whoever you provide with access to your material, if he or she uses it beyond his or her rights, the offended party can always hold you responsible. And in most cases they will.

So, good luck!

LONG TERM STRATEGIES FOR ELECTRONIC DOCUMENTS - REPORT FROM A SWEDISH STUDY

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The proliferation of electronic documents (henceforth called e-documents) both from original sources and from the conversion, mostly by digitization, of traditional documents calls for increased attention to the questions of preservation and access of these documents.

A Swedish study was launched in May 1994 by the Royal Library (KB) in cooperation with the National Archive of Recorded Sound and Moving Images (ALB) and the National Archives (RA). The objective was to identify methods for the long term preservation and access of e-documents. Subsequently, in USA, a similar study was initiated by the Commission for Preservation and Access (CPA). In Europe the COBRA Task Group Five has been set up to study the long-term availability of electronic publications. Since these studies have essentially the same mandate, it seems sensible to coordinate the investigations and share results as they emerge. In the following a summary of the findings from the Swedish study will be given.

Specification of the task and the identification of e-documents.

A method is seen as a systematic mode of procedure to attain an objective, in this case the long term availability of e-documents. A method for the preservation of e-documents encompasses a set of choices or selections:

1. The selection of material. what is an e-document? which of these should be preserved?
2. Choice of technology; which information carriers and which equipment should be used?
3. Choice of form for representing and storing the information.
4. Selection of access mechanism; how can logical/intellectual access be secured?
5. Choice of mechanism (system) for making e-documents available.

Many projects have been carried out in different countries to address one or more of these issues, and there are many published findings. The ambition of this study is to combine these findings into a holistic set of recommendations.

From a national viewpoint the selection of material for long term preservation is tied to the legislation for legal deposit (in some countries: copyright deposit) of documents. The material definitions in this legislation do not reflect current technology. A review of these definitions is therefore called for. For this study the following definition has been used:

An electronic document is one or more objects carrying information for reading, viewing and/or listening, the content of which cannot be rendered without the aid of electronic equipment.
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The information carrier together with a specified way of recording is a medium; the same information can occur on several media, eg CD-ROM and magnetic tape.

The term "multi media" usually refers to different kinds of information such as text, pictures, sound and moving images, and although they mostly occur on the same medium the term is so established that it is more practical to live with this inconsistency for the time being. A multi media document, then, may or may not be on multiple media.

The development in electronic media is currently in a very dynamic, almost turbulent phase. Some overall trends can, however, be seen:

1. With regard to production the volume of e-documents is increasing, and the digital form is increasing its share at the expense of analog form. Artistic works, and other information products, are to an increasing extent published on multiple media, in some cases as straightforward editions, in other cases as more complex constructs where the contents are rearranged and modified.

2. With regard to distribution the communications networks are growing in importance as a delivery channel, both as an alternative to physical distribution and as a vehicle for downloading information products. Broadcast, cable and telecom channel operators are entering each others' markets.

3. With regard to storage and information carriers there is a technological convergence between development in the computer industry and the (information) media business: the same magnetic tape cartridge can, for example, be used for digital moving images and data processing files. The CD-family of media is gaining a strong market position which is further strengthened by its adoption by the PC industry.

E-documents are intimately tied to the technology used to create and display them. The technological base also makes new conceptual constructs possible, for example so-called "hyperlinks". E-documents are in several ways fundamentally different from traditional ones, and in Appendix I a list is given of unique functional properties (UFP's) that require consideration when planning procedures and processes for the management of e-documents.

FINDINGS REGARDING THE SELECTION OF MATERIAL

For library material the technological development, above all in multimedia, will affect the selection that is controlled by the legal deposit legislation. Content that formerly was considered as library material will, to an increasing extent, be subject to other legislation, or none at all. In Sweden, according to law, multi-media will be delivered to ALB, and not to KB, in one copy stipulated instead of seven which is the required quantity for print material. So as publishers move from print to multimedia, eg for encyclopedia, there will be gaps and inconsistencies in the collections of the deposit libraries. This is an issue of great concern, and ways are being sought to resolve the problem. For the long term a revision of the legislation is necessary.

In general all libraries should reconsider media-bound policies and guidelines, and instead re-interpret their mission statements when planning their acquisitions and collection development.

Digitisation into e-documents of traditional material in library collections can improve both access and preservation. Before selecting material for digitization it should be clearly stated which benefits are sought. Digitization will not reduce preservation costs if measures are not taken to reduce the traditional preservation activities.

FINDINGS REGARDING MEDIA

For assessing the long term adequacy of different media there are several aspects to consider:

- physical deterioration of the information carrier
- technical obsolescence of the recording method
- technical obsolescence of the equipment

Together these make continuous migration of information (sometimes referred to as "refreshing" or "re-copying") inevitable.

The longevity of different carriers has been the subject of many studies, and is "under control" in the sense that the usability can be statistically predicted. Advances in diagnostic quality assessment are being made, so the risk of information loss will be reduced continuously. The recording methods are quite often dependent on specific equipment, and the obsolescence of these constitute the greatest threat to the long term availability.

Currently the Compact Disc (CD) is emerging as an important medium for many different applications (texts, video, photographs, sound, multi-media), and there is convergence in the technology so that different variants of CDs (Audio-CD, CD-ROM, Photo-CD, CD-I) are becoming compatible. This makes the CD a suitable candidate for holding e-documents, provided that the capacity of the CD is sufficient for the application.

For very large volumes, magnetic tape is still the most feasible solution. High capacity storage systems based on tape-cartridges and cabinet-robots might gain enough of a market to become a viable technical approach in the long run. The same medium can be used for data processing storage (including back-ups) and digital video, which can give these media a big enough market base. However, the market growth of services such as Video-On-Demand should be followed since it will push the technology towards high-capacity disc-storage.

FINDINGS REGARDING FORM FOR REPRESENTATION AND STORAGE

There are many competing formats for representing and storing information, for example different image formats. There are also many compression algorithms, aimed

at reducing the storage required. These constitute further risks for the long term availability because of.

- computer software obsolescence
- computer hardware obsolescence

The use of compression results in some loss of information. (There is research on designing loss-less compression algorithms, but it has not yet resulted in specific standards.) To achieve the benefits of compression regarding storage and handling economy there is therefore a trade off that has to be made. Can it be justified that less than 100% of the information is preserved for posterity if the quality of the video material is deemed to be sufficient for current usage?

For video compression the method defined by the Motion Picture Expert Group (MPEG) is growing in the consumer market. There are, however, different levels of MPEG compression and it is too early to identify a long term dominant method. The quest for more powerful compression is supported by strong market forces.

Digitization by scanning can lead to loss of information. If scanning is used to make a preservation copy the image quality (resolution) should be sufficiently high as to make the original superfluous.

For the representation of text there are different coding schemes, the most prevalent being ASCII related. In an increasingly international exchange this situation is not satisfactory since the overall design of the different ISO set for language groups is not modular (leads to collisions when mixing languages) and does not have sufficient scope.

The problems related to character sets have been underestimated. To implement a scheme based on UNICODE (which is technically compatible with ISO 10646) seems to be a feasible alternative in the long run. The adoption of this approach in the commercial sector will determine the long term viability of this alternative.

For the structuring of texts SGML has gained a strong position both in academia and in the commercial sector. It can therefore be considered a candidate as part of a preservation strategy. However, for the needed supplements Document Type Definitions (DTDs) the situation is still without convergence.

For document structures the situation is still fluid: the ODA and ODIF standards have been established but do not have a wide market acceptance.

FINDINGS REGARDING LOGICAL ACCESS

For access it is necessary to achieve bibliographic control of the material. Many of the Unique Functional Properties (see Appendix 1) of e-documents have direct implications for cataloguing and bibliographic description. One main difference compared to traditional material is that it is necessary to describe how to access and use. Requirements to this effect are part of the delivery procedure for material to the Swedish National Archives (RA). Furthermore, the dependence on technology makes

it necessary to include meta-information about the e-document so that access and preservation can be secured over time. In general, "the principle of provenance", which is fundamental for archives, should be given more recognition in the library world.

There are several international efforts underway to develop rules for cataloguing e-documents. All these should be followed closely, but since cataloguing is an activity where local features are of importance, national initiatives should be carried out as well. Since e-documents do not fall naturally into collection categories there is a need for more uniformity in cataloguing and description between libraries, archives for broadcast media, and national archives. The Swedish effort to coordinate (bibliographic) authority control between archives, museums, and libraries is a case in point.

The links between documents and document parts, and the emerging linking between collections, pose special problems for bibliographic control. The different parts (objects) in a linked structure can be under the control of different bodies; coordination of authority and budgetary responsibility must be sorted out. The "ownership vs. access" trade-off requires this organizational foundation.

FINDINGS REGARDING AVAILABILITY

Copyright issues are still very difficult to resolve when making e-documents available to the public. Transition to electronic form will require a total review of the compensation systems for artistic works. Until this has happened there will be many, and possibly individual and specific, limitations to availability.

The technological requirements for making e-documents available has implications for investments in equipment and in staff training. So there are necessary cost increases, but availability through electronic means can also be more effective and have a great geographical reach. An electronic network can also tie together collections and archives at different locations.

Equipment for electronic access is unevenly distributed among the population; this fact must be considered when electronic availability is planned.

TENTATIVE RECOMMENDATIONS:

The final set of recommendations from the Swedish study has not yet been formalized; the following points seem important to be included:

- Review the acquisition and collection development policy in view of the mission, to identify gaps and inconsistencies caused by changes in material from traditional to electronic form.
- Before digitizing material, make explicit what benefits are sought in terms of accessibility, preservation and economy.
- Prepare for digital representation of images and video.

- Plan for a continuous migration ("refreshing") of e-documents. This will incur a cost that is a direct function of the longevity of the medium. Shelving arrangements to facilitate migration and technical maintenance should be considered.

- Choose standardized products with a wide market acceptance as archival media. For some applications the CD seems to be a suitable candidate for archiving information.

- Make trade-offs between compression and image (and video) quality explicit. Define minimum quality levels in terms of resolution (and video quality) for different applications.

- Prepare for a two-byte representation of text; follow the market acceptance of Unicode.

- Harmonize cataloguing rules with ongoing international work regarding e-documents. Work nationally on harmonizing rules for description of library collections and archives.

A NOTE ON EXPERIENCE EXCHANGE

To an increasing extent libraries, archives on the national and local levels, and archives of recorded sound and moving images will face the same problems with regard to preservation and access since the material they handle will be based on similar technologies. Digital information will in some respects look the same regardless of whether it represents text, images, sound or video.

In the Swedish study the steering committee consists of representatives from the Royal Library (KB), the National Archive of Recorded Sound and Moving Images (ALB), and the National Archives (RA). It has been fruitful to have three different points-of-view when discussing issues relating to long term strategies. Since the amount of e-documents will increase for all three organizations there are benefits to be achieved in sharing experiences.

To outline the situation one can point out specific areas of expertise:

- Libraries have a strong position with experience in subject control and character sets (and questions about filing order);

- Archives for broadcast media have experience of handling large volumes of information, and of migration. They also have technical experience of video and moving images.

- National archives have long standing experience of applying the principle of provenance, and of considering meta-data in object descriptions. They also have experience of handling computer produced records (in various formats).

It therefore seems natural that all three types of organization should be represented in future projects relating to e-documents. In addition it would be fruitful to include museums since these organizations also have begun to digitize some of their document collections.

(Stockholm, August, 1995)

APPENDIX 1.

UFP's for electronic documents

The following is a list of unique functional properties (UFP's) of electronic documents (e-documents) that set them apart from traditional documents, and that require consideration when planning procedures and processes for the management of c-documents. In some cases established concepts and legal aspects must be reviewed.

Transcendence. E-documents encompass in a uniform way information that traditionally has been considered to be of different kinds: text, graphics, images, sound, and video. All definitions and classification of documents based on media must be reconsidered. Digitalization is making it difficult to maintain consequential differences based on media. E-documents are also, at the same time, potential print, film, phonogram and video.

Large volume. Technical tools for the production of e-documents are powerful and have a large installed base. The number of producers is beyond estimation. E-documents with image information are voluminous,

Multiplicity (variants). E-documents can be manipulated relatively easy, and this is indeed one of the benefits of them. Re-use of information characterizes both the commercial publishing world and the individual arena. The consequences are problems of physical control and problems with information integrity.

Copies equal to or better than the original. E-documents can be copied without loss of quality. Together with the ease of manipulation this compounds the problem of establishing authenticity. The distribution of "originals" cannot be controlled by technical means. The quality of an e-document can be enhanced by algorithmic methods. shapes and forms can be made more distinct, shadows can be washed away. Restoration of e-documents must be considered as part of preservation.

Links (pointers). E-documents have structures that are, at least to a part, logical constructs. They can encompass parts which are not physically connected (or bundled). Links occur on several levels. within a document (eg. hypertext), between documents, within/between series, and within/between collections. Emerging are also links between libraries/archives. These links raise organizational questions about responsibility and economic aspects of co-ordination.

Foreseeable impermanence. E-documents are intimately tied to the technology used for their creation. Technological development gives new dimensions to maintenance and preservation. Technological obsolescence must be considered especially. Physical attrition is also a problem.

Volatile distribution. E-documents can be "distributed" without manifesting themselves as a physical instance ("copy"). Access to an e-document can be equivalent to having it.

Complex copyright. As a consequence of the transcendence (above) it is problematic to apply the legislation on intellectual property rights for e-documents since the laws often build on definitions that are media-based. Economic (and aesthetic) consequences cannot be foreseen which leads to complicated discussions about compensations.

