

**iasa**

**International Association of Sound and Audiovisual Archives**

**Association Internationale d'Archives Sonores et Audiovisuelles**

**Internationale Vereinigung der Schall- und Audiovisuellen Archiven**

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**Journal of the International Association of Sound and Audiovisual Archives IASA**  
**Organie de l'Association Internationale d'Archives Sonores et Audiovisuelle IASA**  
**Zeitschchrift der Internationalen Vereinigung der Schall- und Audiovisuellen Archive IASA**

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The IASA Journal is published twice a year and is sent to all members of IASA. Applications for membership of IASA should be sent to the Secretary General (see list of officers below). The annual dues are 25GBP for individual members and 100GBP for institutional members. Back copies of the IASA Journal from 1971 are available on application. Subscriptions to the current year's issues of the IASA Journal are also available to non-members at a cost of 35GBP.

Le IASA Journal est publié deux fois l'an et distribué à tous les membres. Veuillez envoyer vos demandes d'adhésion au secrétaire dont vous trouverez l'adresse ci-dessous. Les cotisations annuelles sont en ce moment de 25GBP pour les membres individuels et 100GBP pour les membres institutionnelles. Les numéros précédentes (à partir de 1971) du IASA Journal sont disponibles sur demande. Ceux qui ne sont pas membres de l'Association peuvent obtenir un abonnement du IASA Journal pour l'année courante au coût de 35GBP.

Das IASA Journal erscheint zweimal jährlich und geht allen Mitgliedern der IASA zu. Aufnahmeanträge für die Mitgliedschaft bei der IASA sind an das Sekretariat (Anschrift siehe unten) zu richten. Die Mitgliedsbeiträge betragen derzeit 25GBP für individuelle Mitglieder und 100GBP für Institutionen. Frühere IASA Journal (ab 1971) sind auf Anfrage erhältlich. Der Bezugspreis des IASA Journal für Nicht-Mitglieder beträgt 35GBP.

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## EDITORIAL

When you mention to your family or friends that you are about to attend a IASA Conference in some choice location, what do you tell them when they ask, "And what, exactly, will be you be talking about at this Conference of yours?". Do you reply nonchalantly, "Safeguarding the audio-visual heritage" - to which the response will most probably be incomprehension or something non-engaging like "That's nice!". If pressed you might add, "Well, you know, the usual things to do with looking after old records". A change of subject usually ensues unless you progress to an exchange of reviews of eachothers' recent audio discoveries or favourite hits from the past. Separated from the context of institutional routines and conference structures, any attempt to amplify your original answer is unlikely to lead to a debate which re-affirms the philosophy of audio-visual archiving and will probably not make any difference to the user figures either. So, what did IASA members, who know all about such things, think that access to the audio-visual heritage meant when some of them gathered together last November in Paris?

The importance of context to understanding the messages and stories contained in audio-visual recordings was a recurrent theme at the Paris Conference (which, by the way, was one of the busiest and most thought-provoking IASA conferences I have attended). Although the programme was deliberately focused on the theme of access in the new technological environment (the full version was *Improving access to sound and audio-visual collections: how to respond to the challenge of new media technology*) access is such an all-embracing theme that it was not surprising that papers ranged across almost the entire scope of IASA concerns. We heard from oral historians, copyright advisers, ethnomusicologists, composers, entomologists and radio producers as well as the usual archive administrators, IT specialists and AV technicians.

Access to what exactly, and how, raised a number of issues, some quite controversial. Concerns were raised repeatedly by the ethnomusicologists and oral historians about selective usage of their recordings, particularly when these become part of an on-line service delivered to computer screens. For it will be evident to anyone who works regularly with material on the internet that it is not the same as sitting in a warm place gradually ingesting knowledge over a period of several hours. It engenders a 'staccato' approach leading, at best, to a new non-linear approach to learning but, at worst, to shallow consumption through sampling. Recent research carried out as part of the HARMONICA initiative shows that the average connection time to any audio-visual site is 20-40 seconds and that inferior technology - in terms of sound and image quality - is tolerated - so much for archival standards. And most of us in IASA seem determined that in the not-so-distant future we will be delivering recordings of

Mahler's *9th Symphony* or an 18-hour interview with a Holocaust survivor via some form of on-line digitised storage and delivery system as a real alternative to our current research services delivered on-site. Without the facility for an end-user to download and playback later I have my doubts as to the effectiveness of this mode of access, but then my view is probably old-fashioned. It is said that young children regard computers as the new rock 'n' roll, within which music and video delivery are major components but not necessarily appreciated in the same ways as before, and it does seem likely that their future pleasures will not include browsing the CD racks at the city megastore to enhance the home collection. The record companies know this, and while IASA member institutions have been stirred into planning activity by the prospect of becoming neutral purveyors of recorded sounds to the world - with the additional and uncustomary prospect of a slice of revenue - companies like Sony and Warner are already offering attractive facilities for people to create their own compilation CDs on-line, as demonstrated by Richard Tucker in what was almost the final act of the Paris Conference. We can have a glimpse at just how different the new learning environment could be for audio-visual research in David De Roure's paper about audio access via the Internet: the key difference lies in the facility for the user to interact with the source.

Another concern was the appropriateness of each and every human utterance to the kind of global heritage treatment proposed by the Conference's keynote speaker from UNESCO. As Grace Koch has been saying for some time, and in this issue of the *Journal* again more specifically - there are some recordings which are not open for everyone to study or enjoy: they are part of a private heritage that needs to be protected from the alien presentational imperatives of media marketing which can distort and even corrupt cultural realities.

Traditional cultures are not the only ones to suffer in this way. Following the post-Conference IASA Board meeting, five of us found ourselves seated in a local brasserie by the Pont Bercy warming ourselves with a final gulp of sun-drenched Beaujolais Nouveau before heading home to even longer and colder nights. We became aware that the taped background music had changed from its predictable alternation of Baroque sequences and Romantic piano selections to a full-blown performance of Tchaikovsky's *Symphonie Pathétique*. Those in our party who were familiar with the circumstances under which that piece of music were written (some consider it a suicide note in music) found this at best inappropriate, at worst objectionable. But then altering the purpose and meaning of the creations of the past is an unfortunate feature of our technological age and IASA, in its addiction to the heritage drug, has unwittingly colluded with this state of affairs. Every day our ears face a barrage of recorded sounds, very seldom in contexts for which they were

intended, and the effect of this is to render us incapable of sitting still for any length of time to really listen to them and allow their substance to unfold.

Across the English Channel on BBC Radio 3, this very point was coincidentally being made by Marina Mahler, grand-daughter of the composer Gustav Mahler, during an interview as part of the series *Private Passions* in which famous people are asked to speak about their favourite recordings which are then played (in part). One of her choices was an extract from Luigi Nono's opera *Prometeo*, something of a rarity even on the enlightened BBC networks. The opera's sub-title is 'The tragedy of listening' and the texts (inasmuch as they are discernible at all) include fragments of poetry, by Walter Benjamin and others, which reflect on the nature of sounds and listening. The selection played in the programme was from the Sony Classical recording of the suite taken from the opera conducted by Claudio Abbado under more or less ideal studio conditions. The only recording of the complete opera is of the live performance conducted by Metzmacher during the 1993 Salzburg Festival. Nono demands no less than 100% attention to his music, which generally inhabits the two extremes of the dynamic spectrum. Unfortunately the experience of this particular recording is marred by background noise, including Salzburg traffic (the door or windows of the venue must have been left open) and there are additional noises from restless young children. Despite, or even because of, these imperfections, somebody should consider nominating this recording as the first of its kind for the Memory of The World project.

During a live musical performance the human ear can filter out all but the most obtrusive background noises. Not so microphones, and one of the IASA Conference speakers, Nicholas Frise, also a composer, went so far as to question the adequacy of audio technology to represent human and non-human experience at all, maintaining with some vehemence while brandishing a kind of ear trumpet for listening to the internal workings of machinery, that audio microphones were still woefully inadequate compared to the human ear at registering our audible surroundings. Those who agree with him would include the Indian author Gita Mehta who declared recently on the BBC (also in the programme *Private Passions*) that the richness of Indian music was being eroded by, among other things, the ubiquity of recorded sound: whereas older musicians could cope with a microtonality based on more than sixty divisions of the octave, younger musicians can barely cope with twenty-four, no more than western musicians are expected to deal with in music written in quarter-tones. Jazz musicians who teach, such as Wynton Marsalis, advise their pupils to listen, whenever possible, to musicians playing live rather than to their representations on recordings: a whole generation of double bass players, he once claimed, had developed a muffled, colourless tone on their instruments as a result to paying too much attention to sound recordings.

Ensuring permanent and unimpeded access to the audio-visual heritage is a fine banner for IASA and UNESCO to follow but it should not be followed deafly. Wronged intentions apart, there is still an essential need for silence.

I am pleased that more than one member has responded to Frank Rainer Huck's anti-digitisation stance in *IASA Journal 11*. Only by continuing to debate the issue can we expect to feel comfortable with what now seems like an inevitable and sensible outcome for most of our collections. The way in which audio-visual information is stored should not ultimately interfere with our appreciation and enjoyment of recordings if it means that the imprint of those sounds can be safeguarded intact.

Copyright remains a central concern of IASA. Two Conference papers in this issue draw attention to the situation in Europe: one describes the licensing arrangements which are required of the Bibliothèque Nationale de France to provide access to recordings which are acquired by legal deposit; the other warns of the danger to access posed by the draft European Union Copyright Directive which is largely being driven by the interests of commerce. IASA has to consider engaging with the forces which are agitating for amendments before it is too late.

One of the most encouraging features of the 1997 Conference in the Sultanate of Oman was the breadth of international representation: there were delegates from all continents. This year only one person attended from the whole of Asia (Oman, if one considers the Middle East to be part of Asia) and the only two registered African delegates had to cancel their attendance at the last minute. Fortunately non-attendance at Conference does not necessarily indicate inactivity and I am pleased to include in this issue a paper from Zimbabwe which shows that IASA might not be too far from seeing the formation of a new southern African branch.

This Journal was late, a knock-on effect of the Conference taking place in November rather than earlier in the autumn. *IASA Journal No.13* is expected to be back on schedule and will be the first to appear in the new design.

## PRESIDENT'S LETTER

In November, IASA held its annual conference for the first time in France. It took place in Paris at the new building of the Bibliothèque Nationale de France. Paris is a city which always offers a lot of cultural possibilities and the Bibliothèque Nationale is an institution with great organisational experience and skill. My personal impression, which has been confirmed by many positive comments I have received from other participants, is that this was a very successful conference. The programme was full and well-balanced. We had the opportunity to learn more about and to discuss topics which we seldom deal with at our conferences, such as oral history and wildlife sound. I would like to express my warmest thanks to all involved in the preparation and especially to the Bibliothèque Nationale for its generous hospitality and to Elizabeth Giuliani and her local team for a very well-organised conference.

IASA has three official languages, English, German and French. It is evident that English has become the dominating language at meetings and conferences. This year we were able to offer simultaneous translation into or from French. Of course this means a big difference for those who do not have English as their native language. It is much easier to follow the presentations and to participate in the debate and the discussions. To my mind, translation at conferences is certainly something that we need to consider also for the future.

One of the agenda items at the General Assembly in Paris concerned amendments to the Constitution and Bye-laws which have been proposed by the Executive Board and were mailed to all of you before the Conference. One of the aims of the amendments is to streamline the structure in order to make the internal work of the Association more efficient. Another aim is to let the voting rights reflect the fact that the institutional members pay a membership fee that is substantially higher than the individual members. After a lively discussion, the General Assembly recommended the Board to send out the proposed amendments to the membership for a postal ballot, and you will all get the voting forms in the beginning of the year.

This year is election year in IASA. Following the Constitution the Board has appointed a Nominating Committee to deal with the procedures of the nominations and the election. The committee consists of three very experienced and well-known IASA members, as a matter of fact they have all been President of the Association: Gerry Gibson, James McCarthy and Dietrich Schüller (chairman). When you read this, you will already have received the Nominating Forms. There will no doubt be many important tasks for the IASA Board in the future so we need the best possible candidates for each office. I therefore urge you to take advantage of the democratic

process and make sure that the people that you would like to see in charge of IASA for the coming three years are nominated.

Finally, the next IASA conference will take place in Vienna, starting the 18th of September. Since the Phonogrammarchiv of the Austrian Academy of Sciences, which is the oldest sound archive in the world, is celebrating its centenary the proposed theme is *A century of Sound Archiving*. Please, make a note in your calendar to make certain that you will be able to participate.

*Sven Allerstrand*

### Concept for the integration of audiovisual matters into IASA's scope

In December 1995, after lengthy discussions of a decade or more, IASA members decided by postal ballot for a change in IASA's scope: the Association would in future deal not only with sound but also with audiovisual matters. It is up to the Executive Board to implement the members' vote into practice.

Following the draft working plan 1997-1999, IASA needs:

1. a definition of 'audiovisual';
2. to identify IASA members who are, or will become, experts/specialists in one or more aspects of an AV archive;
3. to gain new members who are specialized in AV matters;
4. to co-operate with institutions experienced in AV and related matters;
5. to deal intensively with AV issues and related matters by studying them, be it by internal or external working groups, seminars, exhibitions or whatsoever;
6. to publish/disseminate all results of IASA's AV engagement.

#### **1. A definition of 'audiovisual'**

This is the most important action to be taken: Ray Edmondson's definition should - if he agrees - be given a final status and be published in the *IASA Journal* and/or as a policy paper. Moreover, we should find out on which AV areas (video, film, photo etc.) there is the largest backlog and demand within the membership with the aim to create e.g. project groups. This should be discussed with the chairpersons of the Committees, Branches and Affiliated Organisations during the joint part of the Board meeting.

**Action:** President to ask Ray Edmonson's permission to use his definition.

#### **2. Identify IASA members who are, or will become, experts in one or more aspects of an AV archive**

We need to know who among the IASA membership is an AV expert because these people will be the pioneers who are able to pass on their knowledge by

- giving papers at conferences
- writing articles in the *IASA Journal*
- writing policy papers
- arranging seminars or tutorials etc.

Maybe the Treasurer can find out this on the basis of the membership dates. The issue should also be discussed with the chairpersons of the Committees, Branches and Affiliated Organisations before asking these people who of them is ready and willing to act as an expert/specialist, in what area and form he/she would like to do that and if there is a suitable project to be carried out.