LEGAL ISSUES IN AUDIOVISUAL ARCHIVES

UNESCO AV COPYRIGHT MEETING, 5-6 DECEMBER 1994

Helen P Harrison, Media Library Consultant, Open University, Milton Keynes

Report presented to the Round Table on Audiovisual Records, February 1995

In 1994 a contract was signed on behalf of the Round Table on Audiovisual Records between IFLA and UNESCO to arrange a workshop to discuss the legal deposit of audiovisual materials and the restrictions affecting preservation and access in audiovisual archives. The workshop was hosted by the Bibliothèque Nationale de France in Paris on 5-6 December 1994. Participants were invited from the constituent member groups of the Round Table on Audiovisual Records, the Council of Europe and the Division of Books and Copyright, UNESCO, and other specialists in legal matters relating to audiovisual archives. The meeting was attended by 14 delegates and two observers.

The Chairman of the meeting was Wolfgang Klaue, ICA/PAV and the rapporteur Helen Harrison, IASA. Acknowledgment is given to Catherine Pinion of IFLA, who organised the meeting and prepared the papers.

BACKGROUND

In 1980 a Recommendation for the Safeguarding and Preservation of Moving Images was adopted by the 21st General Session of the UNESCO General Conference. This was the first attempt by audiovisual archives to formalise activities on an international basis and covered a number of areas including copyright and neighbouring rights of material. However such Recommendations are not binding in character and further measures are needed. Subsequent to the adoption of the Recommendation a survey was carried out which indicated that many countries had no legislation in place governing the establishment of audiovisual archives, or the deposit of sound recordings and moving images. The concept of audiovisual archiving has also emerged since the Recommendation was adopted and together with more recent measures to safeguard the cultural heritage. These have to include materials other than the moving image.

A decision was made to try and prepare model legislation or guidelines which could be adapted to individual country requirements, and these were published by UNESCO in 1991 as "Legal questions facing audiovisual archives". Since 1991 many changes have occurred and it is necessary to re-examine the legal aspects of safeguarding and preserving the cultural heritage in the light of these developments.

The Round Table on Audiovisual Records has also been investigating and discussing the influence which international copyright and other legal issues have had upon the working of audiovisual archives in particular. The particular influences which centre around audiovisual archives include the possibilities and implementation of legal deposit within the archives, the need for preservation of the material and the demands which are implied by the legal deposit of access to the materials. The archives also realise that their particular voice is a small one in the general world of audiovisual and its related industries, but it has a special significance for the future availability which archives have to safeguard. From this standpoint the audiovisual archive NGOs needed to have the opportunity to discuss with other users, rights holders, donors and industry, how some of these issues could be resolved. They have to be resolved if the archives are to continue as viable institutions and this meeting sought to bring the various interests together. It was accepted that the meeting could not range across all interests, but a start was necessary to focus upon particular issues involved. The Round Table invited many other interests for an exchange of concern and experience at this particular time in the development of its' own ideas. The cooperation of the various audiovisual industries is essential and if the workshop recognised one thing very clearly this was it, but we also realised some of the reasons for the reluctance to cooperate, and this question must be looked at more fully in the near future. The main concerns of such industries are naturally to protect their products and to protect them against abuse - not use because that is their livelihood, - but abuse by piracy, illegal copying and exhibition. These activities concern industry and have been the major stumbling block for the archives to surmount. At the workshop the archives could start to redress the balance and produce the counter balance.

OBJECTIVES

The main purposes of the meeting were to examine the legal restrictions affecting access to audiovisual archives, including policies of access, legal deposit, preservation of av materials and the protection of rights. Specific aims included:

- to update and discuss strategy based on the recommendations of Birgit Kofler's report (PGI 91/WS/5)
- to determine changes in legislation necessary to permit AV archives to function
- to recommend future actions towards solving the legal problems of AV archives

Position papers on legal deposit, preservation and access were produced and sessions devoted to them.

LEGAL DEPOSIT

Several issues were identified concerning the legal aspects of deposit, preservation and access; what are the legal restrictions which affect access to audiovisual archives and the conflict between access and preservation and the protection of rights in the materials. Is legal deposit the answer or the only answer in archival collection. It was recognised that the rights of creators and users have to be respected and that the agreement of industry is essential in safeguarding the cultural heritage. If legal deposit is agreed the following steps have to be considered. There is a need to identify the material being considered for deposit, and how much of it should be deposited - selection and appraisal are important, and finally the need to establish legislation (or mechanism) for deposit which may be the most difficult step. The condition of deposit has to be considered from both the depositor's and user's point of view. The development of electronic transmission of data and the relative ease with which this can be accomplished will have a profound effect upon the situation and legislation will have to take account of this.

Discussion ranged widely over the need to define what is publication and should both published and unpublished works be covered by any legislation. Also the differences between the materials will affect legal deposit arrangements. Television archives, for example, are part of the industry of television and are used extensively by broadcasters and producers who need special rights of access. There are inherent difficulties in treating all audiovisual materials in the same context of deposit.

Other points at issue were whether principles of selection and appraisal could be used in legal deposit, or should the aim be completeness of collection. Which institutions should receive legal deposit materials. It is recognised that it will probably not be possible to deposit all audiovisual materials in a central institution, but an appropriate, specialised one should be chosen.

Once materials are deposited, who owns them - the archives which collect, store and preserve the materials need rights of ownership even if they continue to acknowledge copyright as lodged with the creator or donor.

The major points arising in this session were; whether legal deposit is the only answer and if not what are the alternatives. How do we encourage legal deposit, how can we achieve legislation to ensure legal deposit and how can we encourage industry to cooperate in safeguarding the audiovisual heritage. Finally it may be difficult to find a common solution for all audiovisual media given their complexity.

PRESERVATION

One of the primary purposes of legal deposit is the preservation of the cultural heritage. The legal aspects of preservation at present often conflict with deposit arrangements and also the need for access. Although the archives primary purpose is preservation, copying often becomes essential either to rescue the content from destruction, or to provide access without damage to the original through constant use, and it is here the dilemmas occur for archives. Should we attempt to write everything into conventions or legislation, or should this be a matter for agreements between donor and archive. Even if the latter is preferable some guidelines need to be promulgated to govern the conduct of such agreements. Guidelines are also necessary to deal with the wilful destruction of materials for whatever reasons.

ACCESS

The workshop discussed the conditions of access with rights protection always in mind and addressed questions such as what should access be given to: legal deposit material, archive or collection material? Who should be able to gain access to archive materials; the general public, students, researchers or professionals? What sort of restriction may be demanded and by whom: - the rights owners, commercial organisations, the archives themselves? Where should this access be permitted: - within an institution, via exchange or copies or by electronic transmission?

Some of the main obstacles to the provision of access in archives relate to other topics discussed in the workshop: - agreements with rights owners and creators and the preservation issues associated with original materials. There are also questions of the rights of archives to use donated/deposited materials. How far can exhibition and use of materials be permitted. Guidelines and exchange of information are essential to clarify these issues. It was agreed that a legal deposit system does not imply free access by definition.

Although the general principle of access was acclaimed by the workshop it was cautious about the role of archives and did not see unlimited access as a primary objective of an archive. Archives put the emphasis on conservation and preservation and should not be regarded as general access points - more as places of last resort when material cannot be obtained elsewhere. The archive must always maintain its integrity and fulfil its obligations to donors and depositors.

The Council of Europe Draft Convention for the Protection of European Audiovisual Heritage was tabled at the meeting for information. Many reservations were expressed concerning the content and wording of the document which were not appropriate to this report, but will be aired in another forum. Suffice it to say that the Workshop expressed its concern and hoped that further, wider discussion would be possible, to include representatives of audiovisual archives - not just the 'moving-image' (film) materials mentioned by the Convention. It was however useful to have a representative of the Council of Europe present to introduce the report and participate in the frank exchange of views which informed both sides.

CONCLUSIONS

1. The NGOs must begin within themselves by discussing the legal problems archives are faced with, within the audiovisual archive associations, as a diversity of opinion exists and perhaps there is no common agreement. It was suggested that position papers should be prepared by each of the associations and used in further discussion between the associations.

2. There should be a joint study of legal problems facing audiovisual archives. Kofler's study can be used for guidance, but the new study should not be a rewriting or updating of the Kofler study.

3. A long-term strategy is needed to reach international agreements for audiovisual archiving. It is recognised that this will be a long process. The workshop also recognised that trying to alter national and international laws will take time, and be piecemeal, and even a Convention could be difficult to achieve, judging by past experiences.

Interim measures should be produced in the form of guidelines and guidance for the collection and dissemination of existing forms of agreement between archives and donors. These could be investigated by the Audiovisual NGOs at the Round Table on Audiovisual Records.

4. Strategy needs to be co-ordinated in several areas:

- Agreements with rights holders
- Agreement among the audiovisual associations
- Conventions and international agreements
- Regional or national conventions

5. The debate needs to be continued to achieve a unanimity of purpose, and the av associations should try to unite to achieve their purpose and develop a joint concept and approach to legal issues and legislation. We need a more precise debate based on the particular position of each association.

It was finally agreed to the following action:

- To continue discussion in the various audiovisual associations, and to take the matters involved to the Round Table on Audiovisual Records in February 1995.
- To draft position papers and compile these into a Joint study on the legal issues involved.
- A further debate/workshop to respond to the Joint study.

RADIO SOUND ARCHIVES AND TRAINING

THE RECRUITMENT AND TRAINING OF RADIO ARCHIVISTS

Sally Hine, Sound Archivist BBC, London

Paper presented during the joint session of the Radio Sound Archives and Training Committees in Washington DC September 1995

INTRODUCTION

The most important factor in running a successful archive such as ours is to make sure we get the right people and provide them with the right skills at the right time. I will begin my paper by describing the way the BBC Sound Archive recruits, uses and trains its Archivists and in the last part of my paper I will discuss the changes we expect to affect the BBC Archive in the future. I think it important to stress at this point that a lot of training in the BBC is done by experienced existing staff. This is because of the uniqueness of the service offered by the Archive to its customers and the speed with which this service has to be provided. Its primary aim is to provide sound to researchers and producers for their programmes and staff need to be tuned in to these objectives.

The Sound Library which contains the Sound Archive and a library of current recordings, both pre-transmission and post-transmission, is now part of BBC Broadcast Archives, an amalgamation which includes the Television Library (previously called the Film and VT Library), the News VT Library and the BBC Picture Archives. A staff of nearly 300 look after and exploit the BBC's own generated programme and picture material for BBC programme use. Broadcast Archives is itself one of 5 groupings within BBC Information and Archives.

THE SOUND LIBRARY

I have divided the staff of the Archive into three groups and called them all Radio Archivists for the purpose of this paper. Some of them are professionally qualified in Library or Information work; some have degrees in subjects relevant to their areas and others have degrees in subjects that have no particular relevance to their work. Some have no qualifications at all but are experts in the history of radio or the media. Currently no one has a qualification in engineering and no one comes from a programme making background.

1. SELECTION AND CATALOGUING

There are 9 Senior Librarians (Selection and Cataloguing) who select, process, catalogue and subject index material onto the computer database, which is called CAIRS. At present there is an enormous amount of material broadcast on BBC Radio (5 networks: 3 broadcasting for 24 hours a day and 2 for at least 18 hours a day). All of this material is made or commissioned by the BBC. These 9 staff are unable to catalogue and index everything broadcast, firstly because of the sheer volume of the material, and secondly because the technology at present is not advanced enough to be able to deal with it all and make it available to users at short notice. If it was not selected carefully and exploited in the way that is done now then it would be impossible to provide material for programme deadlines. Take an example from the Gulf War of 1991. There were at least 5 weeks of continuous 24 hour rolling news on Radio 4 FM (nicknamed Scud FM) as well as regular news and comment on all the other networks. To expect a programme researcher or even a librarian to sift through all of this comment and news would be impossible.

Each of the Senior Librarians has subject areas and it is his or her responsibility to select, keep and exploit the material in their own particular areas. The programme and transmission details provided by the programmes themselves are used as a spine for the Senior Librarians to use for both the selection and for the exploitation of the clips or programmes that they have chosen. They need to have a very broad subject knowledge to be able to decide accurately what will be kept to go into the Archive or what will be wiped. An example of the subject areas handled by one of these Senior Librarians is:- UK news and current affairs, politics, government and legislation, gardening and education. She and her colleagues need to be able to see into the future and assess what kind of material will be of use. For example to identify quotes by politicians which at the time seem relatively unimportant but which in the future may assume a great importance. An example is of Mrs Margaret Thatcher (now Baroness Thatcher) who said in 1971 in an interview on BBC Radio that "there will be no woman Prime Minister in my lifetime"!

2. ENQUIRY LIBRARIANS

There are 3 Librarians and 1 Senior Librarian answering enquiries by phone, FAX and personal visit from all areas of the BBC: Network Radio; Network Television; Local Radio; World Service (both in the English service and the language services); BBC Worldwide; BBC Education, including the Open University and the Corporate Affairs Directorate which includes for example the Legal Department - a potential customer base of 23,000 people! For recent material such as News Bulletins and daily News and Current Affairs programmes like the TODAY programme, they have to make

decisions as to the suitability of the recording and even sometimes listen and audition some material for 'quotes' etc. They have to be well versed in the cataloguing system (CAIRS) for if they are not able to exploit the work of the cataloguers then the whole exercise is wasted. They have to be able to use their skills as librarians in order to choose suitable recordings and to suggest items to production staff, not always an easy thing to do. They have to be patient and polite, sometimes under great pressure.

3. ARCHIVE TECHNICAL ASSISTANTS, ISSUES AND RETURNS AND CLERICAL SUPPORT

About 20 staff retrieve material for the Librarians and Senior Librarians; arrange for material to be copied; make CDs according to instructions; administer the collection; send overdues; look after the SFX (sound effects) collection etc. There are many, many skills involved here, too many to quote.

RECRUITMENT OF RADIO ARCHIVISTS

When recruiting staff in any of these categories we always ask for at least some of the following attributes. In the case of the Librarians and Senior Librarians we would consider that most of these would be necessary.

1. A knowledge of and a passion for Radio. This would have to include an idea of the historical significance of Radio in the UK, particularly during the Second World War, and during what is known as "the Golden Age of Radio" i.e. the late 1940s and 1950s, before it was usual for every family to own a television set.
2. An informed interest in news and current affairs - to read newspapers and to listen to the radio and to see the important news programmes on television. And not just the BBC!
3. A good general knowledge. This is reasonably easy to test and should be the automatic result of educational qualifications.
4. Professional qualifications, either in librarianship, information science or archive administration. This should include some experience of working in a library or in an information bureau.
5. Technical awareness, particularly in the new media of sound recording such as CDs, DAT and digital recording techniques of other types ie. digital editing. At every level staff are asked to do a certain amount of technical work, especially dubbing from one format to another.
6. A basic knowledge of the techniques of how a programme is made, and why programme makers need to work to tight deadlines.

TRAINING

1. An introduction to the BBC; introducing a new member of staff into the structure and history of the organisation. This includes visits to various programme making areas like drama, light entertainment, feature programmes and news and current affairs. It should also include visits to studios and continuity suites in both Radio and Television.
2. An introduction to Broadcast Archives. This would include not only visits to the various sites but also very importantly, what I am calling 'on the job induction'. We are currently putting together a consistent training programme for Archivists in Broadcast Archives which includes new staff working for 2-3 months in each of these sites, including cataloguing. This can give new recruits an idea of the role of the Radio Archivist in the organisation. 'Producer Choice' is the internal accounting system of the BBC whereby the income from the licence fee is apportioned to programme making departments. These programme departments, or business units use this money to buy the services that they require, such as studio facilities, health and safety, accommodation and libraries. Every transaction has to be logged to the appropriate business unit so that the following year's library needs can be budgeted and charged for. An important part of this 'on the job induction' for the Radio Archivist is to learn of the importance of statistical and financial information being accurately recorded.
3. A thorough grounding in the structure of the CAIRS database and the cataloguing procedures. Researching and working with a system such as CAIRS is the best way of achieving this. In the future all the personnel involved in cataloguing will be professionally qualified, so they will have the experience of cataloguing techniques from other libraries. They can then adapt this experience to the BBC system.
4. A supervised placement up to a period of about 2 months working as an Enquiries Librarian in Broadcast Archives, both in Television and in Radio. This experience gives a new recruit the confidence to deal with deadlines, suggest alternatives and to show initiative. They can sit with an experienced Librarian and do simple enquiries to start with and then begin to work and to make decisions on their own.
5. Customer care training. BBC Information and Archives is developing a customer care course, which is part of a BBC corporate initiative called "Customer Focus 95". This course includes techniques for taking phone calls; the "Reference Interview"; dealing with production staff at all levels, and dealing with stress, either the customer's stress which can make someone into a difficult customer, or dealing with one's own stress.
6. Technical competence; dubbing; CD making and cleaning up recordings with CEDAR etc. This is most relevant to the Archive Technical Assistants. The BBC's own engineering department can offer courses and training on technical equipment as well as the Radio Training Department who offer courses for Technical Operators. There are also staff in the department who can do some 'on the spot' technical training. We have a qualified engineer who looks after all our technical equipment and who can fulfil this role.
7. Finally, time to listen. New staff are given the opportunity to listen to 'archive

gems' and familiarise themselves with the varied material that the Archive has to offer. We are now preparing a CD of 'the Archives Greatest Hits' which we want eventually to be able to use for this purpose.

THE FUTURE

There is a vision for the future. BBC Information and Archives envisages multi-skilled, professionally qualified Radio Archivists, cataloguing, indexing, selecting and exploiting the vast output of BBC Radio. New digital channels mean more and more broadcast material; sport, education, drama etc. all with the potential to be reused to make programmes and be commercially exploited through retail sales. Not only the rebroadcasting of whole programmes but clips from News Bulletins, quotes, commentaries etc. to enliven the radio programmes of the future. We see all this material being captured and retained by Broadcast Archives, stored digitally in high density storage, and being made available to researchers and producers on line in their own offices or in studios. The basic information would be downloaded electronically from the BBC's own programme records; schedules, contracts, scripts, and transmission details, and then enhanced by our multi-skilled Archivists. The staff who do this will have to be steeped in the culture of the BBC and have to possess all the attributes that I have outlined in this paper. This multi-skilling will also allow the present divisions between Radio and Television to be eradicated. The Archivists should be able to work in both media. The BBC is already experimenting with offering what are called attachments or secondments to staff to work in other departments. This has been successful so far and we are all benefiting from this experiment. The BBC hopes to gain a highly motivated staff with wider and more expert skills. I am assuming therefore that the Radio Archivists of the future will be known as Broadcast Archivists. Providing training as I have just outlined will prepare our Radio Archivists to become the effective Broadcast Archivists of the future.

TRAINING OF MEDIA ARCHIVISTS IN GERMANY

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Paper presented during the joint session of the Radio Sound Archives and Training Committees in Washington DC September 1995

There are only few fields which are characterised at a high level by the mixture of archival, librarian and documentary business as it applies to media archivists. This also applies for broadcasting archives and for press archives. It may be that this is the reason or the uncertainty in terminology of how to refer to the people who work in media archives.¹ How should they be called: media archivists, media documentalists, editors of documents or what else?²

Setting aside all theoretical and abstract considerations, in practice we rearranged the situation pragmatically. The corporate representation of the press, broadcasting and film archivists is not part of the library or documentary association but - regardless of differences between archivists in state archives, in municipal archives or those belonging to the church or other archives - one part of the association of German archivists, is called "Fachgruppe 7 der Presse-, Rundfunk- und Filmarchivare".

However, it is wrong to think that the coming generation of archivists grows in these several sorts of archives. Ten years ago, Friedrich P Kahlenberg, President of the Bundesarchiv, noted: "it should not be a surprise that at least in the West European countries graduates of the archival institutions of training are the exception to the rule in the staff of media archives".³ The same is to be seen for graduates of library schools, although there are fewer exceptions.

After all, the question still exists: where do the media archivists come from, what are the institutions in which they find their professional work? The answer must be differentiated according to the practical arrangement. Institutions mean practice, and the method is learning by doing. At a very high level media archivists today often enter the archives by a transverse way, this means they are former editors or historians with great practical knowledge in archives. Obviously this is not satisfactor in the long run. As soon as the several tasks of storing the material, retrieval, information service - including electronic data processing - reach a certain degree of complexity there is need for professional knowledge for solving and clearing problems.

The so-called Fachgruppe 7 der Presse-, Rundfunk- und Filmarchivare im Verein Deutscher Archivare (Press-, Broadcasting and Film Archivists in the Association of German Archivists) reacted to this need and for years and with considerable success the association offered courses and arrangements which can be used by those people who come transversely into the archives as a sort of compensation for an ordinary training. These courses are precisely designed for their business fields. There is no question that these courses are suitable as training courses for the whole profession especially on the field of electronic data processing.⁴

This is true for those training programmes which are organised by the Zentrale Fortbildung der Programm-Mitarbeiter (ZFP), which is a joint institution financed by the German Public Broadcasting Institution of ARD and ZDF. Regularly and

continually these courses are offered to media archivists and media documentalists of the broadcasting stations. Although this interest group is not so big it gives the possibility to design the training according to the needs of the broadcasting institutions.

Apart from these efforts the growing professionalization of archivists meant a comprehensive and extensive solution of the training problems had to be found.

Archives and libraries find their rising generation can count on established training institutions, on the one hand because both have a long tradition and effective history, on the other hand because most often they are state-controlled institutions or those with quasi-public character. Their staff was prepared and trained in internal administrative courses according to the needs of these institutions. This was the requirement for an official career with all the official and functional implications.

In the meantime all the internal administrative training, for a long time in the libraries and for a shorter time in the archives as well, have lost their exclusiveness. However, this is an institutional reason for the lesser profit of media archivists and their rising generation. Another reason which might be more important shows the discussion of the profession and its tasks: there are much more documentary tasks in media archives than those with archival or library character.⁵ No doubt, because of the large amount of materials within the archives, and everyone knows the libraries are no longer only collections of books but have documentary tasks as well at a rather high level. Of course the training institutions have reacted towards these tasks and set appropriate and relevant course materials.⁶

From this point of view it is obvious to regard the fields of information and documentation as general fields for training and qualification for all sorts of media archivists and to train the next generation for press, broadcasting and film archives from these documentary training institutions using such courses for the training of the next staff. Volunteers in press and broadcasting institutions are a media-typical model for the training in media archives, that means practical work in a media archive combined with a broader theoretical training in documentation. Since 1967 the training institution was the Institute of Documentation (Lehrinstitut für Dokumentation) in Frankfurt, which was a training institution of the German Society for Documentation (Deutsche Gesellschaft für Dokumentation).⁷ This Institute of Documentation (Lehrinstitut für Dokumentation) trained specialists for several years in information and documentation on two levels. The business fields for these specialists were among other media archives, and vice-versa media archives completed their internal training with courses of the Institute of Documentation (Lehrinstitut für Dokumentation).

According to the division of labour in different working units and the different levels of the German training system - vocational college, polytechnic college and university - the Institute of Documentation (Lehrinstitut für Dokumentation) offered courses at different qualification levels. Documentary assistants were qualified according to the state-controlled training system in two courses which lasted six weeks each. The vocational training in total took two years including the practical part in a training institution. The training of scientific documentalists, that means the post-graduate continuing education of students who for example studied humanities, took two years as well, working in the media, as above mentioned most often as a volunteer, and it included 13 theoretical weeks at the Institute of Documentation (Lehrinstitut für

Dokumentation). The subjects to be taught were the design of information and retrieval systems, indexing, on-line-data systems and management of information and documentation centres. The Institute of Documentation (Lehrinstitut für Dokumentation) was a training institution of the German Society of Documentation under private law, and the consequence was that the graduates missed the state-controlled recognition. On the other hand the existence of the Institute of Documentation (Lehrinstitut für Dokumentation) always was precarious because of the public financing. Several attempts to provide security for financing were without success and in 1991 the Lehrinstitut stopped training. From this point the training of media archivists on the level of documentary assistants as well as on the level of scientific staff was jeopardised for the coming generation on the one hand and the documentary tasks in total on the other.

The training of graduate documentalists which takes place in professional schools in Germany was independent of this development. Contrasting with the training for documentary assistants and the scientific documentalists at the Institute of Documentation (Lehrinstitut für Dokumentation) the establishment of a course of study at a polytechnic college was successful with the focal point on documentary training. This was very important for the general increase of the social importance of the electronic media on the one hand and the job situation which became more and more difficult on the other hand. In 1993 the polytechnic college in Hamburg started a course of study for media archivists which put the emphasis on the documentary training in the media, and this course of studies registered 30 students a year. In Hamburg they also discovered that the job situation for media archivists was not sufficient and therefore the decision was taken for a wider training of graduate documentalists in the course of study 'media documentation'. This course of study takes 3 1/2 years, it is divided into two parts which take 1 1/2 year each and between these two parts there are 6 months of practice which can be completed by additional practical courses.⁸ The future will show how far the intentions of this course of study are comparable with the real job situation. Considering the appreciation of practical courses and volunteers there is still a certain scepticism and doubt towards the monopoly of training at this polytechnic college.

Although the Institute of Documentation (Lehrinstitut für Dokumentation) closed its doors and stopped its works because of the change of political conditions, that means the end of public financing, it was possible to preserve the training itself. This is true for the documentary assistants; the school of librarians in Sondershausen took over their training, although this is not a satisfactory arrangement at all. It is true for the training of scientific documentalists as well, the training could be established by the foundation of the Institute of Information and Documentation (Institut für Information and Dokumentation) at the polytechnic college in Potsdam.

Although it was not very easy and took a lot of time it was possible step by step after the German reunification to found this institute as a central institution at the polytechnic college in Potsdam. The establishment of this institute in Potsdam means a real consolidation on the one hand and beside that the state approval of the graduates on the other hand, which never had been reached before.⁹ From the point of view of qualifying media archivists we have now a satisfying situation: the polytechnic college in Potsdam with the Institute of Information and Documentation takes care of the training of diploma archivists, diploma librarians and diploma documentalists in a

combined course of study, the so-called 'model of Potsdam'. Over and above that there exists the information centre for the theory and practice of information with a library which contains 235 periodicals dealing with the theory of information. This information centre produces the database INFODATA and participates in the database COMPUSCIENCE.

The practical training of volunteers is different from case to case, there are differences between press archives and broadcasting archives, it is dependent on the internal structure of the training archive and the system of cataloguing, for example conventional or by data-processing. At least it is dependent on the personal staff within the training archive. Predominantly it can be said that the training is planned generally for a period of two years. During this time several parts of the archives will be run through to get acquainted with all documentary and organisational tasks and to get prepared for managing and handling all the work which comes up in at least one part of an archive. There are many cases where the training partners wish the trainees to acquire knowledge throughout the archive in other spheres. So the trainee will have an insight into the business which is concerned with the user of the archives and why and how the enquiries get into the archive information centres. No doubt, this is very useful for the institutions oriented towards service. There are archives which encourage their volunteers to look after practical training in other institutions dealing with information and documentation, maybe they are neighbouring, maybe they are complementary. This possibility is useful especially for those volunteers who come from smaller archives which have less variety of media and which cannot offer such a broad spectrum of experiences for the trainees, contrasting for example with the broadcasting archives which have collections of sound recordings, of films and videos, of written documents, libraries and not to forget databases.

Primarily places for trainees and volunteers can be taken as an instrument to create one's own rising generation. As there are several archives which do not have the necessary conditions for taking their own trainees it is a good thing that there are other institutions which offer places for volunteers without taking over the young people after graduation. Those who were trained in a media archive which was characterised by a broad spectrum of materials and tasks are very well qualified for the business of information and documentation over and above the media themselves. Smaller institutions profit from this to a certain degree.