**Action:** Treasurer, check membership dates.

### **3. Gain new members who are AV experts/specialists**

We will probably not find all the AV experts/specialists within the IASA membership we need. Therefore, we have to look diplomatically beyond IASA for new AV archival institutions offering potential experts/specialists, first in those countries where IASA is already represented, but also, subsequently, in countries where IASA is poorly represented or not at all. Appropriate institutions are: research institutions; manufacturers and industrial companies; museums; libraries; media centres; other archival organisations or associations. That measure should be combined with recruitment campaigns which can be performed only with the support and assistance of our national members. Discussion of the issue with the chairpersons of the Committees, branches and affiliated organisations is recommended. The IASA information package should be complete and ready. Problem: countries where IASA has not yet any members.

**Action:** Responsible Vice President, prepare special recruitment campaigns.

### **4. To co-operate with institutions experienced in the AV field**

Apart from the branches and the affiliates, these are, in the first line, associations such as FIAT and FIAF, but other organisations such as AMIA, AVICOM, ICA, IFLA etc., should be considered.

**Action:** All Board members, look for suitable partners.

President and/or Sec.-Gen., establish/make contacts.

## **5. To deal intensively with AV issues and related matters inside IASA**

IASA should promote AV issues and related matters strongly within the association's activities:

- working/study/project groups should be installed with concrete purposes and aims;
- the annual conferences must include attractive AV contributions;
- the *IASA Journal* has to include a proportion of AV articles;
- the branches as well as the affiliates should be encouraged to arrange and organise local/regional AV seminars, exhibitions, symposia etc.

**Action:** Vice president responsible for conference content to consider ways to increase AV component.

Editor, increase coverage of AV matters in publishing policy.

Past President, discuss AV issues with the Branches and Affiliates.

All board members, consider possible working/study/project groups.

## **6. To publish and disseminate all results of IASA's AV engagement**

Beyond the regular IASA publications, other possibilities of publishing and disseminating the findings in the AV field gained by the Association, have to be considered: papers held at a seminar, proceedings of a symposium or a conference, exhibition reports, findings of the working/study/project groups, etc.

**Action:** All board members, look for suitable contributions.

### **World-wide access to Audio-visual Documents: UNESCO's Memory of the World Programme**

*Keynote address at the IASA Annual Conference,  
Paris, given by Philippe Quéau, UNESCO*

Monsieur le Président de l'IASA  
Madame la Président de l'AFAS  
Mesdames, Messieurs

Permettez-moi tout d'abord de vous remercier de l'opportunité qui m'est offerte de m'adresser à l'occasion de l'ouverture de la conférence de l'IASA. En effet, l'UNESCO depuis de nombreuses années, collabore étroitement et maintient d'excellentes relations avec votre organisation.

La mémoire collective joue un rôle primordial dans la préservation de l'identité culturelle. Sans mémoire, nous n'avons pas de passé et sans passé, nous ne pouvons pas construire l'avenir.

Mais la mémoire, comme l'humanité, est mortelle et nos ancêtres, reconnaissant l'importance de la mémoire dans la construction d'une société, ont essayé de sauvegarder ce patrimoine éphémère. L'humanité recherche depuis l'aube du temps des moyens fiables mais accessibles de léguer ses idées et sa sagesse aux générations suivantes. Transmise à l'origine des temps de bouche à oreille, nos ancêtres ont inventé des "nouvelles technologies" comme la peinture rupestre, la gravure sur pierre, sur parchemin, ou ensuite sur papier, disque compact, voire bandes magnétiques, pour arriver aujourd'hui à l'Internet.

Les enregistrements d'une grande partie de cette mémoire sont conservés actuellement dans les bibliothèques et archives du monde et sont considérés par l'UNESCO comme le patrimoine documentaire. Même conservé, ce patrimoine documentaire mondial continue de disparaître: papier acidifié qui tombe en poussière, cuirs, parchemins, pellicules et bandes magnétiques agressés par la lumière, la chaleur, l'humidité ou la poussière, ou même ravagés par les catastrophes "naturelles". Toutefois, la négligence, la volonté de détruire ou l'obsolescence technologique ont aussi leur part de responsabilité.

L'UNESCO, reconnaissant la nécessité d'agir d'urgence pour empêcher la perte de la mémoire documentaire du monde, a lancé en 1992 le programme *Mémoire du monde*, dont le but est de sauvegarder et de promouvoir ce patrimoine.

En utilisant les moyens les mieux adaptés, le programme vise à assurer la préservation du patrimoine documentaire ainsi qu'à rendre ce patrimoine accessible au plus grand nombre, en faisant appel aux technologies les plus appropriées. La préservation du patrimoine documentaire et l'élargissement de l'accès à celui-ci se complètent: l'accès facilite la protection et la préservation rend possible l'accès.

Le programme tente de sensibiliser le public et les gouvernements à la nécessité de sauvegarder leur patrimoine documentaire. Simultanément, il soutient les efforts des organisations professionnelles nationales, régionales et internationales et catalyse leurs initiatives. Le programme tend à partir de ce patrimoine documentaire et à leur assurer une large diffusion, tout en veillant à ce que les originaux bénéficient des meilleures conditions possibles de conservation et de sécurité. Des banques de textes, de sons et d'images de grande qualité pourraient être constituées et connectées aux réseaux locaux et mondiaux, tandis que des reproductions seraient réalisées sur toutes sortes de supports, tels que disques compacts, albums, livres, cartes postales, microfilms et autres. Plus on réussit à capter l'attention du public, plus la sauvegarde des documents est assurée.

Le programme est donc d'envergure et fait intervenir des partenaires divers, depuis les étudiants, les universitaires et le grand public jusqu'aux propriétaires, fournisseurs et producteurs d'information et fabricants de produits finis.

Comme je l'ai déjà observé, les deux principes essentiels qui guident le programme sont, d'une part, la préservation des documents significatifs et, d'autre part, la démocratisation de leur accès. Mais, si dans le contexte du programme *Mémoire du Monde*, la numérisation des données tient l'avantage de contribuer à la préservation des originaux, de faciliter l'accès à la préservation des originaux, de faciliter l'accès à l'information et de bénéficier d'une durée de vie illimitée, elle a néanmoins ses limites, et ne saurait se substituer au travail classique de préservation.

C'est ainsi que le Comité consultatif international du programme *Mémoire du Monde* a constitué un sous-comité chargé de l'évaluation régulière des technologies utilisables par le programme. Son président et son rapporteur sont d'ailleurs membres du Comité technique de IASA. Ce comité a fait l'inventaire des innovations récentes en matière de conservation et de numérisation et élaboré des directives techniques pour chaque type de support (textes et images fixes d'une part, son et images animées d'autre part), ainsi que les normes de numérisation recommandées pour l'accès. Il a estimé que la

numérisation des documents était la meilleure formule de compromis entre des nécessités conflictuelles - à savoir ouvrir plus largement l'accès aux collections et mieux protéger les documents.

Digitization of audio-visual documents presents particular problems of which most of you are fully aware and which effect preservation and access. This is even reflected in the *Memory of the World* programme where, although the scope of programme includes information recorded on all type of carriers, from parchment to photographs, from stone to CD-Rom, very few audio-visual collections have been nominated or included so far in the Register. In fact, the Traditional Music Sound Archives of China, the only audio-visual nomination to the Register, cannot be sampled, unlike most of the other collections. Of course, there are several valid reasons for this, one of which is size: a small soundclip or even a videoclip of just a few seconds will require far more bytes than a page of text.

Size and space unfortunately are considerations which most audio-visual archivists have to keep in mind, far more than librarians or other members of the collecting profession. This naturally also has financial implications for audio-visual archiving. With limited funding available to most archives, selection criteria have to be applied as to the type of recording, the format, the quantity, etc., which can be preserved, and consequently, the question of universal access to the audio-visual heritage is at stake. The general instability of audio-visual carriers also places a heavy financial burden on archives because material must be copied or transferred to ensure that the information remains accessible to future generations.

Rapid technological developments have led to improvements in the machines or carriers used to access audio-visual recordings but we are only too familiar with the number of audio-visual formats, even those of recent years, which are now obsolete or obsolescent. Basically, printed material has not changed much since the invention of the printing press. The printed page can still be directly accessed by anyone whereas audio-visual documents need machines for their true value to be appreciated and to be accessed. With new formats constantly being developed, archives are required either to keep a stock of machines - and spare parts - for every type of recording or must transfer information to a different carrier with a resultant loss in quality in analogue formats.

Digital technology is therefore being adopted as the solution since the quality can be preserved through subsequent copying. Within a few years, all new recordings will most probably be digital and manufacturers have therefore started phasing out analogue machines. This poses a problem for archives with large collections of analogue recordings in good condition since without playback equipment, access to

this information is effectively lost. IASA archives with millions of hours of tape recordings are particularly affected and the Technical Committee drew this issue to UNESCO's attention. The Organization therefore agreed to host a consultation between audio archivists and the manufacturers of analogue magnetic tape recorders earlier this year to develop a strategy combining both the commercial needs of manufacturers and the curatorial responsibilities of archivists since both parties are essential to the preservation of the audio-visual Memory of the World.

Digital content creation, preservation and access is becoming the new work ethic of the audio-visual archivists and is revolutionizing archival practices and the profession itself since the computer is now an archive in itself, storing and producing audio, visual and/or textual data on demand. The archival community is fully aware of the need to adapt to this innovative process and NGOs such as IASA are either re-examining their mandate or have modified their statutes and constitution to maintain their relevance in a changing world. New technologies offer greater perspectives for access to information, so new alliances are being formed with other information professionals. Recognition of the challenges of digitization are high on their priorities and will be debated as one of the themes of the international technical symposium (JTS-2000) being organized in Paris by the French representative institutions of FIAF, FIAT and IASA in January or February 2000.

As we stand poised to enter the new millennium, we appear to have the answer to ensuring the long-term survival of our memory, which our ancestors sought to develop. With the increased networking of computers, information can be easily accessed no matter where it is stored and by anyone. Why then, isn't there a wholehearted adoption of this new technology?

Uncertainty about the preservation of digital information in professional circles has led to increased anxieties about the safeguarding of these new documents. Although this concern is shared by many other organizations, no global answer has as yet been found. UNESCO is therefore conducting a world-wide *survey on digital collections and their preservation* in co-operation with IFLA with the aim of listing the main digitization programmes that are conducted throughout the world. This will allow UNESCO to identify those collections which would become part of the *Memory of the World* Programme, and lead to the constitution - either through direct access to a data base or by way of links to web sites - of a global virtual library, at least for those documents that belong to the public domain.

UNESCO firmly believes that universal access to information is a basic human right. In the global society, it is of vital and strategic importance to recognise and promote access to cultural and informational products produced with public funds as a means

of reaffirming cultural identity and diversity. If every nation decided to give its own people free digital access to its own memory, then everyone would not only have access to national cultural treasures, but also to the cultural heritage of the world. However, since private enterprises, which are driven by commercial interests, derive little or no financial benefit from public domain information, this rich resource is largely neglected.

UNESCO has therefore embarked on an ambitious project of increasing access to information in the public domain by encouraging the development of large-scale digitization projects for the creation of a virtual public library of information accessible on-line through the Internet or on CD-ROM. The first volume, an anthology of classic Arab literature, is expected to be produced early next month and will contain integral texts of approximately 100 Arab authors. Similar activities are underway for Latin America and the Mediterranean and we would welcome proposals along these lines for sound and audio-visual documents.

The digital environment is changing old habits but it is essential that rights in collections are respected. Access to information in the digitized documentary heritage must be in conformity with international and national legislation. UNESCO's goal is the free flow of information, with intellectual property and other right guaranteed, but without excessive regulatory countermeasures. One recommendation of the 1977 Infoethics conference was the creation of an interprofessional body, under UNESCO's auspices, to examine preservation and access to digitized collections with a view to establishing a code of ethics in this area.

Audio-visual archives are the memory of their society, having as their *raison d'être* the preservation of the heritage which "moves and speaks". The *Memory of the World* programme supports these efforts and through establishment of its compendium of the recorded heritage of universal interest, serves as a model to encourage all members of society to preserve the right to memory for future generations. I therefore invite you to visit our website (<<http://www.unesco.org/>>), explore the virtual Memory of the World and cooperage even further with us in making our heritage accessible.

## **Access to Audio via Internet**

*Paper given at the IASA/AFAS Annual Conference, Paris, 1998 by  
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### **Introduction**

The Internet brings exciting new opportunities for access to audio resources. In particular the support for interactive access, the rich information environment and the potential for collaborative working are enhancements on many traditional access methods. However, the Internet can also be restrictive, and the adoption of data reduction (or ‘lossy compression’) to overcome the limited capacity of network connections is an unwelcome spectre in the world of sound archives. This paper discusses these issues and reviews the state of the art.

Having introduced some key concepts about the Internet, the paper is structured in four sections: a discussion of currently deployed Internet technology (which may be familiar to many readers), a brief discussion of data reduction, a glance towards the future of the Internet and a discussion of the role of hypermedia and the emerging techniques of *content based navigation*.

There is an important distinction to make at the outset: delivery of audio material to users, such as access from the desk or home, versus transfer of audio data for production or archival purposes. The focus here is on the former - it will be shown that although the technology is improving, data reduction will continue to have a critical role in access. It will also be shown that data reduction is not essential when the Internet is used for audio data transfer within one site, or even between sites using appropriate network infrastructure.

### **The Internet**

The Internet is a ‘network of networks’: it consists of many small networks, using a variety of differing technologies, connected together and co-operating through adoption of standard internet protocols. A protocol is essentially an agreed set of conventions used when two computing devices converse, much the same idea as the protocols used by interacting humans.

Many readers will be familiar with the World Wide Web, which uses internet protocols that provide reliable delivery of data from one computer to another. They will also be familiar with the ‘world wide wait’, i.e. the fact that such protocols are characteristically slow. One of the reasons is that the underlying network hardware does not itself provide reliable delivery of data, and it is up to the protocol to check the individual packets of data and request retransmissions as necessary - this takes time.

In certain situations, data that arrives late is useless - we would rather it arrived on time or not at all. This can be the case with transmission of multimedia data in real time, such as a live audio or video broadcast. Rather than using the reliable but slow internet protocol used by the Web, we can use another internet protocol (called UDP - user datagram protocol). This does not request retransmissions and it delivers data from one host to another, or from one host to many others simultaneously. The latter scenario is called *multicast* and resembles broadcast in other media.