Society of the future will be dominated by the electronic media, this is a widespread prognosis and one reason for the establishment of a number of graduates in humanities and this kind of institutional training. Since 1985 there exists a co-operative training combine, in former times in charge of the so-called 'Studienkreis für Rundfunk und Geschichte'. Today the non-profit-making organisation for Research, Training and Documentation (gemeinnützige Gesellschaft für Forschung, Fortbildung und Dokumentation) is in charge of this combine - essentially in participation of the Südwestfunk, the Bundesarchiv and several other institutions like archives, libraries and documentation centres. This combine takes care of training scientific documentalists who have well-founded, but not exclusive, knowledge in media archives.

This kind of training is conceived in analogy to the volunteers, that means that the main focus is the practical training. As the graduates have to prove themselves in the job situation the practical training takes place in more than one documentation

institution. This concept is confirmed in practice: the chances and opportunities to obtain jobs for the graduates have grown, and vice-versa the media archives and documentation institutions fall back upon the potential again and again.¹⁰

At last a peculiarity should be mentioned which must be seen in connection with the above-mentioned training courses but refers to a certain group of people: the training of blind media archivists or documentalists or people who are handicapped in eyesight but nevertheless work in sound or broadcasting archives. The institute of documentation of the Foundation for Blind People (Stiftung Blindenanstalt) in Frankfurt am Main started this sort of training in 1988 to integrate blind or partially-sighted people in the media institutions. No wonder that because of this specific kind of handicap these people in training and job concentrate on the documentation of sound recordings within the media archives. Obviously training and jobs are only possible using the advanced techniques which enable blind documentalists working with tools and equipment for data-in- and output without the precondition of having eyesight. This training concept was very successful and accepted within the profession. This is supported by the fact that separate from the broadcasting stations and the German Broadcasting Archive there are newspaper archives and state authorities which put these training places at disposal in co-operation with the foundation for blind people.¹¹

Training places in media archives and other documentation institutions, theoretical and practical oriented in the Organisation of Research, Training and Documentation, the special possibilities for blind and partially-sighted people by the Foundation for Blind People - all these are training offers which can be used by graduated students of humanities in combination with the Institute of Information and Documentation in Potsdam. These training programmes are additional possibilities for qualifying scientific staff and which improve the job situation. The crucial point is obvious: expertise, documentary methods and knowledge in practice run to professional competence.

The courses of study at the polytechnic colleges are smaller and clearly conceived on the methods of documentation. Their graduates have great knowledge in the use and the instruments of electronic data processing, and their job situation is tailor-made for this knowledge, especially if their training was concentrated on media archives - as in Hamburg.

At last the so-called documentary assistants (Dokumentationsassistenten) should be mentioned. There is no doubt that graduates on this level are pressingly useful for the media archives and in media practice at all. Over and above that there is still a need for a satisfactory training for these people. Those who are responsible in the media archives and documentation institutions should not leave off at the present situation.

Several technical innovations have started and influenced especially the electronic media. Therefore the archives and documentation institutions require a large amount of - not only - technical professionalism which can be reached by the practical oriented training courses only. At the same time these institutions require sufficient possibilities for training and qualifying. The professional associations must care for this as well in the proven manner in future, and the training institutions must widen their tasks in this direction.

References

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- 3 cf. Friedrich P Kahlenberg: Die Ausbildung von Medienarchivaren. Zusatzbeitrag der dritten Plenarsitzung des X. Internationalen Archivkongresses, Bonn 1984, S. 6.
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- 10 cf. Hans Peter Jäger: Weiterbildung und Umschulung als gesellschaftspolitische Aufgabe von Rundfunkanstalten, in: Archivmitteilungen, Heft 5/91; Clemens Schlenkrich: Ausbildung von Dokumentaren. Vortrag auf dem Kongress der IASA/FIAT in Bogensee am 7.9.1994.
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TRAINING OF A RADIO ARCHIVIST

Per Holst, Danmarks Radio

Paper presented at the IASA/ARSC/FIAT conference in Washington DC 1995 during the joint Radio Sound Archives and Training committee session.

When I was asked to speak about the training of Radio Sound Archivists in Danish Radio my first thought was: but what is there to tell? We have a homemade training programme of archivists, but this training is mainly based on experience gained from the daily work.

Nevertheless I will give you a short presentation of the situation in my institution, where training possibilities for sound archivists are almost non-existent.

Due to the lack of a formal education for sound archivists as such, the employees in the archive are normally educated as academics, librarians or teachers. Once in post each archivist in Danmarks Radio has a special field of responsibility, for example news, culture or music. The main tasks for an archivist consist of registration and cataloguing of programmes, as well as research in connection with lending of programmes for production.

Regarding registration and cataloguing the archivist listens to the recording or part of it depending on the importance in order to write a summary of the contents. The summary is registered into a free-text electronic data processing system. The information in this system is retrievable from all computers in the Danish Radio.

The rules in connection with the level of registration have been discussed and developed through the years in order to fulfil the needs of the users. All archivists take part in this discussion through regular meetings in order to achieve a common level of registration.

The EDP-system for registration and research was introduced in 1981. No one in the archive had any experience with EDP at that time and we could not get much help from our EDP-department in the practical use of the system. Consequently we had to organize our own internal EDP education.

We wasted a lot of time during this process - time which could have been spared if proper education had been offered.

Some years ago we discussed the possibility of making programmes based on archive material only. The idea was met with sympathy and the archivists started producing programmes.

The programmes were called "Once upon a time" and about 300 programmes have been produced. In these programmes stories of daily life in Denmark from the beginning of the thirties to the mid-sixties were presented. The programmes became popular and the archive got a lot of credit.

Regarding the working method we used the learning-by-doing-method, but after some time an educational programme, which lasted one year, was drawn up. This training taught the archivists how to use the archive material in programme production in a professional way and the programmes were improved considerably.

Actually, this is the first time professional education has been offered to the sound archivists in order to improve their work, and in a field - one must say - which is not typically the field of an archivist.

As to the technical aspects of archivism we are in great need of an archivist who has the necessary technical knowledge when it comes to discussions about audio preservation. I find it very important to have the necessary expertise within the archive, because the consequences of the digital techniques have to be thoroughly considered by a specialist with an archivists' point of view. Such a specialist has to be picked from members of the present staff as the financial situation does not allow employment of a new archivist with such special technical skills. Consequently we have to look for relevant courses and we hope to be able to increase our budget to meet the expenses.

And what about the future:

It is impossible to improve the service and the handling of the archive material without training. But the consciousness of the importance of the archive has changed for the better during the last years. This consciousness of the value of the treasures in the archive will in my opinion contribute to a different and more positive attitude to the problems we are facing.

TRAINING FOR TECHNICAL RADIO SOUND ARCHIVISTS

Albrecht Häfner, Südwestfunk, Baden Baden

Paper presented to the joint session of the Radio Sound Archives and Training Committees of IASA at the IASA/ARSC/FIAT Conference in Washington DC September 1995

Is there a training for technical radio sound archivists within the German Broadcasting Companies?

It was Helen Harrison who asked me some time ago to read a short paper in this session concerning the training of technical radio sound archivists with the emphasis on the requirements within the German broadcasting companies. Let us define the technical radio sound archivist as a person who takes care of all technical aspects of conservation, restoration and rerecording within a broadcasting company. After having reflected briefly on the question I had to admit that neither do we have people who fit this definition of a technical radio sound archivist nor consequently is there a training provision, although we have training programmes for the archival documentalist, as my colleague Clemens Schlenkrich reported last year in Bogensee.

For the better understanding of my report, you should know that public broadcasting in Germany has a federal structure - a really useful gift from the Allies after World War II. In 1950, the broadcasting companies of that time joined forces and founded an association called ARD. Today, the ARD has eleven members. Among other things the ARD maintains several institutions for central tasks, the costs of which are apportioned to the member companies. No technical radio sound archivist within the ARD at present, has responsibility for the immense archive stocks. That might appear as an "antiarchive" attitude at the first glance, but there are some good reasons for maintaining this stance. As we will see, the ARD has solved the task of keeping the stocks in good order in another way, and the fact that these stocks are available and on the whole fit for use, provides evidence that this way was correct up to now.

1. Among the central ARD institutions, there is the IRT, the Institute for Broadcasting Techniques in Munich, which is the research and development center of the ARD. The IRT started very early to define and lay down obligatory standards together with the manufacturers of magnetic tape. Now as before, the IRT carries out product and quality controls, the results of which are published and are of great benefit for the member companies, because they are released from that work.

2. Not long ago, a further central ARD institution was the SRT, the School of Broadcasting Techniques in Nürnberg, where operation and maintenance technicians for radio and TV were trained. Unfortunately, this institution was dissolved because it worked unprofitably. From the SRT the ARD members recruited their specific requirements for technical staff in the operational and maintenance departments. It is obvious that those especially trained people are also able to take care of technical problems in the sound archives.

3. Furthermore, the ARD is equipped with another central institution, that is the DRA (Deutsches Rundfunkarchiv, Frankfurt). Primarily the DRA serves as the central historic sound archive and therefore it meets all requirements for appropriate conservation, restoration and rerecording of historic sound carriers. This means that the other ARD members need not conserve or restore things like Edison wax cylinders, lacquer discs or shellacs.

4. Finally, it was the declared objective of the ARD since its foundation to restrict the number of sound carrier formats as much as possible. Consequently, we used almost only the 1/4" tape and the analogue discs for transmission purposes, until the Compact Disc entered into the broadcasting companies in the middle of the eighties after it had started its triumphant advance on the commercial market. It is evident that few formats have an advantage over many formats in every respect.

You may recognize from these four points that we did not need the function of a technical sound archivist, and probably we will not need them in the future. In 1959, when the study of Pickett and Lemcoe on *'Preservation and storage of sound recordings'*, commissioned by the Library of Congress was published, the IRT verified the results concerning the applicability within the German broadcasting companies. In a final report it was declared that the US findings essentially coincide with existing IRT recommendations. But in contrast to the US study, the long term aspect of a radio sound archive was not of importance at that time, as we can learn from the IRT report. Let me quote:

"The close tolerances and additional requirements of the US recommendations are surely advisable and necessary for long term archiving, which is not a primary task of the broadcasting companies, but in practice hard to comply with."

This statement was made 36 years ago and I can assure you that the mentality fortunately has changed.

What will come in the future? We have reasons to believe that the penetration of digital techniques into the sound archives will cause a change of the professional profile for all those who are employed in a sound archive. The broadcasters will provide digital mass stores, digital networks and a lot of computers first for their radio sound archives, later for their TV archives. Maybe this sounds awful, but I think that the computer will be in future a working instrument in our archives which we cannot dispense with, and which will relieve us of routine work without making us unnecessary.

DISCOGRAPHY

A CATALOGUER MEETS A DISCOGRAPHER, EACH ONE ASSUMING THE OTHER TO BE DEALING ONLY IN SURFACES

Chris Clark (British Library National Sound Archive)

Paper presented as part of the IASA Discography Committee's Open Session "Discological Research in Sound Archives: requirements and possibilities", at the joint IASA/ARSC/FIAT annual conference in Washington DC, 17 September 1995

Discographical research in sound archives may be conducted in several ways: seeking advice from specialist staff, examining physical items, reading primary and secondary source material and consulting the sound archive's own catalogue - this particular resource rather less than we who build them would hope. But in this respect, things have been changing, not just at the NSA where I work but more generally thanks to improvements in catalogue automation and networking, so that archive catalogues assume not only a more important role as resources for discographical information but also offer the possibility of producing information which may be formatted to the extent that it is quite close to the finished article - in other words, the instant discography! Beyond that, I want to suggest that certain kinds of information included in catalogue records may add a deeper dimension to discographies: let us call them "objective indicators of cultural significance".

"What can you do for me?" the discographer asked the cataloguer.

The answer given depends on the system that has been installed and developed. Most cataloguing systems are designed primarily to enable the archive to manage its collections, or at the most basic level, to enable it to find recordings for people to listen to. But such is the flexibility and choice of access points available in modern retrieval systems that a wide range of discographical research and preparatory organisation is possible even within the OPAC screens. Beyond that, reports can be produced to meet the most complex of requirements, eg. a discography of all live recordings of symphonic music published on CD.

If the system is networked via PC's, reports can be downloaded as slabs of word processor-ese where all manner of re-ordering and re-formatting can take place, even as far as the final draft of the discography.

"Our catalogue will also let you browse and enter partially-matching search terms", added the cataloguer excitedly.

These are vital facilities to offer any discographer, for however hard we work at applying the rules, inconsistencies occur and if it is decided to convert old catalogue records or records from another institution, you may find that temporarily you have not one form of heading for each term but many. Should we mind so much in the "looser" environment of the on-line system? Within one's own self-contained system, backed up by knowledgeable staff, probably not too much, but the next development!

for access to sound archive catalogues is interoperability, the possibility of accessing several databases simultaneously through an information gateway to the Internet. This will require that more attention be given to common standards and you might be interested to know that an EC-funded Project, Project Paragon, is aiming to establish a common attribute set for sound recordings as an extension to the international SR and American Z39.50 standards and that another similarly-funded project, Project Jukebox created multi-lingual thesauri for its purpose-built catalogue. These are likely to be features of future networks of sound archive databases which will help satisfy the lust for total information.

"Just how much information do you require? " asks the cataloguer. "Are you going to be satisfied with a shelf listing or do you require me to have second-guessed all the needs of your research topic? Our cross-referencing can be really impressive!"

Had the discographer been John Cage (not noted for his statements about discography) he might have replied with a quote from his own lecture *Where are we going and what are we doing?*:

"If we set out to catalogue things today, we find ourselves rather endlessly involved in cross-referencing. Would it not be less efficient to start the other way round, after the fashion of some obscure second-hand bookstore?"

This causes the cataloguer to shudder as he remembers what he just read about the state of information on the Internet - "the greatest library in the world, but the books are all over the floor". But Cage may have a point. Vast systems of information, however well they may be governed, can appear totally random and discontinuous.

All discographical research is a variation on the old game of discovering reassurance in continuity. So our work as catalogue makers can be supportive if it includes enough indications of that continuity. Here is my view of what those indicators should be and what requirements they seek to satisfy. I would argue that there are essentially three groupings of discographical approach to catalogue information: they will probably be and should be interdependent.

1. the approach to the voice of the author or composer within the continuity of a career or cultural tradition: the end result is a discography of written works;
2. the approach to the voice of the performer (person, group of persons, animal, machine, natural phenomenon) or an instrument within the continuity of an artistic career, a performance tradition or a particular kind of environment: the end result is a discography listing the performer's recording sessions;
3. the approach to the voice of the producer (in the broadest sense) within the continuity of field recording, broadcasting or the recording industry: the end result is a "product" discography, usually a record label discography.

Each of these approaches was illustrated by playing three brief recorded extracts and considering in turn what information is appropriate for a catalogue to provide.

1. a work, Boulez Structures II: BBC Radio broadcast, Boulez and Loriod performing.

The first approach (the voice of the composer) makes few demands on any catalogue. It requires the author and the work to be identified unambiguously and a recording of that work to be described. More demands are made when the discographer is looking for continuities within that composer's oeuvre, modifications to the composer's original idea (somebody else's arrangement, for instance) or relationships with the work of contemporaries and the tradition in which the composer worked. But since we're dealing here with sounds that have already been recorded - so to speak - as scores or books, our policy for dealing with such continuities can draw on the rules and procedures for cataloguing books. It then amounts to a decision on detail - dates of birth? full names? publishers? titles in original language?

2. some different recordings of the jazz standard "Caravan" made over a period of 60 years, spliced together to make a single collage. Performances include Duke Ellington (1937 and 1960's), Thelonious Monk, Art Blakey, Jo Jones and Julian Joseph Big Band (1995)

The second approach (the voice of the performer) requires something more sophisticated: differentiating between recordings of the same work, possibly by the same performers, maybe even at the same recording session. To satisfy this requirement the catalogue must provide recording dates and locations, matrix and take numbers (if appropriate).

Since I regard this information as the most important for identifying a recording, it became the focal point of the structure of the NSA's new catalogue. Without such a focus you may lose the opportunity for meaningful displays in chronological order and the discographer's task will be made much harder.

Beyond the description of who, when and where, there is little our catalogues can or even should do to illuminate such research topics as the Latin tinge in jazz (Tizol's contribution to the Ellington band), minimal chord movement as a basis for "modern jazz" (Thelonious Monk's version), Caravan as rabble rouser (Julian Joseph's Prom finale), can British big bands swing, can audiences clap in time? For such research the discographer takes pot-luck with the dozens of versions of the title "Caravan" that may be listed. Isn't that all part of the fun of research?

3. three products carrying the same recording, the broadcast premier of Britten's Spring Symphony: the original acetate disc taken privately off Hilversum Radio in 1949, NSA's Cedar-ised version of 1992, Decca's "Historic" release for the devotees of Ferrier in 1994 - using who knows what noise reduction system.

The third approach (the voice of the producer) is probably described by cataloguers in more detail than discographers might expect. We are talking about information of great significance for the interpretative aspect of discography. If you ignore it, you will still enjoy the voice, the sonata or the improvisation and complete your list, but you may miss some crucial points about how it was intended to be heard by those who produced it, the very indicators of the recording's cultural significance.

Consider the Britten recording. First you have a private recording made for the composer's own use. Another copy was made and given to Lord Harewood who re-discovered it in his possession decades later and donated it to the NSA who then made a dubbing to add value to their playback service. The recording was brought to the attention of Decca who saw the "unique selling point" of a previously unknown historical recording by Kathleen Ferrier, and took trouble to emphasise her participation in their remix. So, is the Decca issue a piece of commercial opportunism, like so many products of the recording industry, or is it culturally significant? I can't answer that.

Here are some of the types of information you will find at this level: the physical and technical properties of the recording, who made this recording available and when (is it legal?), who produced it, was it sponsored, did it fulfil the requirements of a thesis or a competition, was it part of some commemorative series? Who engineered or remastered it? If an old recording, what was done to it to make it more appealing for new audiences?

At the NSA we have built our catalogue and are developing our services to meet the requirements of a wide range of users, including discographers: the test of its possibilities is about to begin.

To conclude let me summarise the main points of this meeting between cataloguer and discographer.

1. On-line catalogues of sound recordings, if designed with the discographer in mind, can bring the work of cataloguer and discographer into a closer relationship and make the latter's job easier, possibly more fun.
2. New possibilities will be provided by linking sound archive catalogues through information gateways, provided the standards are compatible.
3. The proper description of the product, the sound carrier as purposely manufactured object, can dispel the impression that all either cataloguers or discographers deal in is surfaces.

DISCOLOGICAL RESEARCH IN SOUND ARCHIVES: REQUIREMENTS AND POSSIBILITIES

Jerome F Weber, Discographer

Paper presented as part of the IASA Discography Committee's Open Session at the IASA/ARSC/FIAT joint Conference in Washington DC, 17 September 1995

Continually for the last 25 years, I have been using record archives and university libraries in pursuing research on numerous discographies. I find certain aspects of these institutions make my research easier and more convenient.

In using a record archive, I look for comfort and convenience in listening to the records; the availability of useful print materials, including reference works, discographies, catalogues and periodicals; and knowledgeable and helpful staff members. I may say right now that the friendly cooperation of staff members in many institutions has meant the establishment of lasting friendships with many of them.

I want to begin with the National Sound Archive in London, which I first visited in 1974 when it was the British Institute of Recorded Sound. This institution has always furnished a high level of cooperation, and its collection of records and other resources is remarkable. Eric Hughes, now retired, was most helpful in sharing his exhaustive composer card files with me. My work on composer discography was naturally served well by this file, which was as complete a world discography as one man's efforts could make it. It was not a catalogue of the archive's holdings, but it had its own usefulness.

The original listening facilities involved remote playback, but a new and larger room for remote listening now requires the use of earphones. The installation of a locked cassette player in each listening station, however, is a unique improvement. This enables the listener to record an item on its first playback. The visitor is then free to manipulate the cassette playback at will. I know of no other archive that furnishes such a facility. Researchers very often need to listen to a recording analytically. Some archives limit the number of times a record may be replayed, and even the most generous policy is not as useful as the cassette repeat. It is impossible to remove the cassette from the machine, and it may be reused each time another record is auditioned. The extensive library of discographies, periodicals and reference books is accessible in a library in the same building.

I must next compliment Historical Sound Recordings at Yale. This is not the largest archive and its staff is limited, but the informal atmosphere is unmatched. Record shelves, library shelves and playback facilities using loudspeakers are all in one room, and given the curator's undivided attention the researcher can work more conveniently and quickly than in a more structured environment. It is easy to appreciate why this sort of arrangement would be unworkable in our largest archives, but we may still

lament the need for separating the researcher from his materials. Since the room is now too small for the collection, some records are stored remotely, but not for the purpose of frustrating the user. The shelves of published discographies, bound volumes of record periodicals, and other books on music can be consulted easily. The university music library, however, is a block or two away. In about five years the library and archive will be installed in a new addition to the present building, and we may wonder whether the present informal arrangements will be continued. Until the new building is ready, access to the collection may be limited.

The Library of Congress is the largest archive in the US and one of the largest in the world. The playback facilities are remote but loudspeakers are used. Generous privileges of access to the record stacks formerly given to serious researchers have yielded to a need for tighter security. The researcher must deal with two librarians, one in the recorded sound section and another in the music reading room who controls record retrieval. The playback engineer communicates with the listening station by intercom. An extensive collection of discographies and periodicals is available in the reference room, and even the Music Division's vast collection of music reference materials is in the same area.

The Rodgers and Hammerstein Archives in New York offers remote playback with earphones, but the intercom link with the playback engineer and the engineer's computer link with the record librarian are more convenient than at the Library of Congress. The reference books are in the same room, and a more extensive music reference collection is on the same floor of the building. This library is now undergoing reconstruction, so accessibility may not be the same in another year. The Bibliothèque Nationale in Paris has a department called the Phonothèque Nationale across the street from its main building. Record playback is remote but uses loudspeakers in a booth, and the engineer is in the same room with communication maintained directly. A small reference library is also in the same room. The card catalogues listing the holdings by label and number are not generally available to the public, although I have been privileged to use them. For some kinds of research, including but not limited to label discography, these cards are the easiest if not the only way to find out whether a record is in the collection. The composer and performer card files are open to the researcher.

The BBC Music Library has allowed me and other researchers to use its record library, a great benefit because of its great size and its thorough card catalogue. A single visit to the Deutsches Musikarchiv in Berlin in 1990 indicated that this was a major archive that I had not been able to use until then, and the friendly staff were most helpful. I have not been able to visit the Discoteca di Stato in Rome, where I would expect to find still more opportunities.

In addition to archives, the record libraries at major universities have been of great value. The Edward Johnson Library at the University of Toronto has a large record collection and comprehensive card catalogues. The same can be said of the Eda Kuhn Loeb Library at Harvard University and the Joseph Regenstein Library at the University of Chicago.

Even at smaller institutions, significant collections can be found. The Eastman School of Music maintains a music and record library in the heart of Rochester NY, that by its constitution is open to the public. Brandeis University and Vassar College have notable collections, and Hamilton College, which is very near my home, has a record collection that is particularly strong in early music, the subject of most of my recent work.

These libraries all have valuable music reference materials readily available nearby, they are invariably catalogued completely, and each library of this kind seems to have some records that can be found nowhere else.

To summarize, headphones are less comfortable than speakers, but obviously the listening booth is a more expensive setup. Access to the actual records and stacks is an advantage, but it is clear that the largest archives have their own reasons for eliminating it.

The availability of an extensive collection of record catalogues, review magazines, discographies and other music reference material is important in conjunction with record listening. Any archive that changes its physical layout ought to consider the importance of placing these resources close to the listening area.

The complete cataloguing of the archival collection, so common in university music libraries, is unfortunately one of the greatest shortcomings of the larger archives, and the Rigler-Deutsch Index is only a partial and inadequate solution to the problem. Computer cataloguing in London and Paris promises to make those archives more accessible in the future.

In view of the unique holdings that every archive and library possesses, the union catalogue is a highly desirable goal. Any effort to integrate future computer cataloguing of archives into a single database would serve the needs of all researchers.

Author's note. The unexpurgated version of this paper as delivered at the conference will be available on cassette from ARSC Publications.

CATALOGUING

HANDLING OF MULTIMEDIA IN THE ARCHIVES OF I.R.TE.M.

Irma Perotti, I.R.TE.M, Rome

Although I.R.TE.M. (the Rome-based Research Institute for Music Theatre) originally established two audiovisual collections, an increasing amount of printed material has been flowing into our archives over the years. The creation of a library was the result of this situation so that our material is now divided into one sound collection, one audiovisual collection and one library.

The relatively lucky fact has been that I.R.TE.M. originally conceived quite definite limits for its two collections: (1) audio collection of tapes, LP's and CD's of classical music composed after the year 1900, and (2) one AV collection of VHS of operas and ballets.

In the former case the restrictions regard both the work's date of composition and its genre, while in the latter only its genre influences the acquisition of AV documents.

The methods used to catalogue these two collections have therefore developed more from the kind of the recorded works we preserve than from their physical carriers, which have oriented the arrangement on shelves and an initial card catalogue.

It was perhaps this original approach which enabled us to avoid the inclination to adapt old rules to the new situation and to feel free to consider the collected material as "multimedia" items from the start.

For instance, our recorded sound collection (LP, CD and MC) is catalogued both on the basis of its musical content and of the accompanying textual notes, be they musicological or not. In fact, our computerized program of sound card includes a field for indicating:

- a) language of the text (if present);
- b) author of the libretto or lyrics (in the case of vocal music);
- c) author and language of the cover notes.

In our series of publications we also followed the same criteria: in the case of our "Repertori (indexes) of Italian collections of audio visual carriers containing music by Mozart and Rossini the cataloguing rules expressly require the indication of cover notes or accompanying texts (including the page count), authors' names, existence of librettos or lyrics (including translations).

We recently launched a "multimedia" initiative with the publication of Paisiello's "Re Teodoro in Venezia". The publication of the opera on CD (containing detailed information on the performance) will be accompanied by a book containing critical essays and a comparative analysis between the various extant manuscript sources as related to the recorded performance.

One of our projects for the future is to add a field to our cataloguing programme, so as to indicate references to books, essays, articles or reviews concerning the musical piece in question, present in our library. This material should be sub-divided into:

- a) material concerning the musical piece in general;
- b) material concerning each specific performance of the musical piece.

It follows that our library's catalogue would contain cross-references to the corresponding audio-visual documents.

The desire to furnish as much information as possible stems from the observation of recent developments in Italy in this field, the audio visual market has grown disproportionately - quantitatively, but not qualitatively. That is to say that there is much material on sale which is not only poor in quality, but also lacks the most elementary accompanying information. As far as our collections are concerned, we wish to counteract this tendency.

Computer technology now makes it possible for us to begin thinking about a new possibility: the compilation of one single catalogue which would include all the items collected, whatever their carriers. Given the subject limitations of our collections, this catalogue would contain data referring to homogeneous recorded (in audio, video or print) contents. There are a number of questions we are trying to answer now. For instance, how to make data which are now separate flow into a single catalogue. secondly, is it worth renouncing updating the already existing separate catalogues, which are periodically printed and made available to researchers? In fact, we cannot forget that there are people who are committed with highly specialized research studies and these people are happy to find that a preliminary work of data identification and separation has already been done.

The problems raised by the creation of a single catalogue also require a higher number of expert people to do the job, but the training of audiovisual cataloguers is just a 'frontier' activity in Italy. This and other issues are currently on our agenda but the present situation is that we feel like walking on a dividing line between the experiences of a past age and the exciting (though often obscure) prospects of the future. The real fact is, however, that we have to run an archive in the daily routine, often facing tasks which require immediate solutions and often being compelled to deal with emergencies. We do not think it an uncommon fate.