### **Audio access in a typical network**

Audio data can be transferred using the reliable protocols, and this is essentially a file transfer operation such as we might also use for copying software or documents; downloading an audio file from the Web works this way. This model is akin to putting a tape in the post and is sometimes called *store and forward*. Alternatively, audio data might also be transferred ‘live’ to one or more computers; this is often called *streaming* and there is no file transfer *per se.*, but rather data is transmitted from a server somewhere and plays directly through a sound device on a user’s computer. Streaming is akin to radio transmission and typically uses the unreliable protocols for the reasons discussed above.

When streaming audio data, the key characteristics of the network are its *throughput* (also known as ‘bandwidth’) and the variation in the delay experienced through the network (‘jitter’). Some network technologies can provide guaranteed service in these respects; for example, the telephone network sets up an individual circuit between subscribers and, once the call is established, the bandwidth is guaranteed. Other networks deliver data on a ‘best effort’ basis and there are few guarantees; this is more typical of data networks.

A typical local area network, such as the network between PCs in offices, operates at a speed of 10 million bits per second (10Mbps); such buildings might be connected together at 10 times this. These capacities are shared amongst all the users so the effective bandwidths are often much lower, and congestion results in loss of packets of

data. However, since CD quality stereo audio requires just 1.4Mbps, it is practical to transfer audio data locally in the absence of too much other traffic.

Unfortunately, when accessing a computer from a remote site the available bandwidths are severely limited. The remote site might be connected via an Internet Service Provider, and such wider area links are typically lower than local area bandwidth (perhaps 1Mbps - not enough for one live audio stream at CD quality). If the user is accessing the Internet via the telephone system via a dialup service then at best the bandwidth is down around 0.1Mbps (using ISDN) or half that using a modem.

### **Data reduction**

Fortunately, effective ‘lossy compression’ techniques are now available, enabling audio to be delivered over these restrictive networks. The basic idea is that the quantity of audio data is reduced by discarding information that the listener would not perceive. This is achieved through an understanding of psychoacoustics: prominent sounds mask weaker sounds which are close in frequency and time. The compression is a computationally intensive process but modern computers are able to perform both the encoding and decoding processes sufficiently fast for practical purposes.

More aggressive compression will of course result in a degradation in the audio quality; as a guideline, it is usually accepted that compression by a factor of six can be achieved without discernible loss of quality. Some degradation is to be expected with CD quality audio compressed to ISDN bandwidth (1.41Mbps compressed to 0.128Mbps) though the results are still very good and certainly acceptable for a great many applications.

Lossy compression and lossy networks are a difficult combination, and they come together in the streaming scenario. The problem is that the loss of a packet of compressed data will be critical if the decompression process relies on having all the input data available. New approaches to encoding compressed data into unreliable network protocols are being developed to combat this. For example, loss of one packet of compressed data might result in many small gaps spread across a period of time, and it might then be possible to ‘repair’ these by interpolation.

## **Future trends**

New network technologies improve the situation. *Switched ethernet* reduces competition for shared bandwidth, *fast ethernet* operates at 100Mbps. These are readily affordable, while with greater investment there is *gigabit ethernet*, and ATM (asynchronous transfer mode) networks operate at 155Mbps or 640Mbps locally or even over the wide area and can provide individual circuits (like the telephone network). Alas the user connecting via the telephone system is still constrained to sending data over a bandwidth which is tailored for one or two channels of voice communication.

Above the hardware level, a new version of Internet Protocol has been developed, called IPv6 - this is version 6, as opposed to version 4 which we use now. A major motivation for the redesign comes from the fact that every computer on the Internet needs a unique address, and there is now a serious shortage of address space; IPv6 provides considerably more. The re-engineering has also provided an opportunity to address other issues, including better handling of multimedia data through the network using ideas of flows and priorities. The major vendors have developed IPv6 implementations are now shipping these with new software releases, though deployment throughout the infrastructure will take some time yet.

Interactivity is a key benefit of the Internet for access to audio, so the emergence of the *Synchronized Multimedia Interaction Language* (SMIL) from the World Wide Web Consortium is a significant step. SMIL resembles HTML, the way of ‘marking up’ text for the Web. It enables text, audio video and graphics to be scheduled along a timeline. Tools which support SMIL are emerging slowly. Another recent standard which supports interaction is the *Real Time Streaming Protocol* (RTSP). This provides ‘controlled, on-demand delivery of real-time data’ - it is rather like the Internet equivalent of a VCR remote control.

## **Hypermedia**

A consequence of access to an increasing volume of information on the Internet is the need for assistance in navigating through that information. The World Wide Web has shown the value of *hypermedia* in providing ease of navigation by following so-called *hyperlinks*. In fact the Web is a particularly simple hypermedia system - this has resulted in wide deployment but also some deficiencies, such as the number of links that lead nowhere. As well as navigation through more traditional documents, the hypermedia research community has investigated hypermedia applied to temporal media (such as streaming audio). This, for example, supports the user following links

from and to locations in audio data, such as moving around a documentary or a piece of music.

Another tool in dealing with the rich information space is the *search engine*. While the engines available on the Web at present concentrate on textual documents and perhaps metadata (information about documents), there has been much research in content based retrieval of multimedia documents. This may take the form of finding a picture based on some visual clues, or perhaps finding a piece of music based on a fragment of music. The combination of content based retrieval and hypermedia leads us to the area of *content based navigation*, where the user navigates the information space by following links but the interaction is more query-oriented (and does not rely on buttons being pre-authored - you can link from anywhere).

As an example of content based techniques, consider the use of *pitch contours* in navigating a music archive. A pitch contour is a fragment of melody simplified to a sequence of symbols which represent the pitch transitions between consecutive notes, e.g. up-up-down-up-up-down. A pitch contour might be derived from the user singing, playing some notes, or selecting a fragment of a piece of online music; it can be used to query a database in order to find piece of music with the same contour - or, in combination with hypermedia, to find all the available links from that source.

## Conclusion

If we want to transfer digital audio from computer to computer within a site, perhaps for production and archival purposes, then it is clear that current technology supports this without data reduction and that emerging technologies improve this situation by reducing contention for network bandwidth and by extending the geographical scope of the local area network to a wider area (e.g. with ATM and optical fibre). It is likely that audio data will demand more resources in the future, as sample rates and sizes increase (e.g. to 96KHz and 20 bit) but this appears to be broadly consistent with the network capacities.

On the other hand, as long as audio data is delivered to users who connect to the Internet over telephone channels (from home, or from organisations connected via a telecommunications company to a service provider), bandwidth is very severely restricted and we are faced with very long file transfers or use of data reduction. Players for compressed audio are readily available, and encoders no longer require very specialised systems, so data reduction is a practical solution. The role of data reduction is then in access, not in the archiving process itself.

In contrast to traditional broadcast, the Internet supports interaction - information can flow back from the user to the source, and the user is able to navigate between multiple resources. Furthermore the Internet supports *collaboration* - users can interact with each other. In combination with the new techniques of content based navigation we can envisage rich and effective access to audio resources via Internet in the future.

# **The EU Copyright Directive: harmony or disharmony?**

*Sandy Norman, U.K. Copyright Consultant*

*Paper given at the IASA Annual Conference, Paris, 1998*

## **Abstract**

The vision of a global information society needs a considerable amount of global harmonisation for it to be realised, not least in the area of intellectual property. The promise of the Information Society will not be fulfilled until and unless a careful balance is maintained between both economic and public interests. This paper argues that it will not be achieved if access and rights to packaged information are tightly controlled only by those with only an economic incentive to make as much money out of these new opportunities as possible, regardless of society's interests. Without the appropriate safeguards to society, such as the limitations and exceptions to new, and existing, copyrights, the gap between the information rich and the information poor will widen at a time when the opportunity exists to narrow or even close this gap. This paper gives a perspective from the library and information profession on international copyright developments leading up to the draft EU Copyright Directive which, in its present form will divide society rather than harmonise it. An overview of relevant international copyright conventions is given plus a background to the discussions leading up to the WIPO Copyright and the Performers and Producers of Phonograms treaties.

## **Introduction**

Thank you for inviting me to give a paper at your conference. I am honoured to do so and hope I will succeed in imparting some of the concerns of librarians, archivists and other concerned consumer groups regarding copyright issues. Although I am the Copyright Adviser to the Library Association of the UK, today I am representing two international organisations: EBLIDA and IFLA . EBLIDA, the European Bureau of Library and Information Documentation Associations, functions as the umbrella association for all kinds of libraries throughout Europe and has established itself as a vital link between the European institutions and library and information professionals and represents over 95,000 libraries throughout Europe. I am a member of the steering group of ECUP - the European Copyright User Platform which is a European project managed by EBLIDA. I am also representing the views of IFLA, the International Federation of Library Associations and Institutions, where I was formerly its Copyright Adviser and am now a member of its Committee on Copyright and other Legal Matters.

My topic concentrates mainly on the EU Copyright Directive and its potential effects on the flow of information in libraries and archives. But as copyright is such a difficult subject to understand and absorb, I thought I would begin by describing how the

Copyright Directive came to be. So to begin with, I will remind you of some of the international background.

### **The roots of copyright**

Copyright is part of the family of intellectual property rights. Defined simply, it provides legal protection to creators of works of the mind for a specified period of time so that they can control the way their works may be exploited. Copyright is concerned with rewarding creators for their intellectual labours but it also rewards those who *invest* in these creations. Copyright today is an international tradable commodity and is, or has potential for being, a major contributor to the economic wealth of a nation. For the more developed, especially the English speaking nations, it is big business and even more so now the developments in technology have moved us into the middle of the information revolution.

There is another side of copyright which many forget or choose to ignore. It was also intended to encourage the creation of ideas and that such subsequent creative works should contribute to the culture of a nation. It is in the interest of society to have access to these ideas (packaged in whatever format) ensuring that works will be widely accessible and be freely communicated. This leads to a better informed and educated society which, in turn, leads to the creation of more intellectual property. When a nation has a well-developed growing copyright industry it has a greater incentive to install legislation which will protect it. Whereas, those nations still building up a knowledge and education base will concentrate on allowing easier access to information in order to foster creativity.

### **The conventions**

Modern intellectual property laws are based on rights laid down by international conventions. The main conventions are familiarly called the Berne, the Rome, the Phonogram and the Universal Copyright Convention. It is the World Intellectual Property Organisation (WIPO) which manages the major international copyright conventions and it is to them we look to harmonise copyright laws. I will briefly describe them.

## Berne Convention for the Protection of Literary and Artistic Works

The main copyright convention is the Berne Convention to which most countries in the world are signatories. Under the terms of the Berne Convention, authors are entitled to some basic rights of protection of their intellectual output. National copyright laws are based on Berne. These basic rights laid down by Berne are translated into a set of restrictive acts which only the author, as creator, can authorise. Most of us are familiar with the right to copy, the Reproduction Right. The original agreement was drawn up in 1886 and since then there have been many revisions each time increasing the scope of protection.

Berne recognises society's need to access protected works and so allows exceptions and limitations to the exclusive rights. Under the terms of Article 9(2) of the Berne Convention, signatory nations are given the right to grant certain exceptions to the right of reproduction, within limitations: *It shall be a matter for legislation in the countries of the (Berne) Union to permit the reproduction of such works in certain special cases, provided that such reproduction does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author* (note 1). This is known familiarly as the Berne three step test. Interpretations of this Article differ between one country and another depending on a nation's policy. What one nation may allow, another will restrict. Copies made for certain purposes may be legitimate in one country but not in another. In some countries, there is fair dealing or fair use. In others, private copying is allowed. Many countries in Europe and other developed nations allow copying for education and copying by librarians. I will describe later how we are now referring to these statutory exceptions and limitations as *fair practices*.

So Berne lays down the ground rules on which national laws are based, but because of different economic and cultural policies and different legal interpretations, no two laws are the same. This would not be too much of a problem if the movement of intellectual property was confined within a nation's boundaries but when moved internationally, as with digital works, the differences stand out and cause legal complications.

Berne is complex demanding a big commitment on behalf of governments and originally many countries in both developed and developing nations, did not sign. In 1952 a compromise was reached with the Universal Copyright Convention agreed at a UNESCO Conference in Geneva. The UCC established the use of the copyright symbol - ©. Most countries in the world are signatories to either the Berne Convention or the Universal Copyright Convention.

There are two other conventions to mention which give added protection to the authors and producers of a/v media: The Rome Convention (note 2) provides for the exclusive right of performers and broadcasters to authorise fixations of their performances and broadcasts respectively, as well as the exclusive right of reproduction for performers, phonogram producers and broadcasting organisations. The Convention also provides for the familiar (P) symbol which accompanies the year or date of first publication. This Convention has not had a successful history in attracting signatories. To date (note 3) only 55 States have signed up to Rome, whereas 125 have signed Berne. The most notable omissions are China and the USA. The Phonogram Convention (note 4) which prevents unauthorised duplication of phonograms was an attempt to strengthen the fight against piracy. The fear of piracy is behind many of the strict controls in countries where the phonographic industry is big business. However, only a few countries signed up to this convention.

International copyright becomes even more complicated when one considers the various revisions of an agreement. There have been several revisions strengthening Berne since 1886. However, not every original signatory signs up to a revision. Some are therefore signatories to one revision and others to another. The difference in the term of protection between Berne and the UCC also causes problems for the movement of goods and thus access and availability of certain material. Rights owners may well refuse to export their products to countries where they consider there is inadequate copyright protection.

Obviously the main objective of WIPO is to encourage all countries to sign up to the latest revisions of the main Conventions. This is a difficult task. The disharmony between States with different levels of protection puts a strain on the fundamental right of Berne to grant national treatment (treating foreign works in the same way as national works).

## **WTO and WIPO**

Enter the World Trade Organisation which came into being in 1995 and an Annex to this Agreement called TRIPS - the trade related aspects of intellectual property rights. The purpose of TRIPS was "to reduce distortions and impediments to international trade and ... to ensure that measures and procedures to IP rights do not themselves become barriers to legitimate trade". This was a threat of trade sanctions which meant that there was a greater incentive for countries to sign up to TRIPS and behave. Most countries signed up.

Over several years a WIPO Committees of Experts had been discussing a possible Protocol to the Berne Convention - in effect another revision - and a parallel Committee discussed a proposal for a New Instrument (Treaty) to give stronger protection to performers and producers of phonograms, thus updating the Rome and Phonogram Conventions and so hopefully making it more hospitable to more nations. Above all, there was growing pressure on WIPO to help resolve the problems caused by the impact of digital technology.