LEGAL QUESTIONS IN CATALOGUING

Helga Thiel, Phonogrammarchiv, Vienna

Contribution to the working meeting of the Cataloguing and Documentation Committee at the IASA/ARSC/FIAT Conference in Washington DC, September 1995

PREAMBLE:

I would like to underline that I am nothing more than a "laywoman" with regard to legal questions. But legal problems do concern us as responsible administrators, in some cases as producers of cultural goods etc., and furthermore we must provide access to the clientele. Every av-media archivist has their own experience regarding these matters; and hence permitted to make some remarks.

Let me quote Ray Edmondson, "A Philosophy of audiovisual (av) archiving: draft one, p.1: "Legalities are so important and sensitive in AV archiving that a code of ethics needs to deal with legal obligations of the Institution and individual in scrupulously honouring copyright obligations and depositor and donor agreements". This statement is generally valid. special questions may arise from

- 1) the new possibilities of data access by the new communications technologies
- 2) the fact that copyright and neighbouring rights (eg.: performance rights) - if these exist in the particular country - are related to works and documents (to some extent).
- 3) different legal situation in different countries
- 4) illegitimate products

Within this context I would like to remind you of the "Interim Report on the copyright implication of Project JUKEBOX" by Crispin Jewitt (IASA journal no. 2/November 1993). Among other aspects - eg. it was necessary to draw up "metacatalogue" - the legal aspect the Jukebox Project is of pilot character. Hopefully larger subsequent initiatives will develop. If so, the legal position of each one remains the same but 'the terms of licensing agreements could vary' (Jewitt p. 65). These should induce them to contact bodies representing the interests of eg. commercial av-media, national mechanical rights organisations, broadcasters and individuals for the relevant permissions to include their material into the specific data offers of a cable service of the archives, museums or libraries. The cataloguer ought to make an entry if particular material is free for cable service.

Considering works national laws exist with respect to copyrights. What is situation as within research archives such as the Phonogrammarchiv? "Rights involved in situation like within research archives such as this type of archive are mainly with the traditors, researchers and the archive or the institution." (Bruford, IASA journal no-3 / May 1994, p.75).

The Phonogrammarchiv is not open to the general public. This is an indirect hint for the main use of its holdings (primary source material). They serve for research and they serve as teaching aids within academic lectures. Many students and academics are the clients of the Phonogrammarchiv seeking special material or in case of a planned field study methodological and technical advice which very often goes hand in hand with the loan of optimal equipment for a particular research which can take place everywhere, eg. in the swamps of the Amazonas region in order to tape frog communication. The Phonogrammarchiv supports an applicant if he is willing to deposit exclusively his field material in the archive (for preservation) as well as all the field notes and other material belonging to documentation. The Phonogrammarchiv examines the incoming material and decides whether it should be preserved totally, partially or not at all. In case of positive decision work prints are dubbed in 1:1 - relation from the originals. (These remain in the archive for reasons of optimal protection). These copies are free of charge and belong to the depositor of the material. He has the right to order further copies of his originals but now by refunding the costs.

The depositor is obliged to quote the support of the archive within all the publications based on his preserved recordings, from which he has to quote the archival numbers too. Furthermore he has to give a voucher of his publications to the archive. Within the first five years after the material has entered the Phonogrammarchiv the researcher / collector has the exclusive rights over it. After this time he is authorized to prolong this period but he has to explain why in written form. But it often happens, that the material is released before the normal period.

A couple of years ago large collections which came into being without the support of the Phonogrammarchiv entered its holdings. Special contractual agreements exist with the donors. The same is true with re-recordings (for them Franz Lechleitner - chief technician of the Phonogrammarchiv - is responsible), eg. of cylinders belonging to other institutions in Austria or elsewhere. Access for reference to these items - as in all other ones - is granted only after the author has been contacted. Depending on his permission the written special mutual agreements of the Institution will then be in force.

Restraints on disposal (being total or partial) have an internal entry, eg. the researcher / collector - a musicologist - wants the exclusive use for all his music recordings, but all parts of his collection dealing with other subject contents can be used generally. Of course the archive preserves material containing a barring clause variably limited by time.

With regard to the commercialisation of material or parts of it, and of broadcasting, the author has the power of disposal as long as he lives. Then the Phonogrammarchiv is the legal heir of the material.

This Institute of the Austrian Academy of Sciences (OAW) publishes sound carriers. Potential remunerations have to be discussed with the Publishing House of the OAW. If an author wants to publish his material - even though it is preserved in the archive - outside of its series he has to quote the archive and mention the support given by it. Licences and potential broadcasting fees have to be divided between the author (2/3) and the archive (1/3). The archive receives service costs for the production of copies (other than the first work print, eg. masters).

For the user all agreements mentioned are effective. Additionally he or further persons are not allowed either to duplicate or to distribute copies from the holdings of the archive. Finally he has to erase the copies received from the Archive after the stated, agreed use..

In the case of misuse of the support of the Phonogrammarchiv a civil action will be brought against the person concerned.

Here it is impossible for me to give any information but two:

a) In Austria copyright is strictly related to a person. It is not alienable as long as the creator of a work is alive. Copyright is hereditary. This contrasts strongly to the situation in the USA where copyright is completely devolvable - even to the extent that the patron of an artist is the author in case of a 'work made for hire'. (Hodik, Wiss. Film Nr. 40, Juni 1989, Urheberrecht, das unbekannte Wesen, S. 93).

b) legal deposit does not exist in Austria.

In conclusion I would like to enquire of all IASA colleagues if one or the other archive includes within his holdings bootlegs, pirate copies and counterfeits? If identified as such, how do you catalogue them having in mind the legal aspect?

FIAT DOCUMENTATION COMMISSION SESSIONS IASA/ARSC/FIAT CONFERENCE WASHINGTON SEPTEMBER 1995

Mary Miliano, National Film and Sound Archive, Canberra

Editor's note. During the Washington conference no one could attend all sessions even with the best will in the world. I asked Mary Miliano to give me a brief report of some of the sessions concerned with cataloguing which took place during the week.

The new chair of the FIAT Documentation Commission is Annameike Westenbrink of the NOB, Hilversum, Netherlands. The Commission held a closed working session (members only), an open working session with two presentations and a formal open session with six presentations.

OPEN WORKING SESSION

The main emphasis of the open working session was on increased efficiency in documenting television archives. This was a refreshing session as each speaker had clearly noted the 'signs of the times' and aimed to see where they will take us in the future.

Peter Cox (BBC) in *Commercialisation of TV Archives and its effect on Selection, Cataloguing and Retrieval* posed the question of what should the direction of the FIAT Documentation Commission be in the light of this topic. The key issues from his talk centred on budgeting, saving and earning money, charges (which are levied), prices (which are negotiated), profits, contracts and service level agreements. On the point of saving money through cataloguing and retrieval systems he proposed that data formats and protocols, cataloguing codes, indexing languages could be rationalised and integrated, that data could be externally shared and bought in, and noted that compromises are necessary under these circumstances.

On the point of earning money he discussed internal trading (ie. indexing for others, the impact on research staff, and enabling others to sell). External trading necessarily prompts issues of security of data (eg. passwords, encryption and watermarking), connections to raw program data, robust platforms, and user friendly retrieval systems - to date help systems have been crude as they have been used only by archivists and librarians experienced in the systems).

Peter suggested that the FIAT Documentation Commission could track the following trends:

1. formats, protocols, codes and languages
2. multimedia vs. paper based systems
3. search engines and interfaces
4. external products and services
5. member services: selling and contracting

Eva-Lis Green (Swedish TV) presented *Information Technology*. She noted that communication is now easier with the Internet and that much data can be stored and made accessible through imaging. Eva-Lis highlighted that automated inputting and indexing are now possible (and that there are pilot projects presently running to index imaging automatically). In addition, decentralised input is another possibility.

The risk is that the archivists are then involved with considerable editing.

Output allows quick access (to raw data), potential future links with information and the moving images, individual use of PCs and graphic interfaces (ie. which allow individuals to select and display the fields they desire.)

Some of the questions which Eva-Lis concluded with were:

- * can users decide what information they want to see?
- * Is editing of TV program information necessary when the computer can evaluate it?
- * are centralised information banks necessary

OPEN SESSION

Sylvia Stewart in *Archiving and Documentation within TAFT Broadcasting Company* noted the particular clients and types of information necessary when cataloguing NASA's space shuttle video recordings:

- * scene by scene descriptions and indexing in chronological order are necessary
- * Summaries include visible crew members and visible equipment as well as the type of experiment and 'payload'. The summaries are written concisely and use the language of the flight controllers as well as acronyms.

Tape duplication requests are always received during and after each mission for the 'payload' requested by the clients. The clients want every piece of information on their 'payload.'

Jeanette Kopak in *CBC Program Content Database System* noted the CBC cannot afford to catalogue and shotlist everything and highlighted methods to maximise data capture at the CBC

- * Cataloguing begins when the program is a concept (ie. at the writing of the script);
- * Segments with shotlists are documented;
- * Everything in the program as well as outtakes, is catalogued;
- * Producers (with training by library staff are encouraged to use a program to manage their tapes of the which means the cataloguers do not have to re-do this work later.

The aims are to:

1. provide access to all information related to CBC English language programs
2. use existing information generated from the production process
3. provide a production tool for the CBC;
4. Allow different users to see information in a way that suits them best;
5. be specific (eg a description: 'a program about the Vietnam War' is not liked and not used, whereas a shot list is much more helpful to future program makers).

Peter Cox in *BBC Indexing Language Project* stated that the BBC is bringing a large number of systems into one system. These include Program Archive, Music Scores and News Cuttings. There is a need for a 24 hour, user friendly and remote (national and international) access to the system - for every type of data, including for instance pronunciation of unfamiliar names for international personage. Clients include foreign correspondents and news readers.

The key issues for the BBC for the next two to three years are a common catalogue code, a common indexing language and a common user interface.

A hybrid indexing language (being a mix of existing internal and external terms) has been chosen. The challenge now is to establish a suitable structure for the index language so that it works as a good retrieval tool.

Hans Mijnhout (AVAC/NOB) outlined *The Building of a National AV Catalogue* in the Netherlands which was an incentive of various organisations. In addition he noted that the Netherlands Broadcasting Company (NOB) has a film archive and a music and spoken word archive, that its radio and television catalogue are centralised and that the National AV archive focuses on Collecting and Selection, Conservation, and Cataloguing and Access.

Other presentations in this session were *CD-Rom for Marketing Television Archives* by Eva-Lis Green and Asa Danasten of Swedish Television, and *The Joint On-Line Use of German and Austrian Television Databases for Documentation Purposes* by Wolfgang Dehn (SWF) and Herbert Hayduck (ORF).

SOUND BIBLIOGRAPHIC STRATEGIES SEMINAR.

At the end of the week a one-day post-conference Symposium was hosted by the Library of Congress. The morning session comprised presentations on processing priorities, strategies and methodologies given by Catherine Garland (Motion Picture, Broadcasting and Recorded Sound, Library of Congress), Danièle Branger (Département de la Phonothèque et Audiovisuel, Bibliothèque Nationale de France), Crispin Jewitt (National Sound Archive, The British Library), Olle Johansson (Arkivet för Ljud Och Bild, Sweden), Malcolm Tibber and Angela Marriott (Mechanical Copyright Protection Society, United Kingdom) and myself (National Film and Sound Archive Australia). The afternoon session explored co-operative directions and major areas of discussion were by Sarah Thomas (Library of Congress) *Strategies for Processing Large Recorded Sound Collections*. Richard Thaxter (Library of Congress), Organisation of Recorded Sound Databases and David Francis (Library of Congress) Acquisition of Bibliographic Information.

CONCLUDING COMMENTS

It is always interesting to see how other organisations catalogue. What is more important, though is to understand why they catalogue in the way they do. As we all strive towards major goals of establishing commonly used data elements exploring and testing possibilities for co-operation and data sharing, we can recognise that each organisation will necessarily catalogue and manage its collection according to:

- * the perceived needs of its internal and external clients;
- * the mission, direction and goals of the organisation;
- * budget allocations and constraints.
- * available technology;
- * nature of the contents of the collection/s
- * degree of priority given to different parts of the collection/s.

The exciting thing is that as we begin to share the background to our cataloguing (ie. the *why*), we will often find a surprising number of parallels in the above points.

So, just as it is useful to learn of new directions, or special problems which may not always be immediately applicable to us at home (but which can enrich our knowledge and appreciation) it is always encouraging to recognise that other organisations are:

1. ultimately aiming to catalogue and manage their collections as appropriate to their particular situation; and
- 2.. often grappling with similar issues and responsibilities to ourselves. .

SEMINAR AND CONFERENCE REPORTS

THE ASEAN CONNECTION: REFLECTIONS ON THE ASEAN SEMINAR ON FILM AND VIDEO ARCHIVE MANAGEMENT

Ray Edmondson, National Film and Sound Archive, Canberra

The ASEAN Seminar on Film and Video Archive Management was held at the National Film and Sound Archive, Canberra, from 8 May to 3 June 1995. The 4 week seminar attracted 20 participants from 10 countries across the South East Asia region. An intensive formal program was supplemented by social activities, including screenings, dinners, sightseeing around Canberra and a three day excursion to Sydney and the Blue Mountains. It was the first lengthy professional gathering of this kind ever held in the region, and proved to be something of a quantum leap in developing relationships and a strategy for AV archiving in South East Asia.

BACKGROUND

While many countries in the S E Asia region have large film and broadcasting industries, there is in many cases a relatively short tradition of AV archiving. The profile of the work is low and resources and infrastructure are often extremely limited. At the same time, preservation problems are acute - the tropical climate plays havoc with film and tape stock, and such effects as mould, vinegar syndrome and colour dye fade are endemic. There is a need to develop management systems and personal expertise.