In May 1996 , the WIPO discussions were concluded with the preparation of three treaties to be adopted at a diplomatic conference in the December. Many of the Articles contained in TRIPS were incorporated into the WIPO proposals. IFLA and EBLIDA were present at this conference and worked hard to make the concerns of libraries heard.

After three long weeks of discussion and negotiation, two new copyright treaties were adopted. These treaties: the WIPO Copyright treaty and the WIPO Performers and Producers of Phonograms treaty increased the rights of authors, performers and producers. The third proposal for a Database Treaty, which contained similar proposals to that already adopted by the European Union, has yet to be agreed .

### **WIPO Treaties**

As well as strengthening the rights of performers and record producers, there were new rights added in the two new treaties. In the Copyright Treaty a new Right of Communication was added which said that: "*authors of literary and artistic works shall enjoy the exclusive right of authorizing any communication to the public of their works, including the making available by wireless or wireless means, in such a way that members of the public may access these works from a place and at a time individually chosen by them.*" This indicated to us that all remote viewing or listening would have to be authorised unless there was an exception written in for certain legitimate uses. Also of concern to us was the Article making it illegal to circumvent a technical device which prevented copying.

On the plus side, because of successful lobbying by library groups (note 5), provision was included in these treaties for signatory nations to allow new exceptions and limitations in their copyright laws which are appropriate to the digital environment as well as affirming that existing exceptions applied to both the print and electronic environment (note 6). Another success for the library lobby was an addition to the wording in the preamble to the treaties: "*Recognising the need to maintain a balance between the rights of authors and the larger public interest, particular education,*

*research and access to information, as reflected in the Berne Convention,"*. The inclusion of these statements was very important for us and has formed the basis for our campaign to fight for fair practice exceptions in the EU Copyright Directive.

### **Implementation of the WIPO treaties**

Following the adoption of the treaties, signatory nations are now obliged to implement the new provisions into their own laws. The European Union was not slow in putting together a proposal for a Copyright Directive in 1997. Included in the directive are proposals to "harmonise" the exceptions to copyright. As harmonisation had been impossible to achieve in previous EU directives on copyright, we were rather sceptical as well as worried. We did not want any adverse changes to traditional exceptions and we wanted existing exceptions to apply to the digital environment. As has been seen, we already had the backing of WIPO on this and felt that these benefits should not be diluted by an EC Directive.

### **The Proposed EU Copyright Directive**

As we suspected, what is set out to harmonise the community is in effect causing disharmony. The proposed Directive does not allow Member States to provide for any exceptions other than those explicitly listed in the text of the Directive. All exceptions listed, apart from one, (Article 5.1.) are given as options to the Member States and these are extremely limited in scope. Therefore the exceptions would not only be entirely unharmonised but also without any guarantee that they would be implemented in each Member State to preserve a fair balance in copyright.

The proposed Directive, as written, is either extremely vague or deliberately discriminating. For example terms such as "establishments accessible to the public" are used to include libraries (note 7) but which ones? Public only? The wording "use for the sole purpose of illustration for teaching or scientific research" (Article 5.3 (a)) appears to exclude other educational purposes and other non-scientific research.

Another concern is that the Commission has suggested re-examination of the position on private copying in the digital environment (note 8) which could lead to a complete removal of all digital copying for personal use. Also, we were concerned about the protection for technical controls and its impact on the viability of the exceptions. There is no point in having an exception if it can be blocked by rights holders.

## The Consequences of limited access to Information

These proposals, as drafted, do not inspire confidence that enough thought has been given to the public interest in having easy access to ideas and knowledge. The Legal Advisory Board of the EC stated early on that the EC appears to be considering the needs of the commercial interests in isolation from the needs of those who use the copyright works and this benefits no-one: “*the one-dimensional perspective of the Green Paper bears the risk of a proliferation of intellectual property rights, which may well result in creating new barriers to the development of an internal market for information services and products*” (note 9).

It is clear that the driving forces behind the Directive proposals are the leisure and entertainment industries. There may be a need to plug the gaps to preserve the exploitation potential of entertainment and leisure works, but it should not be to the detriment of education and research. It is unfortunate and misguided that the view of many right holders is that *all* access and use of works whether in printed, analogue or digital form should be licensed and paid for. IFPI has said that there must be no exception for private copying in the digital environment and that its industry needs an exclusive right over *all forms of communication to the public* (note 10). IFPI, the International Federation of Phonographic Industries, claims that without adequate protection, rights holders will be unable to distribute music digitally and will be prey to unregulated digital copying and piracy. They claim that piracy losses amount to 4.5 billion ecus. Governments listen to figures as large as these as they affect the economy. However we believe that this is a dangerous argument as having such market power gives them the mandate to impose monopoly prices and potentially oppressive terms on users, and to ignore the social consequences that follow from the inability of some organisations to make payments for every access.

Without adequate exceptions, we believe that the proposed Directive will severely hamper the European Union’s attempt at promoting lifelong learning for all as a basis of the information society. It will also hamper the European Union’s plan to connect libraries, educational institutions including schools and other public institutions to the information superhighways to guarantee access for all. It seems likely that the intention of the EC is to leave the future of access to information to licensing mechanisms, but in an environment where information can be monopolised, we are worried that citizens, libraries and archives will be left in a nearly impossible negotiation position, being subject to rightholders’ standard contracts. It is therefore essential that statutory provisions in the form of exceptions are in place and which are applicable to all countries of the EU. Only then will we have harmonisation. If we do not have such exceptions and we cannot afford the costs of a licence, libraries,

universities, documentation centres and archives would not be able, even on a non-commercial basis, to:

- *display electronic copyrighted material on a screen on-site*
- *enable on-site users to view, listen and browse electronic copyrighted material for private or educational purposes*
- *enable on-site users to make a digital copy for private or educational purposes*
- *provide access to digital material to remote users for private or educational purposes*
- *make a digital copy of a work for preservation or archival purposes*
- *send copyrighted material via FTP or by email to another library*
- *send copyrighted material via FTP or by email to students or staff within an institution.*

And a private citizen would not be able to:

- *record a TV programme to view at a more convenient time*
- *copy a legally purchased CD on to a tape to play in the car*
- *record a compilation of favourite tracks from the CD collection to listen to at home*
- *make back-up copies for safe storage of legally purchased films and music which may be susceptible to damage or loss through the malfunction of equipment.* Only computer programs at present enjoy this back-up protection.

### **Progress of the Directive**

The Directive is very controversial and causing a polarity of views. Some pessimistic, or perhaps I should say optimistic, forecasters say that we will not see it implemented for at least four years thus giving plenty of time to fight for a better deal or get used to the potential consequences. Librarians are choosing to fight. EBLIDA is a constituent part of The European Fair Practices in Copyright campaign (EFPICC) which is a campaign run by an alliance of concerned European consumer groups, consumer electronics industries, education, library and disability groups to lobby for sufficient level of access and affordable use of copyrighted information in a digital environment. EFPICC members believe that this would be safeguarded by ensuring certain fair practices by statutory provisions that should apply to all types of libraries and archival institutions. Such fair practices are more likely to lead to harmonisation than the narrow EU proposals. These fair practices are:

- *viewing, browsing, listening to and copying of digital material for private, educational and research purposes in libraries and archives.* We should not have to pay for viewing on a screen. We do not pay for browsing printed material in libraries.
- *making a digital copy for archival and preservation purposes by libraries and archival institutions.* We should be able to make back-ups of all information media regardless of its format.
- *copying a limited number of pages on paper or on diskette of a digital work by libraries and archival institutions for their users.* This is extending a practice which many of us already do in the printed environment into the digital environment.
- *making a copy on audio, visual or audio-visual recording media by private individuals for personal use and for non-commercial ends.* We should be able to access the information at a time convenient to us. Making copies for private use will not harm rights holders, it is likely to benefit them. The past has proved that copying equipment, such as video and cassette recorders have opened up new markets for products. For example, the video rental market grew out of video recording equipment.

We maintain that fair practice uses should not be confused with illegal copying for commercial gain as is the case with piracy. There is an argument being put forward that digital is different and so there should not be any exceptions for copying and using digital works. Such rights holders would allow analogue exceptions but not digital. They fear that an exception to allow fair practice copying would lead to the cloning of their products and the loss of income. Although one may understand their fears, there is no need to ban digital copying as it can be controlled by technology. Technical controls may give differing levels of protection according to the purpose. For example: a device could ensure that only one copy may be made - so-called first generation copying; or, a copy made on a one machine could only be played on that same machine; or, a control could only allow copies to be made for legally named purposes by librarians, archivists or for those with a physical or mental disability.

Other signatory nations to the two new WIPO treaties do not appear to be as restrictive as the EU. In Australia, for example, the Australian Copyright Law Review Committee (CLRC), an independent specialist advisory body created to report to the Australian Attorney-General on specific copyright law matters, has recommended that a more flexible fair dealing provision be introduced into the new Australian Copyright Act. The CLRC has made several far reaching recommendations to simplify the exceptions to the exclusive rights of copyright owners under the Act, including fair dealing and library copying provisions. Most importantly, the CLRC has recommended that the Australian fair dealing provision (which currently only allows

fair dealing for a limited range of purposes) be expanded to be an 'open-ended' model which refers to a non-exhaustive list of purposes, much like the US fair use provision.

## Conclusions

We are not disputing the importance of finding solutions to problems that digital technology may cause to copyright owners, but we believe that the proposed Directive is doing more harm than good. It is widening the protection of copyright to such an extent that it will eventually harm the competitiveness of the Member States of the EU in their efforts to develop new information products and services, especially multimedia products. Restrictive copyright protection limits the use of information by making it difficult and expensive to obtain permission to use material. What is needed is a flourishing competitive market to boost demand for advanced communication technology and services in Europe. If new works are to be created, the protection of existing works must go hand in hand with making them reasonably accessible.

Flexibility, balance and fairness are the words which describe harmony. We live in hope that those who decide the national laws will be persuaded that there can be no harmonisation without considering the needs of all citizens not just the major players. Without the appropriate safeguards to society, such as the limitations and exceptions to new, and existing, copyrights, the gap between the information rich and the information poor will widen at a time when the opportunity exists to narrow or even close this gap.

## Notes

1 Article 9(2). Berne Convention for the Protection of Literary and Artistic Works, Paris Act 1971. WIPO, Geneva, 1989.

2 The International Convention for the Protection of Performing artists, Producers of Phonograms and Broadcasting Organisations (Rome Convention) 1961

3 Contracting Parties or Signatories of Treaties Administered by WIPO: Status on July 3<sup>rd</sup> 1997.

4 Convention for the Protection of Producers of Phonograms Against Unauthorised Duplication of their Phonograms. Geneva 1971

5 Norman, Sandy. Report of the WIPO Diplomatic Conference, 2-20 December 1996. IFLA Journal 23 (1997) 2, pp136-139.

6 WIPO Copyright Treaty, Geneva 1996, [www.wipo.int](http://www.wipo.int)

7 (Article 5.2 (c)) which includes public and national libraries but which may exclude some academic, school or special libraries

8 Recital 26

9 Reply to the Green Paper on Copyright and Related Rights in the Information Society. Legal Advisory Board, 1995 para.2.1.

10 IFPI response to the EU Copyright Directive, Brussels April 1998

# **Our culture, our future: aboriginal people speak out about copyright reform**

*Grace Koch, AITSIS*

*Paper given at the IASA Annual Conference, Paris, 1998*

## **Introduction**

In 1994, the Australian Government issued a discussion paper called *Stopping the Ripoffs* that described the current copyright protection available for Indigenous Australian cultural expression. Approximately 3000 copies of the paper along with a set of provocative questions inviting comment were distributed to Aboriginal organisations and individuals. In 1996, my institution was funded to prepare a report that would collate Indigenous peoples' responses to the questions and would promote action for copyright protection of Indigenous cultural materials by doing two things:

- Informing Indigenous people of existing policies and legislation
- Seeking their responses to various reform options

In IASA's *Information Bulletin* No. 25, April, 1998, I wrote a brief note giving the Web address of the report (1). It covered copyright protection in areas such as:

- the arts
- scientific and technical knowledge, such as medicinal use of plants
- human remains and tissues
- movable cultural property, such as artefacts
- immovable cultural property, such as sacred sites
- documentation of Indigenous peoples' heritage in archives: films, photographs, videotapes or audiotapes and all forms of media

This paper will deal with the last item as it applies to audio-visual archives. I shall examine some of the major concerns and proposed solutions expressed by Indigenous people, look at some ways Australian institutions and organisations are working to clear copyright with Indigenous people, then outline briefly some of the recent developments in WIPO which address some of these concerns.

## **The concerns**

Indigenous people realise that their arts and cultural expression are often being used without their knowledge or permission, sometimes inappropriately or offensively.

They want to be consulted in order to ensure that information is used within the proper context. Also, if the information is published, they want to be recognised as the owners of that information and to be paid properly if it is published. Because audio-visual archives hold records of cultural expressions and arrange for their access and dissemination, we as archivists need to be sensitive to the needs of Indigenous people.

### ***Mechanical copyright***

Indigenous culture is an oral tradition. Once a tape is transcribed, the copyright of the transcription belongs to the transcriber. Likewise, the person who presses the button on the tape recorder or the camera holds mechanical copyright on the tape or film. Hopefully, the person responsible for recording the material will have cleared the conditions of use with the traditional owners. In any case, legally, control of the knowledge on that audio-visual carrier has passed away from the traditional owners. An example will clarify the issue.

The report describes a film project that recorded the language, stories and history of a particular group (2). One of the stories was a creation myth applying to one particular tract of land. Unfortunately, the film used the recording of the story to describe a different tract of land. The filmmakers did not consider the issue to be important because most viewers would not recognize the difference. The Aborigines, however, feared two outcomes:

- The story, with its proper reference to land, would not be passed on correctly.
- Should the Aborigines want to use the story as evidence for a land claim, the wrong reference could discredit them.

With the help of the Australian Film Commission, who held a copyright interest in the film, the Aborigines were able to persuade the filmmakers to remove the offending segment, replacing it with something more suitable.

### ***Recordings of traditional music***

Often, royalties have not been paid for recordings of “traditional” music. The report claims that record companies continue to sell and distribute copies of the recordings, alleging that they do not have to pay royalties because the music reproduced on the recording is not a copyright work. (3)

### ***Respect for restricted material***

There are ceremonial objects, songs and ceremonies that should only be seen or heard by initiated men or by women. In Aboriginal tradition, if a person of the wrong gender were to see or hear the information, they could be physically harmed. This harm could come from beliefs about the dangerous nature of the material or from punishments

delivered by traditional enforcers of their Law. A significant amount of film, photographic and recorded sound materials was collected in Australia that did not include reference to the cultural rules of access.

### ***Creation of databases***

"Creation of databases of Indigenous cultural material held by government departments, universities, museums and archives is of concern..... when these databases are accessible on-line or on the Internet, often for commercial purposes". (4)

For example, catalogues of audio-visual materials may list procedures for traditional healing, naming plants and processes involved in curing certain wounds or illnesses. If a recorded tape collection is open for general access, any individual or company may have access to this knowledge, possibly making a lot of money by the use of that knowledge, without necessarily consulting or compensating the community from which it came.

There is also concern about how Indigenous cultural material is listed in cataloguing records within databases. A question arises as to how much information should appear and in what form. For example, when some researchers documented ceremonies, the people recorded did not understand what would happen to the information. They did not realise that many people would be able to read about ceremonies, some of which could be dangerous to certain groups of people.

### **Proposed solutions**

The report puts forward a number of solutions in the two areas: law reform and administrative procedures.

#### ***1. Law reform***

##### ***Protection of moral rights under the Copyright Act***

At present, the Australian Copyright Act is being reviewed. As there is no moral rights legislation in Australia, the Copyright Law Review Committee is investigating how to include such rights within the Copyright Act. Draft provisions for moral rights were put forward in the Review, but they were withdrawn recently because the Government wants to consult more widely with people. (5) If moral rights follow Aboriginal customary law, the person who is taught a song or dance through a dream or the creator of a work has the right to enforce proper use of the material. Also, rightful possession should extend to communities or clans where there is group ownership. WIPO is presently examining this possibility which was discussed at the Rio Summit 1992 in its section on Biodiversity.

In order to protect moral rights for Indigenous cultural material, the writer of the report proposes a special national collecting agency. Its responsibility would be to administer licensing schemes and to ensure payment to the traditional owners for “works that are not or are no longer covered by copyright but still remain governed by indigenous customary laws of disclosure and dissemination.” For example, Indigenous Law does not recognise an end date for copyright. She also asks that film, sound recordings and photographs be included in the scheme.

*Law reform. Amendments to Cultural Heritage Legislation*

For a long time, cultural heritage was seen to cover artefacts and land. Now, audio-visual material is seen as a vital part of Indigenous cultural heritage because it serves as carrier of oral tradition. Indigenous people are re-learning their stories and songs from archival videos and tapes. Because of this use, Indigenous people are very concerned about access and use of audio-visual material held in archives.

A radical set of ten proposals for law reform comes from a list compiled by Henrietta Fourmile, a Yidiny woman from the Yarrabah area of North Queensland (6). She lists ten points, three of which are paraphrased here:

- The local community of origin should own indigenous cultural property and heritage material, including audio-visual recordings and photographs.
- Management and control of this material should be exercised by the appropriate community and its appointees.
- If any centralised administration is to be created, then all employees should be indigenous with representatives from local community organisations. Any duties of a centralised administration should be limited to co-ordination, liaison, policy formation, research and training according to local community needs.

The last point was taken up by Justice Elizabeth Evatt, who was commissioned [by the federal government] to review the Aboriginal and Torres Strait Islander Heritage Protection Act (1984). She recommended a national body to monitor protection of Indigenous cultural material, to coordinate laws and programs affecting it, and to develop and promote policies at all levels of government. This body should comprise all Indigenous people or should, at least, act under an Indigenous advisory group. It is interesting to know that the Evatt Review was aimed at artefacts and sites of significance; however, recent proposals have included songs and stories associated with such sites (7). Archives hold recordings of these site-specific songs and stories.

### ***Administrative responses***

The report lists some practical guidelines to be considered by archival institutions for handling and care of Indigenous cultural material. (8) The following suggestions are applicable to audio-visual archives:

- *Guides and listings of indigenous materials held within archives*

Catalogues created by archives should specify clearly what Indigenous material is held and how to find it. It suggests that archivists prepare easy-to-read listings for indigenous users. At AIATSIS, most of the collection relates directly to Australian Aborigines and Torres Strait Islanders, and our listings must be user-friendly to that large client group. However, is material relating to Indigenous people being identified in other archives? How easy would it be for a Basque person to locate Basque language recordings and films within archives in Spain, or for a Saami to find such material in archives in Norway, Sweden or Finland?

- *Employment of indigenous archivists and media technicians within archives*

This is especially important in archives that hold much Indigenous material. Visiting Aboriginal groups, for example, have questioned why white people are handling their cultural materials. However, there are not many Indigenous archivists or technicians. Hiring Indigenous people usually means arranging for training-cadetships or apprenticeships.

- *Cultural awareness training for all archives staff*

Within Australia, a number of Indigenous people are developing cultural awareness training courses that outline historical issues and teach about culturally-appropriate behaviour, especially when staff deal with Australian Indigenous people who live a traditional lifestyle. There are differences in communication style between the typical European/Western person and Aborigines. For example, in the European style, if we want to make sure that a person understands us, we may speak slightly louder than usual and may keep long eye contact. In traditional Aboriginal society, such behaviour is seen to show anger towards the person being addressed.

- *Establishment of local indigenous archive.*

Ideally, this would require the training of indigenous archivists as well as guaranteed funding to continue care of the collections. Many such archives exist in local schools and community centres.

AIATSIS is active in helping to arrange copies of media for local archives.

- *Indigenous cultural clauses in research contracts where ownership of indigenous cultural knowledge is recognised as belonging to the traditional owners and rights given to researchers exist in the form of licenses.*
- *A condition of research grants to require respect of cultural sensitivities, especially in the form of ceremonially restricted material.*

These two points deal with research institutions that fund projects in Indigenous communities. The researchers would be required to respect the moral rights of the traditional owners to the information on recordings made during a funded project. Also, they should identify ceremonially sensitive images and sounds so that the collection can be handled in a culturally sensitive way.

***Public domain royalties system for the use of indigenous cultural material with an administrative body to collect and distribute the fees.***

This means that whenever publishers use Indigenous cultural property for profit, such as an audio CD or a video, royalties should be paid to Indigenous people. Payment does occur now where Indigenous people have published videos or audio recordings; however, the difficulty comes where unpublished archival field tapes, videos or photographs are sought by publishers. For early recordings, there might not be enough information to locate the proper copyright owner. The sheer administrative work involved in locating such owners requires more time and money than an archive may have available, however the report requests that the Government provide adequate resources for such research (9) . The report suggests an organisation whose sole task would be to identify owners and arrange for royalties to be paid to them by the requestors.

### **Some solutions in process**

The key concept is “consultation.” Here are some examples of such consultation between archives and Indigenous people for the use of Indigenous cultural property:

***Broadcasting for Remote Aboriginal Communities Scheme (BRACS)***

Under this scheme, radio and television services are provided to over 80 Aboriginal and Torres Strait Islander communities in remote locations. The technical equipment provided by the scheme enables communities to receive and rebroadcast mainstream commercial or national signals, or to switch off these signals and air locally produced

programs. In this way, Aboriginal and Torres Strait Islander communities can control the number of episodes of The Nanny or South Park, switching to programs in their languages.

An Aboriginal broadcasting corporation and publisher, the Central Australian Aboriginal Media Association (CAAMA), is using BRACS to clear the use of its archival material for its programs and its audio and video publications. The CAAMA archive holds video and audio recordings of oral history, music and narratives from Aboriginal communities within its large broadcasting range. The collection spans approximately 20 years and hundreds of communities. CAAMA needs to consult periodically with Aboriginal communities about the use of its archival material because:

- Names and images of recently deceased people cause distress to the family if they are aired too soon after death. One way deceased people can be referred to is by a descriptive phrase such as “that old man who lived at Yayi Yayi” or, in certain language groups, by the use of a word, “kuminjayi” meaning “no-name.”
- The restrictions on ceremonies and songs may vary from time to time. In 1976, I recorded a series of women’s songs from a Fire ceremony (Warlekerlange) which were not to be sung within the hearing of men. The women even whispered the name of the ceremony to me if my husband were nearby. Several years later, those women chose to allow the songs to be broadcast.

The governing body of CAAMA, the Aboriginal and Torres Strait Islander Commission, recently showed special recognition of the importance of BRACS in Aboriginal broadcasting by initiating a special five year project to upgrade equipment used by BRACS and to train Indigenous broadcasters and communities. (10)

#### *AIATSIS and Community Access*

Government cuts and the changing economic scene world-wide are requiring all archives to generate income. One way AIATSIS is meeting this challenge is by drawing together its audio-visual materials to produce CD ROMs.

When a focus has been identified and selections have been made, an advisory group of Indigenous people from the relevant geographical areas view each image, film or audio clip and give written permissions for a one-off use in the production. A list of material will have been sent to the relevant Land Council or Culture Centre so that the committee can be authorised to give the permissions for relatives or other copyright owners. Benefits of this procedure are:

Proper consultation and clearances  
A sense of local "ownership"  
Enthusiasm for the product  
More documentation for the archive

AIATSIS is also using the Internet to clear materials with Indigenous communities. Clients requesting copies of material for publication purposes can contact community arts centres or land councils via e-mail. In the case of audio, small sound bites can be digitised and downloaded to identify the material. Clearance forms can also be downloaded to the Indigenous owner who can sign it and send it back via post.

#### *Indigenous Cultural Network*

The Web site, Australia's Cultural Network, (11) identifies 20 Indigenous Web sites. There is much interest in Aboriginal communities about establishing links with collecting institutions that hold Indigenous material. To this end, an Australia-wide network identifying collections of Indigenous cultural heritage material is being established by the Australian Foundation for Culture and the Humanities. This "virtual" organisation, with a distinguished Aboriginal elder as its Director, will concentrate on linking community-based collections, archives and museums internationally. A presentation on its aims and objectives will be given at the *Convergence (Culture and Policy in the Digital Age)* conference in Brisbane on 18-20 November. (12) This development should help archives to clear audiovisual material for public use.

#### **Recent WIPO developments**

WIPO has made a priority this year of helping indigenous people to express their ideas about protection of intellectual cultural property. It created a Division of Global Intellectual Property Issues, whose 1998-1999 work plan includes the sub-program "Intellectual Property Rights for New Beneficiaries", which is aimed at areas with large Indigenous populations. They will send fact-finding missions to areas where much traditional knowledge is maintained. One aspect of the program of interest to archives is on how information technology can help in the protection and conservation of traditional knowledge. As custodians of much traditional knowledge held on audio-visual carriers, we as archivists need to have input into this work.

Within this program, WIPO held a Round-table in Geneva on Intellectual Property and Indigenous Peoples this year in July. The purpose of the meeting was to enable Indigenous people to discuss and list their special concerns and hopes for protection of traditional knowledge, innovations and culture (13). Over 200 representatives from

Africa, the Americas, Asia, Europe, and the South Pacific attended as well as representatives from governments of WIPO member States and selected inter-governmental organizations and non-governmental organizations.

After introductory papers explaining the nature of copyright and intellectual property protection by WIPO officials, six papers were presented by indigenous people. I would encourage you to read these papers on the Web to get the full emotional impact of their talks. (14).

The speakers were Lars Anders Baer (SAAMI Council, Sweden), Atencio López, (Napguana Association, Panama), Dr. Mongane Wally Serote M.P. (Parliamentary Committee on Arts, Culture, Languages, Science &Technology, South Africa), Mrs. Aroha Mead (Te Puni Kōkiri, Ministry of Māori Development, New Zealand), and Antonio Jacanimijoy (Coordinating Body for the Indigenous Peoples' Organizations of the Amazon Basin , Ecuador.)

Many of their concerns had to do with return of movable cultural heritage [i.e. artefacts] and protection of traditional knowledge in areas such as medicinal use of plants. The latter point will involve archives if recordings and videos of traditional technologies exist within our institutions. The presentations repeat several of the major concerns of the AIATSIS report:

- International legal instruments must recognise and protect Indigenous rights.
- Indigenous people should be participants in the making of WIPO policy.
- Although other organisations are doing work in the area, there was a request for WIPO to serve as a co-ordinating body.
- Group rights versus individual rights needs to be addressed, as mentioned in the Rio Summit on Biodiversity.

The second WIPO event, a seminar held last week in Geneva (9 November) commemorates the 50th Anniversary of the Universal Declaration of Human Rights. Entitled "Intellectual Property and Human Rights," this seminar includes a paper by John Mugabe, Executive Director, African Center for Technology Studies, Kenya entitled "Intellectual Property & the Protection of Traditional Knowledge & Innovation".

### **Conclusion**

Both archivists and Indigenous people feel the same about the importance of preserving audio-visual records for the future. Indigenous people are looking to us to help them protect their cultural property.

Peter Danaja, the Aboriginal Heritage Officer of Maningrida Arts and Culture at Bawinanga Aboriginal Corporation in Maningrida, Arnhem Land in the Northern Territory, Australia, gives us his view on copyright in relation to art and the Web (15):

One of the big problems that we face today is copyright. Now we can't stop it if people who come across the homepage and print out and then use it for something to make money... There's no way we can tell what will happen next. I think in the art world, mainly on Aboriginal art, there will always be a bad apple who will make a copy of the art to make money. We can never tell how they got the print from the art work and where. We have to be aware of it and accept it and deal with it. There are many people who will help you fight for what is rightfully yours.

We as archivists will help Indigenous people in their fight.

#### NOTES AND REFERENCES:

1. <http://www.icip.lawnet.com.au/>
2. 1997, Australian Institute of Aboriginal and Torres Strait Islander Studies: *Our Culture Our Future: Proposals for Recognition and Protection of Indigenous Cultural and Intellectual Property*. 1997. Written and researched by Terri Janke, Principal Consultant Michael Frankel & Company, Solicitors. p.32.
3. Op. cit.
4. Ibid. p.33.
5. "Copyright Amendment Act 1997. In *Calendar, The Newsletter of the Copyright Agency Limited*, September Issue 1998, p. 2.
6. 1997, Australian Institute of Aboriginal and Torres Strait Islander Studies: *Our Culture Our Future: Proposals for Recognition and Protection of Indigenous Cultural and Intellectual Property*. 1997. p. 65.
7. See above, p. 66. In the Australian State of New South Wales, proposals for the redefinition of cultural heritage have included songs and stories associated with geographical sites.
8. See above, pp. 79-83.