Practitioners have tended to work in isolation - few of the archives have any connection with FIAF or IASA, for instance. This has tended to keep the needs of the region invisible from colleagues in Europe and North America. But in the last few years, this has begun to change. Formal and informal contact between neighbouring countries has grown, and development has been stimulated, as colleagues have begun to reach out to each other. The National Film and Sound Archive of Australia (NFSA) set out to visit its neighbours - and found that they were beginning to do exactly the same thing. These contacts stimulated discussion, awareness and meetings - and action. The Association of South East Asian Nations - Committee on Culture and Information (ASEAN-COCI) established a plan to develop audiovisual archiving in the region.

ORGANISATION

In June 1994 ASEAN-COCI and the Australian Department of Foreign Affairs (DFAT) agreed to co-sponsor a training seminar under the aegis of ASEAN-COCI's plan. These two bodies, joined with support from Kodak Australasia and UNESCO, covered the costs of the project, including the airfares and staying costs of most participants.

The NFSA provided the staff time, venue and infrastructure for the seminar, and most presenters were senior NFSA staff. The four week programme was devised and managed by an organising group of four: Ray Edmondson (Seminar Director, NFSA), Jean Wein (Executive Officer, NFSA), Bel Capul (Curriculum Consultant, Philippine Information Agency, Manila) and Tuenjai Sinthuvnik (ASEAN Coordinator, Thailand). The seminar was conducted in English, which is standard ASEAN practice.

The theme of management was felt to be the most urgent one facing archives in the region, and the organising group set out to grapple with this theme and its implications.

PARTICIPANTS

The intention was to bring together people working at middle to senior management level in their own archives and, if possible, to have more than one participant from each country, so the experience could be shared and reinforced after returning home. A maximum of 20 places were available, and were filled as follows:

Brunei Darussalaam	1
Indonesia	2
Malaysia	2
Philippines	4
Singapore	2
Thailand	2
Laos	2
Vietnam	2
Australia	2
New Zealand	1

In general, the group met the parameters that had been set, and there was a good gender mix. Not surprisingly, there was some variation in English language competency so some participants faced difficulty keeping up with the information flow. Individual motivation was high: the group bonded very well, enjoyed each others' company and there were no apparent conflicts.

CURRICULUM

This was a seminar for managers, so the curriculum needed to be wide ranging and comprehensive. We knew it would be hard to strike the right balance between breadth and depth, so the curriculum was built around six areas:

- A. Film archiving in South East Asia - current status reports, needs and issues
- B. Overview of AV Archiving and its philosophy - history of the movement, nature of the AV media, defining and practising the profession

C. Organisational models for film/video archives - typology, examples and evaluation of models. Inter-institutional cooperation.

D. Internal functions and management of film/TV archives - collection development, accessioning and cataloguing, collection management, preservation, access, documentation - plus strategic issues such as legalities, building a support base, organisational structures, design and operation of facilities, computers, healthcare, budgets and training.

E. Regional Issues and Strategies - Common issues and concerns; strategies for addressing them, including facility sharing, staff exchange and other cooperation.

F. International issues and strategies - introduction to the framework of international organisations and services.

Of these, area D received the lion's share of time and attention, and much time was spent in a "hands on" analysis of the classic archival functions. But in the pioneering environment of South East Asia, the strategic issues - such as building a support base - are of enormous importance, and they loomed large in the Seminar.

The UNESCO report *Curriculum Development for the training of personnel in moving image and recorded sound archives* (1990) served as a reference source for planning the Seminar, especially the "model curriculum" which it describes.

METHODOLOGY

The twenty participants were arranged in four syndicate groupings of five each, so that in each group five different countries were represented and there was a balance of both gender and English fluency. These groups operated throughout the Seminar as the basis of role play, workshop and other exercises. An effort was made to balance lecture presentations with hands-on and group work, and we learned to minimise the amount of "listening" and maximise the "doing" and active participation. Here are some examples:

. Preparation and sharing: All participants were asked to do preparatory reading before the seminar, and also to come prepared to make a presentation on the overall situation of AV archiving in their own country. These were conscientiously done, and all of us - including many additional NFSA staff who were invited to attend these presentations - gained probably the first comprehensive overview of the region that we had ever had.

. Role play: Syndicate groups each acted out a basic situation - a meeting between the Minister and a delegation from the archive seeking increased funding - with variations, based on different "secret" information given separately to some groups. The role plays were videotaped, then analysed by the whole Seminar. The purpose was to study the dynamics of meetings, body language, and the process of influencing "higher-ups".

. Mythical countries: Each syndicate represented players in the varying archival situations of one of four different mythical countries (Betonia, Anchovia, Sprusovia, Regalia). Acting on basic data given to them, each group had to design a plan and strategy for three years resulting in an improvement in their overall situation. This was an exercise in management and priority setting. Like many other parts of the Seminar it not only produced some excellent results, but was great fun!

. Syndicate and whole group discussions: A number of topics were dealt with by posing a series of questions for syndicate groups to research and discuss, the groups then presenting their findings (using overheads or chart paper) in a plenary session. Sometimes all groups addressed the same questions; at other times, each group dealt with a separate topic in depth.

. "Hands on": Some exercises required participants, working in their syndicate groups, to practice "hands on" practical technical and processing skills. The rationale was that managers, also, must have some direct familiarity with the skills employed by their staff.

. Handouts: These included documented group discussions, copies of lectures and presentations, technical information, articles and supplementary reading. Not all were necessarily meant to be read in Canberra: some were distributed as pre-Seminar reading, others intended for post-Seminar reference. The purposes was to give participants a base of reference material which could have on-going usefulness.

. Projects: Participants were invited to bring with them a problem or task to work through during the Seminar. These proved to include cataloguing projects and a number of technical problems - such as the copying of deteriorated film and video - and in each case, the participant was involved working alongside NFSA staff, in solving the problem.

. Committing: In the final Seminar session, participants wrote a letter to themselves, as a personal commitment, detailing how they would apply the learning from the Seminar. The sealed letters are to be held at NFSA until the end of November, then posted to their recipients. The commitments are confidential to the individual.

Underpinning the whole Seminar was the notion that the participants themselves would become trainers, passing on the knowledge acquired to their own staff in turn, and using their Seminar notes and papers as a resource.

OUTCOME

How successful was the Seminar?

At the end of each day, participants filled in an evaluation form on the day's activities, which helped the Organising Group to adjust the programme progressively: at the end of the Seminar, participants also completed a lengthy evaluation questionnaire. Based on these, 89% said the Seminar fully achieved its objective of providing participants with a total perspective on film archiving while 78% said it fully accomplished the tasks of equipping the participants with management know-how, skills and an approach to addressing common problems and issues in the region. By the normal standards of such activities, therefore, the Seminar was a success.

Other outcomes are harder to measure in the short term: things like friendships and networks, personal growth and the general advancement of AV archiving in the region. However, these were foreshadowed by a conviction, expressed in private, as well as in public at the closing ceremony, that everyone had shared in something quite important and historic: that the future would be different than the past.

REGIONAL ASSOCIATION

One crucial legacy of the Seminar was the action taken to create a regional Association of AV archives. A Steering Committee was elected to undertake the sequence of tasks necessary to set up a formal organisation. This was supplemented with an infrastructure of five interim working committees, who could begin the active work of the Association pending its formal establishment. (The Steering Committee met in Bangkok in September and a report on the development of the Association will appear in a future issue.) Significantly, the Seminar felt strongly that it should be an AV association - open to sound and multiple media as well as film and television archives - notwithstanding the film/television backgrounds of the participants. The Seminar produced a series of observations and recommendations relating to the situation of AV archiving in the region, and the new Association will have a considerable strategic agenda to pursue.

FUTURE SEMINARS

Under the three-year ASEAN-COCI plan agreed with DFAT, the NFSA will conduct two further seminars. The next, on Cataloguing and Collection Control, will have a more specialised purpose and will be held in Canberra in April/May 1996: preparations are now underway by its Organising Group (Ann Baylis and Mary Miliano of NFSA, together with Bel Capul and Tueniai Sinthuvnik). The third, on Preservation and Technical subjects, will be held in (probably) early 1997: NFSA's Mark Nizette, together with the new regional association's Technical Committee, chaired by Mary del Pilar, are taking a long term view on the preparation of this event which we focus on clearly identified regional needs.

REFLECTIONS

On a personal level, I could say that few events in my career have been so stretching, and have given me such pleasure and satisfaction. Best of all, I know that exactly the same sentiment has been the experience of many people within the Seminar group. There was the enjoyment and camaraderie of a group experience that we had awaited for so long (without realising how long we had waited!). There was also the shared determination to make the occasion count for something, to consolidate its gains and implications - and to move on, supporting each other, knowing that within our neighbourhood we were no longer alone.

At any such gathering, all sorts of insights and sharing of personal abilities come to the fore. For example, one of the participants, Ricky Orellano of Manila, is also a talented cartoonist whose graphical contributions enlivened the event (and perhaps translated archival concepts into comic strip form for the first time ever?). Ricky, who had never previously made a speech in public, was prevailed on to speak on behalf of all the participants at the closing ceremony. "This is not the end", he said, "but the beginning of a long lasting relationship..."

One of our Vietnamese colleagues told us an old proverb from his country: "Hearing of one thing a hundred times is not so good as seeing it once." And so it was: gathering together once achieved more than any number of phone calls, letters or faxes could ever have done. And what of sound archiving in the region? The Seminar was designed to meet a felt need among an identifiable community of moving image archivists in S E Asia, and to strive for an attainable goal. There are audio collections in ASEAN countries too, and the new association will reach out for them. It will be an exciting journey

EMERGENCY PREPAREDNESS AND DISASTER RECOVERY OF AUDIO, FILM AND VIDEO MATERIALS

Report on a seminar held in Library of Congress, September 21 1995

Helen P Harrison, Editor IASA

Disasters are all too common. But they may often not be thoroughly reported for the obvious reason that you do not wish to consider that there were things left undone and precautions which could and of course should have been taken. It is human nature to hope for the best and be fatalistic when the worst happens. It was not our fault! We could not have known that such a thing could happen. But as the boy scout motto avers "*Be prepared*" or should it be "prepare to meet thy doom!"

During the middle of the very busy conference in Washington DC in September the Library of Congress offered an excellent extra day to give us pause for thought. Conference organisers always teeter on the edge of disaster and I suspect there was an ironic overtone by our hosts in presenting the seminar. Nevertheless more than relevant to today's problems of av materials and the disasters that are waiting to happen, resulting in some catastrophic losses. The topic is one of growing interest to us today - some of our predecessors did not have the opportunity to lay plans for disasters - they were upon them before they could even contemplate them. This may have been from a natural disaster; earthquake, fire, flood or a man-made disaster - again fire flood or bad planning or neglect.

The topic of disaster preparedness and recovery has become of importance in the last few years as society and the archives have become more sophisticated. There are more things to go wrong - more constructions which do not work, more control systems which are potential failures, larger collections with larger problems. Fortunately consciousness is growing and with it the expertise and advice services needed to cope. These are still few and far between, but this seminar provided a start and the information gleaned both from the presentations and the discussion was invaluable. This was a real seminar with interaction between speakers and audience, plenty of experience on both sides both theoretical and practical, not a question of people sitting silent taking in (or not) what the speakers are discussing, but contributing with their own experience of recent disasters and also potential disasters which they have identified.

But to the seminar itself: the day was divided into preparing for your emergency and then recovering from it if you are unlucky.

Members of the Library of Congress team, Ann Seibert and Carrie Beyer started by mentioning some of the major disasters in recent time: a fire in St. Louis, the Florence flood, the Lisbon flood, the Library of Congress itself - all of us could add to these especially some of the nitrate collections which have gone up in their own smoke, in UK we had only recently a fire in public library in Norwich destroying records which

have existed for hundreds of years - but they were major disasters and there are many more minor disasters, equally destructive if on a smaller scale. Perhaps if you have had a disaster it will make you think of and when the next one is to come and what you can do about preventing it or worse recovering from it.

'A disaster is an emergency that goes out of control, something for which you are not prepared.' 'Emergency preparedness should be the primary aim rather than disaster reduction'. Recovery techniques are the third factor in the equation, and these refer to the materials. The safety of staff is a first consideration and it has to be remembered that in an emergency everyone will probably leave the building, but the materials will be left behind and these will need the recovery treatment.

Emergency preparedness includes risk assessment and the paper continued with a look at the possible hazards. Fire, flood, earthquake, even severe weather may give no warning and safety precautions need to be put in place 'in the event of such emergency'. Similarly with problems such as power failure or explosion there will be no warning, back-up power supplies need to be installed and problems likely to cause failures or explosion should be avoided, eg. overloading, careless wiring or worn cables. Further hazards such as civil disturbance and war may have to consider evacuation procedures. Other hazards may be more insidious such as mould, infestation, spontaneous combustion of materials eg. nitrate film and the various other hazards to which the audiovisual materials are particularly prone.

After running through likely hazards the rest of the session concentrated on establishing emergency procedures and a disaster recovery plan using the Library of Congress as an example. The Library of Congress has drawn up a detailed plan of what to do in various emergencies, issued it to key staff, displayed it prominently and in designated places which all staff are notified of - it is no use having a plan which is stuck away in a drawer - which drawer! or which staff have to search to find. Additionally the emergency procedures are practised regularly and new staff informed. Regular tutorials are taken by the Library's Emergency Management Team.

Another consideration in an emergency is to decide what to tackle first - which collection is in the most danger or perhaps liable to rapid loss, which has the highest priority for recovery.

Recovery techniques include immediate mopping up exercise with what the Library has called REACT packs. These are crates of materials strategically placed in all areas of the Library for dealing with the immediate emergency. We were treated to one of these lucky dip displays pulling all sorts of mops, squeegees, protective coverings and clothing which could be obtained immediately while other help is on its way. These REACT packs have to be kept supplied and are subject to regular inventory and replacement. All too often these 'good ideas' may go to waste if a vital piece of equipment is used and not replaced.