9. See above, p. 85.
10. See home page of ATSIC: <http://www.atsic.gov.au:80/>
11. Listed in the IASA Information Bulletin No. 26 (July 1998)
12. See [http://www.gu.edu.au/centre/cmp/Convergence\\_conf.html](http://www.gu.edu.au/centre/cmp/Convergence_conf.html)
13. Opening speech by Robert Castelo, Director-General of WIPO at the Roundtable on Intellectual Property and Indigenous Peoples. See <http://www.wipo.int/eng/main.htm>.
14. <http://www.wipo.int/eng/main.htm>- go to Meetings, then Past Events
15. <http://www.peg.apc.org/~bawinanga/welcome.html> (NOTE: This site is presently off-line).

## **Droit d'auteur et mise à disposition des documents patrimoniaux sur réseau**

*Paper given by Valérie Game, Service Juridique,  
Bibliothèque Nationale de France,  
at the IASA Annual Conference, Paris*

L'émergence des nouvelles technologies de la communication n'a pas remis en cause l'application des dispositions classiques du droit et en particulier du droit d'auteur.

Cette situation vient toutefois compliquer gradement la tâche d'institution comme la nôtre, qui se doivent de recueillir toutes autorisations et verser les rémunérations correspondantes pour l'exercice de leurs missions de service public, qui désormais doit également s'effectuer selon ces nouveaux modes de communication.

En droit français, les œuvres sont protégées sans considération de leur genre (littéraire, musical, art plastique...), de leur forme d'expression (écrit, oral...), de leur mérite, de leur destination.

Une seule condition est requise pour qu'une œuvre bénéficie de la protection: l'originalité. Cette notion a été en réalité construite par la jurisprudence.

La protection comprend un droit moral (perpétuel, inaliénable, imprescriptible) et le droit patrimonial, droit exclusif en vertu duquel l'auteur est titulaire d'un droit de reproduction et d'un droit de représentation sur son œuvre.

### **- Droit de reproduction :**

La reproduction consiste en la fixation matérielle de l'œuvre par tout procédé permettant de la communiquer au public de manière indirecte.

Elle doit toujours être autorisée par l'auteur.

La fixation matérielle peut s'effectuer par tous procédés (imprimerie, dessin, gravure, photographie, moulage, tout procédé des arts plastiques et graphiques, enregistrement mécanique, cinématographique, magnétique). On y inclura donc sans hésitation les CD-Rom, et tous les supports permettant les enregistrements numériques.

La fixation matérielle doit être destinée à une communication au public. Une reproduction qui n'est destinée à aucune communication ne peut donc en principe constituer une contrefaçon à l'exception des logiciels, pour lesquels la loi prévoit des dispositions spécifiques sur ce point).

Les seules exceptions à l'autorisation prévues par la loi sont:

- la copie destinée à usage privé
  - les impératifs par nécessité d'information (citations, analyses, revues de presse)
  - les parodies, pastiches, caricatures
- Droit de représentation :

La représentation consiste en la communication de l'oeuvre au public par un procédé quelconque.

Pour cette utilisation de l'oeuvre, l'autorisation préalable de l'auteur est également nécessaire.

Ce droit, qui visait initialement à protéger les spectacles, est désormais défini de manière très générale.

La communication sur écran d'oeuvres mises en réseau en relève bien évidemment.

Une seule exception est prévue: la représentation gratuite, effectuée dans le cercle de famille.

Les autorisations sont assorties d'une rémunération de l'auteur et celui-ci peut cumuler la perception de redevances au titre de la reproduction et au titre de la représentation.

Les récentes approches communautaires que les œuvres audiovisuelles étaient protégées au même titre que les œuvres photographiques.

Ce principe a été enraciné par la loi du 11 mars 1957 qui a conféré un véritable statut juridique à l'œuvre cinématographique.

Cette loi fut ensuite modernisée et complétée par la loi du 3 juillet 1985 relative aux droits d'auteur et aux droits des artistes de communication audiovisuelle.

La loi de 1985 étend aux œuvres audiovisuelles le régime de la loi de 1957 applicable aux œuvres cinématographiques et complète ce dernier par une réglementation du contrat de production audiovisuelle.

Depuis 1985, l'œuvre audiovisuelle bénéficie d'un statut particulier. Ainsi, la loi a créé une présomption de cession, sauf clause contraire, de la part des auteurs présumés d'une œuvre audiovisuelle au profit du producteur.

La présomption de cession concerne notamment :

- l'auteur du scénario ;
- l'auteur de l'adaptation ;
- l'auteur de texte parlé ;
- le réalisateur

Une exception, l'auteur de la composition musicale, bien que considéré comme coauteur de l'œuvre audiovisuelle, n'est pas présumé céder ses droits.

Cette présomption de cession couvre aussi bien le droit de reproduction que celui de représentation ; le producteur ayant nécessairement besoin pour exploiter l'œuvre de réaliser des exemplaires (reproduction) et de pouvoir diffuser l'œuvre (représentation).

Cette simplification ne concerne malheureusement pas les œuvres cinématographiques et audiovisuelles antérieures à l'entrée en vigueur de la loi de 1985.

En outre, elle est strictement interprétée par la jurisprudence, c'est-à-dire que la présomption ne vise que la première exploitation sur laquelle l'œuvre est réalisée ; par exemple, la diffusion en salle pour l'œuvre cinématographique. Elle ne s'applique pas à des exploitations secondes, telles que la vente de vidéogramme ou la consultation individuelle en bibliothèques.

Aussi, pour les œuvres qui présentent un intérêt historique pour la recherche, on est encore le plus souvent confronté à la multiplicité des ayants droit de l'œuvre audiovisuelle et, en tous cas, le recours à la négociation contractuelle s'impose.

La loi de 1985 en outre consacré ce qu'il est communément admis d'appeler les droits voisins, à savoir pour les artistes-interprètes, les producteurs de phonogrammes et de vidéogrammes et des entreprises de communication audiovisuelle.

Comment, dans ce cadre juridique, la Bibliothèque nationale de France communique à ses différents lecteurs ses fonds audiovisuels et à quelles difficultés estelle confrontée pour leur mise en réseau ?

## **I- La communication des documents audiovisuels à la Bibliothèque nationale de France**

### **- Les documents concernés**

Les documents audiovisuels de la Bibliothèque nationale de France sont constitués principalement:

- d'enregistrements sonores réalisés avant la première guerre mondiale rassemblant plus particulièrement des inédits à caractère linguistique puis folklorique produits par les "Archives de la parole" depuis 1911, devenues le Musée de la parole et du geste, puis la phonothèque nationale en 1938;
- du dépôt légal attribué à la Bibliothèque nationale de France, à savoir notamment les documents photographiques et graphiques, les phonogrammes depuis le décret de 1938 qui permet la mise en oeuvre de la loi de 1925, les vidéogrammes autres que sur support photochimique et documents multimédia depuis 1975 et les documents informatiques depuis 1992.

Il est rappelé en effet quel le dépôt légal des films cinématographiques est attribué au CNC et celui de la radio télévision à l'INA depuis la loi de 1992.

Ces fonds ont été et sont complétés par des dons et entrées de collections particulières ainsi que par une politique d'acquisition.

Il peut être relevé que, récemment, un effort a été effectué pour développer un accroissement des collections par copie de documents originaux.

Les acquisitions sont plus particulièrement orientées, d'une part vers des documents non soumis au dépôt légal, d'autre part vers des œuvres antérieures aux textes instituant le dépôt légal desdits documents ou des œuvres étrangères. Sont développées les acquisitions portant sur la littérature, l'interprétation musicale, l'histoire des médias et celle de la société française, l'image de la presse, le documentaire et les archives de la parole.

L'ensemble de ce fonds est ainsi communiqué aux chercheurs dans les salles de recherche du rez-de-jardin de la Bibliothèque nationale de France.

Une partie des collections est en outre mise à la disposition du public des salles de lecture du haut-de-jardin qui offrent en quelque sorte une vitrine de ce fonds documentaire.

- Le droit applicable

Les conditions juridiques de communication des documents vont dépendre de leur source. Elles peuvent en effet être considérées différemment selon qu'il s'agit de documents issus du dépôt légal, provenant d'acquisitions ou d'autres formes de collecte. Elles sont également traitées différemment par les ayants droit selon le public concerné, chercheurs accrédités ou tous publics.

• **Dépôt légal**

Lors des travaux préparatoires de la loi portant réforme du dépôt légal en 1992, il avait été envisagé de mettre en place pour le dépôt légal une exemption aux autorisations préalables des auteurs nécessaires à la communication de ces documents aux chercheurs.

Cette solution trop dangereuse au regard du respect de l'intégrité de l'ensemble des principes du droit d'auteur a finalement été écartée.

Les documents entrés par dépôt légal font l'objet de reproduction à des fins de conservation.

En outre, la loi du 20 juin 1992 relative au dépôt légal prévoit que "*le dépôt légal est organisé en vue de permettre :*

....

*3° - La consultation des documents, .... dans des conditions conformes à la législation sur la propriété intellectuelle et compatible avec leur conservation".*

Elle prévoit également que le conseil scientifique du dépôt légal "*est associé à la définition des modalités d'exercice de la consultation des documents déposés, ....., dans le double respect des principes définis par le code de la propriété intellectuelle et de ceux inhérents au droit, pour le chercher, d'accéder à titre individuel, dans le cadre de ses recherches, et dans l'enceinte de l'organisme dépositaire, aux documents conservés*".

Le décret d'application de la loi renvoie quant à lui à la négociation contractuelle. Celui-ci prévoit que “*les organismes dépositaires ..... définissent les modalités d'exercice de la consultation des documents par les chercheurs et passent les conventions nécessaires avec les titulaires de droits après avis du conseil scientifique du dépôt légal*” (article 3 du décret 93-1429 du 31 décembre 1993 relatif au dépôt légal).

Aucun accord formel n'a été mis en place. Il n'y a toutefois aucune ambiguïté sur l'existence d'une entente entre les parties concernées. La Bibliothèque nationale de France peut exercer la communication aux chercheurs dans ses salles de lecture sans qu'il y ait lieu à rémunération des auteurs.

- **Autres sources d'enrichissement des collections**

Les divers modes de constitution des collections audiovisuelles de la Bibliothèque nationale de France ont été rapidement évoqués précédemment. Chaque institution aura sa propre histoire à cet égard.

La communication des collections historiques de la Bibliothèque nationale de France (phonothèque nationale notamment) est en pratique assimilée au régime juridique du dépôt légal. En d'autres termes, la communication de ces collections est autorisée avec les documents du dépôt légal dans la mesure où elle est limitée à un public admis sur critère d'accès avec un objectif de recherche dans les enceintes de l'institution.

Toute autre utilisation de ces documents, comme de ceux issus du dépôt légal, telles que la reproduction au bénéfice des lecteurs, les projections en salle, etc., suppose l'obtention d'autorisations spécifiques.

Il en est de même pour leur communication dans les salles de lecture du haut-de-jardin.

Ainsi, pour présenter un échantillonnage des collections d'images animées et de documents sonores au public du haut-de-jardin, il a été nécessaire d'acquérir le droit de représentation des auteurs auprès de la SACEM, laquelle a agi en l'espèce également pour la SCAM et la SACD (représentant les auteurs des œuvres radiophoniques et les interviewés).

Le forfait de la SACEM s'élève à 80 francs hors taxes par jour d'ouverture de la Bibliothèque pour l'ensemble des postes installés dans les salles de lecture. Il faut préciser que la communication des images animées acquises avec droits auprès de producteurs détenant les droits de leurs auteurs n'est pas concernée par ce contrat.

En ce qui concerne les acquisitions récentes, et tant pour les images animées que pour les images fixes, l'établissement s'est désormais efforcé de recourir systématiquement à la voie contractuelle.

Ainsi, la Bibliothèque nationale de France acquiert les droits de reproduction notamment sur support numérique, ainsi que le droit de mettre ces documents en consultation sur écran dans ses locaux en réponse aux demandes des usagers et sur bornes d'information.

En ce qui concerne les images fixes, quelques autorisations au bénéfice des lecteurs, en particulier pour les chercheurs, ont également été acquises : sorties sur imprimantes, et imagettes sur support photographique de petites dimensions et faible définition.

Les droits ont été obtenus en principe pour une durée de vingt années.

Il est constaté, dans le cadre de ces négociations contractuelles, que les ayants droit ont toujours accepté de délivrer les autorisations à titre gratuit pour les utilisations effectuées au profit des chercheurs en rez-de-jardin, y compris lorsque les cessions sont effectuées non pas par des institutions de recherche mais par des agences photos (Rapho, Magnum...). En revanche, les utilisations prévues pour le public du haut-de-jardin donnent le plus souvent lieu à rémunération des ayants droit.

## **II- La mise en réseau des documents audiovisuels**

Ainsi, les institutions comme la Bibliothèque nationale de France savent qu'elles ne peuvent éviter d'obtenir les autorisations et le cas échéant de rémunérer les ayants droit pour toute mise en réseau notamment sur Internet de ces documents.

A ce jour, la Bibliothèque nationale de France, au sein de son site Gallica, n'a inséré que des documents tombés dans le domaine public.

Cette sélection, en fonction d'un critère étranger aux intérêts de la recherche, est regrettable, et les moyens d'y remédier -tout au moins partiellement- doivent être recherchés.

La Bibliothèque nationale de France vient de conclure une convention de pôle associé avec la Fédération des Associations de Musiques et Danses Traditionnelles (FAMDT). Dans ce cadre, et pour la première fois, quatre des associations membres de la

FAMDT vont d'efforcer de sélectionner un volume d'heures et d'enregistrements sonores qui seront mis à la disposition de la Bibliothèque nationale de France sur support numérique pour consultation sur place et à distance à partir des serveurs de la Bibliothèque nationale de France. Les associations négocieront en amont les autorisations nécessaires à ces utilisations.

La Bibliothèque nationale de France réfléchit actuellement et prospecte les possibilités existantes pour mettre en réseau quelques heures de documents sonores.

Pour une sélection quantitativement limitée cette démarche est toujours possible.