Further recovery techniques will include air drying and freeze drying before restoration can be carried out. The seminar provided handy charts and information indicating proven and unproven methods of recovery eg. for video and sound tapes freezing is untested, air drying recommended; photographs, different methods for different photographic processes - but air drying seemed the most effective method; motion pictures, wash and dry within 48 hours.

Once disaster strikes the emergency services will have to be called in and constant liaison with such services is necessary for all archive materials, but especially for audiovisual materials. The fire service may have a natural instinct to pour water on a flame, but this could prove even more disastrous for many materials. Awareness by the fire or other emergency service is essential, they should be walked round the collections regularly, told of the associated problems, shown special collections or priority areas and provided with maps in all rooms to indicate the whereabouts of such collections.

One of the major problems in fire suppression is water. Time and again during the day we were told horror tales of sprinklers inundating areas, and if the sprinklers happen to be fed by galvanised steel pipes these will corrode and deposit a black 'yucky' mess on your precious collection. Another cautionary note - make sure the sprinklers have copper piping. The Library of Congress is experimenting with a water mist system for fire suppression. Halon gas which has been used in the past has been found unsuitable - not only does it wreck the ozone-layer, but closer to home it removes oxygen from the area and is a hazard to people. The water mist system is basically a fog which fills a defined area - it is not directed at a specific point and as far as I understood it dampens rather than soaks the collection. Although it is safe to stay in the area when the fog comes, you cannot see and this in itself might be said to be a hazard. We await the results of the Library of Congress tests with interest.

The following papers covered specific types of material with comment on reactions to emergencies and different methods of recovery depending on the material.

John Van Bogart of the National Media Laboratory dealt with the recovery of damaged magnetic materials in one session and optical media in a second. We were shown what can go wrong with tape and optical media, improper storage, faulty manufacture eg. the sandwich of a CD may not be properly sealed, careless handling - scratching a CD ROM will corrupt data, putting sticky tape on CD surface will damage the coating and oxidation occurs. Prevention is of course better than recovery and some of the advice in this session if it sounded familiar bears repeating. Proper storage conditions, winding tapes correctly, store in cool dry places (above flood level!), lowering the temperature and humidities and keeping them stable helps prevent the tape expanding and contracting, and the storage environment should be clean, dust and pollutant free. There was plenty of practical advice and some lively exchange of information in these two sessions. A booklet accompanied the session on magnetic tape storage, published by the Commission on Preservation and Access and the National Media Laboratory,² while the session on optical media is available on the World Wide Web.³

Kevin Keener from Eastman Kodak took us through roll film (microfilm) its potential as an archival material, disaster prevention and recovery. Once again prevention was stressed, making back-ups, ie. having one or more copies in different areas, not storing material in basements which are the first places to flood, also for this type of material special storage units, cabinets or safes can be considered.

Deborah Norris of the University of Delaware dealt with photographic materials, illustrating her paper with a wide selection of slides dealing with the various types of photograph, what happens in an emergency, or just from bad storage conditions, and what can be done, if anything to recover the materials.

Disaster preparedness, management and recovery has become an important issue in the 1990s, although the concept has been around for some longer time. Much of the thinking in the UK arose from the National Library of Scotland's national disaster plan in 1985. Many of the plans produced since have concentrated on paper based materials and library collections, but in the 1990s the audiovisual world has come to realise that disasters are waiting to happen with increasing probability. The av materials are subject to a variety of disaster - fire and flood and the so-called 'slow fires' of deterioration and decay. This seminar by concentrating on the audiovisual materials was a very useful start, but only 55 or so people were able to attend. I would commend others to take up the cause and continue to develop the subject for the benefit of many more.

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1. Gerald D Gibson, *Emergency Preparedness and Disaster Recovery in Audiovisual Collections*. IASA Journal, (4), November 1994, pp. 13-18
2. John W C Van Bogart, *Magnetic tape storage and handling: a guide for libraries and archives*. The Commission on Preservation and Access and the National Media Laboratory, Washington DC, June 1995. ISBN 1-887334-40-8
3. John W C Van Bogart, *Recovery of damaged magnetic/optical media*. Paper presented to the Emergency Preparedness and Disaster Recovery of Audio, Film and Video Materials, Library of Congress, September 21, 1995. This paper is available from the National Media Laboratory, Building 235-3A-20, St. Paul, Minnesota MN 55144-1000, USA or on the World Wide Web Home page address: <http://www.nlm.org>
4. Another publication distributed was *A Primer of Disaster Preparedness, Management and Response: paper based materials*. This contains selected reprints issued by the Smithsonian Institution, National Archives and Records Administration, Library of Congress and National Park Service. October 1993.

REVIEWS AND RECENT PUBLICATIONS

John Watkinson: *Compression in Video and Audio*. Oxford, Focal Press, 1995. 176p.

Bit rate reduction or audio compression has been a hotly debated subject at IASA conferences and in the IASA Journal during the past few years. Focal Press has now published a technical guide to the field, which also serves as an introduction to bit reduction for archivists without a technical background.

Bit reduction has made sound archivists face a philosophical problem well worthy of a Greek drama. For many years, sound recordings were far from perfect transcriptions of actual sounds. All sound carriers deteriorate with time, and although copying will keep them alive for generations, each (analogue) copy is to some extent inferior to the previous generation. The development of digital technology has now promised us the means to record and preserve sound with near-perfect quality in perpetuity. But the same forces which created digital recording have developed digital compression, which aims at (small) reduction in sound quality to gain (large) savings in cost and transmission capacity. Can we allow such surrender - or can we prevent it?

The problem is not just theoretical. In September 1995, the first DAB digital broadcasts were aired in Sweden and the United Kingdom. The DAB standard is based on the use of bit reduction technology. It is expected that in fifteen or twenty years, DAB will have replaced the present system of analogue broadcasting. Any off-air recordings of digital broadcasts will by definition be bit-reduced sound. So whether we like it or not, bit reduction is a fact of life.

John Watkinson's book is divided into three main parts. The first chapter presents the general principles of bit reduction, which are common to data, audio and video recording. The differences between lossless and "lossy" methods are explained; in audio, only "lossy" methods are feasible. The remaining parts are technical descriptions of the methods generally used in audio and video compression.

According to Watkinson, there are two fundamental reasons why compression techniques are used:

- (a) To make possible some process which would be impracticable without it,
- (b) To perform a known process more economically.

Watkinson's conclusions suggest a healthy degree of caution:

"Compression technology may be exciting, but if it is not necessary it should not be used. If compression is to be used, the degree of compression should be as small as possible."

From an archival point of view, this would seem to rule out the use of recording technology which involves the use of bit reduction. In archiving digital broadcasts, for instance, it would be preferable to preserve recordings made before the material has been compressed for transmission. However in some cases the use of bit

reduction may be unavoidable for economic reasons, or because the recordings deposited have already been compressed. In such cases, it is necessary for the archivist to be familiar with the various methods used in audio compression, and to know what will happen when such material is copied or processed further.

At the moment, there exist many competing standards both in audio and video compression. Watkinson provides the reader with the means for understanding the differences between the various standards. It is also important to note his advice: "Quality varies wildly with source material. (...) Don't be browbeaten by the technology. you do not have to understand it to assess the results. Your eyes and ears are as good as anyone's, so don't be afraid to criticize artifacts."

Michel Ruppli & Jean-Pierre Tahmazian: *Black & Blue*. Discographies Vol. 4. Paris, AFAS. 212 pages. 180 FF. (Available from AFAS, 2 rue de Louvois, F-75002 Paris).

The discography of the Black & Blue label by Ruppli and Tahmazian is the fourth in the series of excellent jazz discographies published by AFAS, Association Francaise des detenteurs de documents Audiovisuels et Sonores. The three previous volumes have covered the Swing, Vogue and Blue Star labels.

Black & Blue is a small Bordeaux-based label specializing in mainstream jazz and blues. Compared to the classic jazz recordings issued on the Swing label during the thirties, the recordings produced by Black & Blue from 1967 to 1993 may not be equally famous, but there is enough to whet the appetite of any jazz enthusiast: Earl Hines, Tiny Grimes, Lockjaw Davis, John Lee Hooker, John Lewis, Sonny Stitt, Archie Shepp, Jimmy Witherspoon.

The listings are arranged chronologically, and unissued titles recorded at each session are also shown. As usual in jazz discographies, composers are not listed at all - a practice which I regret. There is a numerical listing of all albums issued by the label and an artist index, but no index of titles recorded.

Svensk fonogramförteckning. 1993, Stockholm, Arkivet för Ljud och Bild, 1995. 284 pages. SEK 350.

Norsk musikkfortegnelse. Lydfestinger. The Norwegian National Discography 1992. Oslo, Universitetsbiblioteket i Oslo, 1994. 147 pages. Price not given.

Norsk musikkfortegnelse. Lydfestinger. The Norwegian National Discography. 1993. Oslo, Universitetsbiblioteket i Oslo, 1995. 141 pages. Price not given.

The Swedish and Norwegian national discographies have now become firmly established as annual publications. In Sweden, where legal deposit of sound recordings was introduced fifteen years ago, the annual production of commercial recordings has been documented in printed form since 1989, which makes the latest

instalment of the national discography volume 5. On the other hand, Arkivet för ljud och bild has also produced an impressive number of historical discographies going back to 1899, and a recent news release tells us that the archive has received a special government grant which will make possible the compilation of a complete national retrospective discography within the foreseeable future.

In Norway, legal deposit was introduced on July 1st, 1990. The first volume covered the first year and a half, and from now on Norwegian record production will be covered in annual volumes.

The Swedish and Norwegian discographies are quite similar in format. Both use national adaptations of Anglo-American Cataloguing Rules. Recordings are listed in alphabetical order by main title, and there are indexes of personal names and titles. The Swedish volumes also contains a systematic index (by musical genres), but neither discography allows searching by record company, label, or catalogue number.

The most striking difference between the two national discographies is their size. The Swedish volume for the year 1993 lists 2300 different recordings, while the Norwegian one only lists 602. Even considering the fact that the population of Sweden is twice that of Norway, this is quite a difference. In my review of the first volume in the series (*IASA Journal*, No. 4, November 1994) I suggested that perhaps the Norwegian national library has not yet been able to contact all potential producers of recordings, but the editor, Laila Mowinkel, assures me that legal deposit in Norway works quite well, and the contents cover the entire national production fairly completely.

This finding suggests an interesting use for national discographies. It is understandable that all national discographies contain a great deal of material which is only of interest to users in that country. Any Grieg scholar in the future will want to consult the Norwegian national discography, but few foreigners will be interested in the recordings of the popular comedian Oystein Sunde (I was delighted to note that he has translated Homer and Jethro's country comedy classic "I'm my own grandpa" into Norwegian). But national discographies also provide material for more general studies on the development of the recording industry, the relative strength of international labels in various countries, etc.

Do we still need printed discographies in the Information Age? Annual discographies soon create a need for cumulative indexes, or access to the same material in some other form. *Norsk musikkfortegnelse* is already available both on-line and as a CD-ROM (as part of the national bibliography). The Swedish national discography also exists as a database, but so far it is only accessible in electronic form on the premises of Arkivet för ljud och bild. In the long run, the development of new information technology will no doubt make printed discographies obsolete. But in my experience, many users today are private collectors or researchers who do not have access to the latest technology, or who find the cost beyond their means. For a few years at least, national discographies in printed form are still necessary.

Pekka Gronow

DISCOGRAPHY

- A cataloguer meets a discographer, each one assuming the other to be dealing only in surfaces** 60
Chris Clark, British Library National Sound Archive, London

- Discological Research in Sound Archives: requirements and possibilities** 64
Jerome F Weber, Discographer

CATALOGUING

- Handling of Multimedia in the Archives of I.R.TE.M.** 67
Irma Perotti, I.R.TE.M, Rome

- Legal Questions in Cataloguing** 69
Helga Thiel, Phonogrammarchiv, Vienna

- FIAT Documentation Commission Sessions IASA/ARSC/FIAT Conference Washington September 1995** 72
Mary Miliano, National Film and Sound Archive, Canberra

SEMINAR AND CONFERENCE REPORTS

- The ASEAN Connection: Reflections on the ASEAN Seminar on Film and Video Archive Management** 76
Ray Edmondson, National Film and Sound Archive, Canberra

- Emergency Preparedness and Disaster Recovery of Audio, Film And Video Materials** 82
Helen P Harrison, Editor IASA

- REVIEWS AND RECENT PUBLICATIONS** 86

CONTENTS

Editorial <i>Helen P Harrison</i>	1
---	----------

The Future of the Present Past Audiovisual Tradition and Cultural Heritage <i>Joachim-Felix Leonhard, Deutsches Rundfunkarchiv, Frankfurt</i>	5
---	----------

COPYRIGHT

This land is my land; the archive tells me so <i>Grace Koch, AIATSIS, Canberra</i>	13
--	-----------

US Copyright and the Rest of the World <i>Mitchell Salem, NBC</i>	23
---	-----------

Copyright of News and Sport <i>Steffen Johanssen, NRK TV International, Oslo</i>	29
--	-----------

Long term strategies for electronic documents - report from a Swedish study <i>Mats G. Lindquist, Consultant, Stockholm</i>	33
---	-----------

LEGAL ISSUES IN AUDIOVISUAL ARCHIVES

UNESCO AV Copyright Meeting, 5-6 December 1994 <i>Helen P Harrison, Milton Keynes</i>	40
---	-----------

RADIO SOUND ARCHIVES AND TRAINING

The Recruitment And Training Of Radio Archivists <i>Sally Hine, Sound Archivist BBC, London</i>	45
---	-----------

Training of Media Archivists in Germany <i>Hans Peter Jäger and Anke Leenings, Deutsches Rundfunkarchiv Frankfurt am Main / Berlin</i>	50
--	-----------

Training of a Radio Archivist <i>Per Holst, Danmarks Radio</i>	56
--	-----------

Training for Technical Radio Sound Archivists <i>Albrecht Häfner, Südwestfunk, Baden Baden</i>	58
--	-----------