Les droits pourront en effet être acquis contractuellement soit auprès des sociétés d'auteurs existantes soit directement auprès des ayants droit concernés.

Les différentes sociétés d'auteurs existantes s'efforcent d'obtenir une extension de leur mandat aux activités de mise en réseau et de réfléchir à la mise en place de barèmes adéquats.

La création d'une société SESAM qui délivrerait les droits nécessaires à la réalisation d'oeuvres multimédia et détiendrait pour ce faire les mandats des sociétés d'auteurs traditionnelles tente d'apporter une réponse à un besoin d'interlocuteur déjà clairement exprimé.

Toutefois, l'ensemble de ce dispositif se met en place très lentement.

Les barèmes projetés distingueraient les usages des organismes culturels (avec une sous-distinction entre les usages avec ou sans rémunération) des usages commerciaux. Des prix spécifiques peuvent être fixés pour l'usage publicitaire (ADAGP).

Les prix sont relativement élevés. Ainsi, pour des organismes culturels qui mettraient en réseau sans rémunération, l'ADAGP demande 242 francs HT pour moins de dix œuvres et 82 francs HT pour plus de mille œuvres, par œuvre et par an.

Certaines agences photos ont pour leur part fixé leurs tarifs. Ainsi, celui de Magnum est :

- 1 à 49 photos, 330 francs, HT par photo pour la première année d'exploitation;
- 50 à 49 photos, 200 francs, HT par photo pour la première année d'exploitation.

Le Coût diminue de 50 % les années suivantes.

En revanche, la SACEM n'a toujours pas de barème en l'espèce.

La SPPF propose un contrat-type pour autoriser la mise en réseau d'extraits de phonogrammes au tarif de 0.10 francs par écoute commencée.

Son répertoire est toutefois très différent des fonds dont disposent les institutions d'archivage.

A ce jour, aucune mise en réseau massive de documents protégés par le droit d'auteur ne peut être envisagée.

Il est en effet difficile d'imaginer qu'en plus du coût même de l'autorisation, les institutions d'archivage et de recherche puissent se doter d'équipes d'acquisition de droit, qui, comme une chaîne de télévision, achèteraient au coup par coup auprès des producteurs des droits de diffusion.

Le recours aux sociétés d'auteurs deviendrait alors indispensable. Il n'est pas interdit de rêver qu'un jour peut-être un guichet unique spécifique aux institutions culturelles permettrait de s'acquitter forfaitairement des droits nécessaires aux mises en réseau. Mais la question du financement des rémunérations qui en seraient consécutives est encore loin d'être résolue.

## **Abstract**

The status of copyright, of author rights in particular, remains unchanged, despite advances in technology which promise to enhance the public and research services of national libraries and archives. Securing and managing the cooperation of societies of authors and similar representative organisations is therefore a costly but essential component of their operation. The author gives details of the present arrangements governing audiovisual services at the Bibliothèque Nationale de France.

# **The National Archives of Zimbabwe's audio-visual archives collection**

*Sarudzayi Elizabeth Chifamba*

*Audio Visual Archivist*

## **Introduction**

Zimbabwe is a landlocked country in the southern region of Africa. It has a population of about 12 million people and has two major ethnic groups, namely the Shona and the Ndebele. The capital city is Harare (formerly Salisbury before 1980). It is a former British colony and independence was attained in 1980. Between 1953 and 1963 Southern Rhodesia (Zimbabwe), Northern Rhodesia (Zambia) and Nyasaland (Malawi) merged into what was known as the Central African Federation (CAF). Salisbury was made the capital city of the Federation and became the centre for major administrative activities. What is now the National Archives of Zimbabwe was then the headquarters of the Federal Archives with Northern Rhodesia and Nyasaland functioning as Records Centres. This brief history will serve to explain why films and gramophone records from the other two countries are housed at the National Archives of Zimbabwe.

The National Archives of Zimbabwe was founded by an Act of Parliament in 1935 and operates on the basis of the National Archives Act (1986). It is the storehouse of the nation's documentary heritage regardless of medium. The Audio Visual Unit (AV) is one of its major components.

## **The AV unit**

The Unit was established in 1989 and is growing rapidly. It has state-of-the-art equipment (which will be described in detail). It accommodates the new media on machine readable format such as film, video, audio reels, audio cassettes and discs and, more recently on CD-Roms. All these are kept under special storage conditions. The National Archives of Zimbabwe is not yet on e-mail or the internet and all the correspondence that we do is done via the Post Office. A fax is available but is expensive to use, hence it is restricted to very important and urgent issues.

## **Staff**

The Unit is staffed by two Archivists and one Equipment Assistant. The Archivists have basic degrees in history but do not have any professional training in audio-visual archive work. They have received in-house training but none of them has so far been attached to other archival institutions in the region or elsewhere. Last year Ms Chifamba attended an IASA Conference in Muscat, Oman and this was an eye-opener to the National Archives. The staff have to rely on literature, mainly pamphlets which we get from IASA and FIAF.

## **Collections**

### Film

Film is the largest collection in our Unit. Film was largely produced by the Central African Film Unit (CAFU). CAFU was set up in 1948 to make educational films for Africans in the three territories as well as to make films to show to the overseas community to promote tourism. Educational films for the Africans were all silent because of the different ethnic groups in the countries. A film commentator often accompanied the cinema unit and made commentaries to each group of people.

In 1953 CAFU started to produce newsreel items in two separate series, one for the white community (known as Rhodesian Spotlight) while later on, in 1957, another series for the blacks was introduced known as the Rhodesia and Nyasaland News (RNN). There were also other film production companies such as Africa Films Productions, British Gaumont, etc.

Our oldest film The Royal Visit, was produced in 1947 when King George VI visited Rhodesia.

### Sound Recordings

Our sound recordings comprise audio tapes, cassettes and disc (33 rpm and 78 rpm). The National Archives' Oral History Unit conducts interviews with significant people in the history of the country. These are kept on audio cassettes and tapes. Our earliest recordings date back to 1945. Also a series of interviews was carried out by the BBC and the liberation movement's Voice of Zimbabwe in Mozambique during the War.

## Data bases

### General film

These are mainly the fictional and educational films. The film is viewed and is accessioned according to the following attributes:

1. Black and white or colour. The two are kept in different coldrooms because of different temperature requirements.
2. Gauge. 16mm films have to be kept on their own shelves separate from 35mm for uniformity and neatness.
3. Length. 400 feet, 1000 feet and 2000 feet films are kept on different shelves because of the different sizes of film cans.
4. Some tracks are only optical, with no accompanying picture. These are given different accession numbers.

We use different alphabetical letters to identify the above attributes.

GAUGE	COL/B&W	FOOTAGE	ACC. CODE
16mm	Col	-400 ft	C
" "	"	400 - 1000	A
"	"	1000+	B
16mm	B&W	-400ft	I
"	"	400-1000	G
"	"	1000+	H
35mm	Col	-400ft	R
"	"	400-1000	P
"	"	1000+	Q
35mm	B&W	-400ft	X
"	"	400-1000	V
"	"	1000+	W
Optical Track			Z

There are 2000 films in our catalogue and about 10000 unaccessioned films. Negative copies are also kept.

### Spotlight

Newsreel items for the colonial white community. These were systematically produced so the production number is the accession number. There are 196 items in the series.

### Rhodesia and Nyasaland news (RNN)

The accessioning of these films is the same as with Spotlight series. There are 82 items in the series.

### **Video**

Currently we have 116 video cassettes in our collection in VHS and U-matic formats. They are kept under the same conditions and when accessioning we do not separate the two. Accessioning is numerical. Many of the videos are films which we transfer from film onto cassettes for various reasons.

### **Slides**

We have more than 2000 slides. These mainly depict important historical events, including the Pioneer Column, 1890 (first European settlers to come to Zimbabwe), extracts from their diaries, letters, memoranda, etc.; early Portuguese maps of Africa; our earliest slides are of documents dating back to the 16th Century. Accessioning is numerical.

### **Audio tapes**

We have 406 tapes. These include taped interviews of significant people in the history of Zimbabwe and Liberation War songs. Accessioning is also alpha numerical.

### **Audio cassettes**

The Unit has 300 audio cassettes and these are mainly recorded interviews of important people by our Oral Historian. Accessioning is numerical in chronological sequence. They are kept at room temperature.

### **ZBC recordings**

These are 78 rpm discs which we got from the Zimbabwe Broadcasting Corporation. They borrow them back regularly. They were catalogued according to subject matter, e.g. comedy sketches, Mbira etc. There are 10,500 of them. They are kept at room temperature in a room free from sunlight. Mbira (xylophone) is a type of musical instrument common in Mashonaland, (one of the provinces of Zimbabwe). This is played on special occasions, for example when appeasing the ancestral spirits.

## **Books**

These are books on audio-visual matters including IASA publications. We also keep cuttings from the local newspapers on music and film.

## **Equipment**

We have excellent equipment for our film and video viewing. We have a Steenbeck Film Editing Table on which we can play 16mm and 35mm films, including magnetic tapes. The equipment is serviced periodically by hired technicians as we do not have our own technicians. We have a set of film projectors which will become operational when our proposed auditorium buildings is completed. Most of the equipment was donated.

## **Access and copyright**

Any member of the public can have access to our material on our premises. No material is lent out. The copyright of our material remains with the producer up to a period of 50 years. If researchers want some footage in part we give it to them, but if they wants the whole film or sound track we refer them to the producers. For film, researchers are referred to Production Services (which is the producer of most films) where they get cleared. Production Services makes films for the government and it is a branch of the Ministry of Information. A researcher must be above 18 years of age, and non-Zimbabwean citizens are required to bring Research Permits which they get from the Research Council of Zimbabwe.

## **Acquisition**

This is a major problem. I will provide this information in a future *IASA Journal*. However we are currently working on a Legal Deposit Agreement which will include sound and audio-visual archives apart from the conventional printed material.

## **Relations with other institutions**

Currently relations with the Zimbabwe Broadcasting Corporation Television (ZBC TV) and other related institutions in the country are very poor. ZBC TV does not send its material for preservation to the Archives. Of late we have acquired a written agreement from them to record some of their programmes off-air. ZBC Radio is trying to come up with an Association of all Music Librarians at national level.

We receive questionnaires occasionally from other Archives around the world.

We have excellent relations with the Nederlands Film Museum. They are working out a programme to upgrade our Archives with the training of staff as one of their targets.

Regionally there are very few Audio Visual Archives centres. There is no regional association of audio-visual archivists.

### **Photography**

Although in some countries the Photography collection is part of the Audio Visual Section, in our institution these come under the Library. The National Archives has a rich collection of photographs dating as far back as 1890 when the country was colonised.

### **Conclusion**

Although we are a member of professional organisations like IASA and FIAF, the 1997 IASA meeting was the first one that we attended. We have not attended any FIAF conference so far. We are a Third World Country and our government is not in a position to finance much in the way of attendance at such events. The Unit is growing rapidly and our major goal is to assist Zimbabweans and other interested people on the heritage of the country, lest they forget. This can be achieved through a successful preservation of the heritage. Attending professional conferences like IASA will go a long way in helping us to achieve this. We intend to form a regional association of audio-visual archivists and this can be attained through communication with other related institutions world-wide.

**The Oxford Companion To Australian Music. Edited by Warren Bebbington.- Melbourne: Oxford University Press, 1997. RRP A\$79.95**

Published in 1997, this sprawling reference fills a great gap and will be a fine resource for years to come: apart from anything else, the assemblage of facts and dates in one volume is long overdue. In a country where many of our prominent musicians have been, in a sense, tourists, the definitions for inclusion must have been quite difficult. One could be open to the charge of making our music history more glamorous by including some famous artist who just happened to step off a ship in 1891 and sing a song. While welcoming the Companion enthusiastically for simply having been published, there are inexplicable omissions, even judged by the movable parameters set out in the preface and conversely, some entries simply seem gratuitous. The devoted listing of just about any town that could boast the most minimalist musical activity verges at times on the provincial. My old hometown of Gosford, on the New South Wales central coast is typical; like so many other towns it has never been noted for musical activity much beyond the level of amateur musical and brass band associations. Surely it could only make the grade with the yardstick at its lowest setting. So, should entries have been made qualitatively? How that is judged would also depend upon whether you are viewing the world from the heart of aboriginal, pop or western classical music traditions and given my bias, I found some of the pop entries remarkably trivial. Essentially most of the entries remain abstract, but occasionally somebody will venture into judgement and this provides a vicarious, if momentary thrill of anticipation that a musicological punch-up is in the air. Perhaps I would not have minded more of this; a bit of a public brawl is, after all, a truly Australian characteristic. At times one can feel the contributor's feelings building up, only to be restrained by their academic discipline.

More appropriately for IASA members is the coverage of radio and recording matters. Along with many paper-based custodians, such as librarians, many of Australia's academics have enormous difficulty coming to terms with the fact that for most of this century, audio-visual materials have been marching alongside paper based systems for recording musical history and often overtaking them. So it is hardly surprising that the audio-visual entries are addressed by contributors who are largely engaged outside those formal traditions. Sound recording and broadcasting is dealt with in Jeff Brownrigg's excellent entry on pop music (p.463) that he wrote in collaboration with Marcus Breen. Broadcaster, Bob Maynard's beautifully informative entry on radio history is a model of its kind (p.480), as is Diane Napthali's excellent, albeit brief

study of Australian film music (p.213). You would have expected that the passing mention of Film Australia's extraordinary collection of 400-plus original film scores in Napthali's entry would have alerted the editor to inquire further, but of this large and important collection of Australian manuscript, there is not another word.

As is the case with many works of this kind, sins of commission and omission will hopefully be dealt with in the next edition. These will be of minor interest outside of Australia, being of local interest only, but allow me to instance a few that I am aware of from the perspective of my work and associations.

So beginning with some small errors we find that the prominent tuba player Cliff Goodchild is listed as Geoff Goodchild. He is correctly noted as the outstanding tuba player with the Sydney Symphony Orchestra until 1987 and the entry goes on to say that his son Paul succeeded him in the SSO. Yes, as a trumpet, not as a tuba player, as is implied. *Majestic Fanfare* by Charles Williams, and used as the ABC news theme for many years is incorrectly listed as *Majestic Fanfares*. The composer and arranger, Brian May died just as the companion was about to be published, this is noted in the heading b.1934, d.1997, but in the text of the entry he remains very much alive: 'He is also active in... etc.'

Some of the entries are simply unsatisfactory, enough to make you wonder about the familiarity of the contributor with the subject in hand. For instance, much is made of Marie Collier's work in contemporary operas, but there is no mention of her sensational performances in Walton's opera, *Troilus and Cressida* given at the Adelaide Festival in 1964. More importantly, the Mackerras entry is somewhat offhand. Considering he is our greatest conductor I would have expected more, especially given that he is also one of the world's finest opera conductors with an impressive discography. I was also mystified by the somewhat confused entry on Music Theatre, in particular the observation that Australia was slow to pick up on successful Broadway shows in the post World War 2 period. This it at odds with my experiences, as a keen devotee I was always delighted by the appearance of musicals from hits like *My Fair Lady* to rarities like *Grab me a Gondola* and *1776*.

More importantly are some omissions. There is no entry for composer Moneta Eagles, who was also director of music at Film Australia from 1957 to 1962, writing and commissioning film scores during a time when commissions of any kind were scarce. None for David Russell, the remarkable musical director of the Choir of St Mary's Cathedral Sydney, who over 20 years has built up and maintained, arguably the finest church choir in Australia. No entry for Young Opera, a vigorous and seminal group which in the late 60's and early 70's provided an important springboard for several key players in Australia's contemporary musical life (one being Richard Divall, who

went on to great success as musical director to the Victoria State Opera). In fact the remarkable and influential pro-am music theatre scene that existed in Sydney from the early sixties to the mid 70's is not recognised at all. Worse, there is no mention of the Rockdale Opera Company; a tenacious, council-supported organisation that has provided southern Sydney with inexpensive productions for the last 50 years. There is no entry for Opera-Opera, the long running national opera journal published by the prominent music critic, David Gyger (who also does not rate an entry). There is no entry for the Mastertouch Piano Roll Company and its remarkable progenitor, Barclay Wright; one of the two remaining manufacturers of piano rolls in the world. The above are all Sydney based (including the Film Australia original music collection) and it may be that those with more detailed knowledge of their own patches outside of Melbourne will have similar lists.

The book is easy to read and navigate, but I was also surprised the quality of the photographic reproduction was not better, most pictures appear dull and washed out. Those complaints aside, it remains an important and essential addition to the world of musical reference books.

*James McCarthy*

**The ultimate Lotte Lenya collection. 11 CDs, 1 10inch-picture disc (45 rpm), 1 book (251 pp.) in box. Bear Family Records: BCD 16019 KL**

(For distribution contact Bear Family Records, P. O. Box 1154, D-27727 Hambergen, Germany, fax: (+49-4794) 93 00 20, <http://www.bear-family.de>)

Lotte Lenya was a singer without a trained voice, but with character. For many she is the incarnation of Weill singing, and certainly, her style influenced many singers such as Gisela May.

On the occasion of the centenary of her birth, the collection of letters exchanged between Lenya and Weill which was originally published in English under the title *Speak low (When you speak love)* in 1996 has now been issued in a German edition. The lavishly produced volume complements *The ultimate Lotte Lenya collection* perfectly (*Sprich leise, wenn du Liebe sagst. Der Briefwechsel Kurt Weill/Lotte Lenya. Hrsg. u. übersetzt v. Lys Symonete u. Kim H. Kowalke*. Köln: Kiepenheuer & Witsch 1998. 558 pp., illus., 26 x 19 cm, ISBN 3-562-02748-4: DM 98.00 (cloth)). And furthermore, Bear Family Records have released her complete recorded legacy on 11 CDs plus book plus picture disc to honour the legendary actress and promoter of Kurt Weill's music. It ranges from Lenya's first Orchestrola discs of 1929 to her final

studio recording of 1969, originally a 45 rpm-disc by Metromedia, and two songs she performed in The Dick Cavett Show on ABC-TV in 1975. In addition to Lenya as singer, the collection includes Lenya reading German poetry through the ages and previously unreleased recordings such as selections from her radio and television appearances.

In several aspects, this issue is unorthodox. The compact discs come in several jewel boxes which are placed in an old-fashioned box of the kind used for LPs. We know this presentation already from other issues by the Bear Family. In this box there is also a hard-bound book in the same size of the box. This book has an ISBN (3-924787-14-X), but no title page – certainly a nightmare for a librarian!

This book is in many ways the fascinating result of a labour of love. It offers a richly documented chronicle of Lenya's life, interviews with her record producers, a chronological listing of her roles, and biographical essays by Jürgen Schebera and David Farneth as well as several appreciations and a complete chronological discography by Richard Weize and Rainer E. Lotz. Each article appears in both, German and English, and although the translations are generally fine, they are not done by experts as the German translation of the intervals of a forth and a fifth as "ein Viertel" and "Fünftel" reveals (on pp. 11 and 120).

Truly fascinating are the illustrations, however. They range from official PR-photographs to snap-shots, facsimiles of playbills and illustrations of record sleeves.

The actual documentation of the recordings collected is unusual, to say at least. Recordings are identified by tracks only; works as such are not listed on the back of each jewel box. One example: The colophon of CD 3 reads as follows: "1. 1. Akt (Szene 1) (P) 1957 7:27; 2. 1. Akt (Szene 2) (P) 1957 4:09" etc. – there is no indication that these and the following tracks are the complete recording of "Aufstieg und Fall der Stadt Mahagonny"! On pp. 248–251 of the accompanying book, however, there is a track listing for all CDs, and here the title "Aufstieg und Fall der Stadt Mahagonny" is given, yet no cast or any further details beyond those given on the back of the jewel boxes. In a way, this kind of chopping up each performance into tracks makes one wonder if the complete recordings of cyclic works have been recorded or if only those tracks with the voice of the Lenya have been included – the first is the case. To find out what these scenes comprise, the listener might think to refer to the discography proper in the accompanying book. But even this discography does not do full justice to the work character of Weill's opera and musical scores. In the case of our example, again, only track information in the style given above is given. No lines, no accompanying singers! Admittedly, this is an exceptional scarce piece of information. In other cases the names of the singers, yet not their roles are

given. And giving the title of the work recorded just under "Anmerkung/Note" at the end of the session listing surprises. Despite these editorial shortcomings, this luxurious box with fine transfers is certainly and will remain the ultimate Lenya collection, indeed.

Martin Elste  
Staatliches Institut für Musikforschung PK

**McBeth, Amy: A discography of 78 rpm era recordings of the horn. Solo and chamber literature with commentary. Compiled by [...]. Westport, CT; London: Greenwood Press © 1997. xvii, 211 pp., 24 x 16 cm, ISBN 0-313-30444-0 (= Discographies. No. 74. ISSN 0192-334X): £ 55.50 (cloth).**

This discography complements Michael Henton's French horn discography published by Greenwood Press back in 1986 as Henton's discography lists few 78 rpm recordings. Amy McBeth has catalogued 78 rpm recordings of classical music featuring and identifying a horn player. The data have been arranged by type of composition, from hunting-horn music via solo horn and piano to the French horn in orchestral music. Obviously, not every Romantic symphony with horn parts has been listed, but only those recordings where the horn part has a solo status and where the actual horn player is known. E.g., McBeth lists two recordings of the *Andante cantabile* from Tchaikovsky's Symphony No. 5, the horn players being Arthur Berv and Dennis Brain respectively, while there is no recording given of Schubert's C major Symphony with the famous horn theme at the beginning. Not always has the compiler taken care to establish the proper identification of a composition. E.g., she lists Handel's "Arias No. 1 and 2 for Winds" in a Parlophone recording and does not give the title and numbers according to HWV although she comments about the quality of the performance. Some of the discographic entries have a critical assessment in addition to the usual data such as label, record and matrix numbers, and issue date. After the discography, there is a useful biographical section, if in some cases the biographical details researched are rather scanty. A bibliography and indexes by horn players, composers, and performers conclude the book. This discography of an admittedly rather special area is certainly a useful tool for studies in performance practice.

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**Klaus Heinze: Sächsische Staatskapelle Dresden. Discographie 1923–1998 vorlegt von [...]. Dresden: Sächsische Staatsoper Dresden [1998]; 105 S., Abb., 20 x 20 cm, ohne ISBN: DM 10,00 (brosch.)**

**Erhältlich von: Sächsische Staatsoper, Theaterplatz, D-01067 Dresden**

In den letzten zwei Jahrzehnten sind einige Diskographien von Sinfonieorchestern erschienen; die meisten davon als PR-Publikationen der Institutionen; ich nenne hier nur die Diskographien des Royal Concertgebouw Orchestra (Jan van Bart: *Discografie van het Concertgebouwkest*. Zutphen: De Walburg Pers 1989) und des Mozarteum Orchesters (Horst Erwin Reischenböck & Stephan Ruhland: *Mozarteum Orchester Salzburg. Versuch einer Diskographie*. Salzburg: Verein der Freunde des Mozarteum Orchesters 1993) als die profiliertesten dieser Veröffentlichungen. Selbstredend darf man an solche Publikationen nicht die strengsten diskographischen Ansprüche stellen. Umso erfreulicher ist es, daß das Informationsniveau dieser Publikationen in der Regel sehr hoch ist. Vor allem zahlt sich die Veröffentlichung von Daten aus dem hauseigenen Archiv hinsichtlich der Dokumentation des Aufnahmedatums aus.

Zum 450jährigen (!) Jubiläum der Sächsischen Staatskapelle, die auf Schallplatten seit 1945 in der Regel als "Staatskapelle Dresden" firmiert, hat die Sächsische Staatsoper als die dem Orchester übergeordnete Institution eine ausführliche Diskographie mit einer Anzahl von Fotografien herausgebracht, die die faktische Auflistung auch für den Nicht-Archivar schmackhaft machen sollen.

Klaus Heinze, von Haus aus Bratschist der Staatskapelle, dokumentiert in chronologischer Auflistung die vielfältige 75jährige Aufnahmetätigkeit des traditionsreichen Klangkörpers. Sie reicht mit Fritz Buschs Aufnahme der Ballettmusik aus Glucks "Orpheus und Eurydike" von 1923 (das von Heinze nur approximativ genannte Jahr kann durch Claude G. Arnolds Diskographie *The orchestra on record, 1896–1926* insofern bestätigt werden, als Arnold November 1923 als den Veröffentlichungsmonat angibt) bis zu den letzten Produktionen vom Juni 1998. Von den Plattennummern wird nur die aktuelle CD-Bestellnummer oder – bei nicht mehr lieferbaren Einspielungen – eine ältere Bestellnummer genannt. Während ein Interpretenregister vorhanden ist, vermißt man ein Komponistenregister, insofern erfüllt die Diskographie nicht alle Ansprüche, die ein Diskograph an eine solche Publikation stellt. Sie ist trotzdem ein überaus nützliches Nachschlagewerk zur Mediengeschichte dieses Orchesters.

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**“Vom tönenden Wirbel menschlichen Tuns”. Erich M. von Hornbostel als Gestaltpsychologe, Archivar und Musikwissenschaftler. Studien und Dokumente.**  
**Hrsg. v. Sebastian Klotz. Berlin, Milow: Schibri-Verlag © 1998. 265 pp., 21 x 15 cm, ISBN 3-928878-55-7: DM 26,80 (brosch.).**

Erich Moritz von Hornbostel (1877–1935) war einer der Begründer der Musikethnologie und als Leiter des Berliner Phonogramm-Archivs von 1905 bis zu seiner Emigration 1933 eine der bekanntesten Persönlichkeiten des Schallarchivwesens. Hornbostel hatte an der Wiener Universität 1899 promoviert und anschließend im physikalischen und physikalisch-chemischen Institut der Berliner Universität gearbeitet. 1905 wurde er Assistent von Carl Stumpf am dortigen Psychologischen Institut, der an seinem Institut 1902 das Berliner Phonogramm-Archiv eingerichtet hatte, das mit seinen von September 1900 an gesammelten Tondokumenten empirisches Quellenmaterial für eine kulturhistorische Diskussion in der Ethnologie lieferte. Obwohl Hornbostel keine Monographie veröffentlicht hat, ist sein Wirken auf vielfältige Weise immer noch präsent, weniger durch die 1975/76 mit zwei Bänden begonnene, aber nie abgeschlossene Gesamtausgabe seiner Schriften – mehr als einhundert Aufsätze und Rezensionen –, als durch die 1986 von Christian Kaden und Erich Stockmann herausgegebenen Taschenbuchausgabe ausgewählter Aufsätze, die im Leipziger Reclam-Verlag erschien. Vor allem aber ist Hornbostel mit seinem in Zusammenarbeit mit Curt Sachs entstandenen “Versuch” einer “Systematik der Musikinstrumente”, 1914 in der *Zeitschrift für Ethnologie* publiziert, auch heute noch ein vielzitiert und -gelesener Musikwissenschaftler, wenn auch seine Beschränkung auf das akustisch-wahrnehmbare Klangereignis aus heutiger Sicht – durchaus rechtens – als “Arm-Chair-Ethnologie” kritisiert wird. Der ihm gewidmete Sammelband mit Beiträgen von zwölf Autoren überwiegend Berliner Provenienz ist mit Unterstützung der Berliner Humboldt-Universität, erschienen, an deren Vorgängerin, der Friedrich-Wilhelms-Universität, Hornbostel als nichtbeamter außerordentlicher Professor bis zum Entzug seiner Lehrbefugnis am 24. September 1933 aufgrund des nationalsozialistischen Rassegesetzes (dem “Gesetz zur Wiederherstellung des Berufsbeamtentums”) lehrte. Er ist dabei keinesfalls einer hagiographischen Methode der Geschichtsschreibung verpflichtet, sondern behandelt anhand der wissenschaftlichen Biographie des Gelehrten Einzelaspekte, die zusammen ein Kaleidoskop einer vielfältigen Forschertätigkeit vermitteln. Diese Aspekte haben ebenso anregend auf die Wissenschaft gewirkt, wie sie mit ihren Methoden inzwischen längst überholt sind. Es liegt in der Natur der Sache, daß bei einem solchen Sammelband manche Redundanz auftritt; hier hätte freilich gelegentlich etwas konzentrierter und vielleicht etwas weniger skrupulös redigiert werden sollen, so daß, als ein Beispiel, die Lebensdaten Hornbostels nicht auch auf Seite 169 noch einmal genannt werden, nachdem der Leser bereits mehrfach die genauen Geburts- und Todesstage zu lesen bekam. Was allerdings faktische Divergenzen in den

verschiedenen Beiträgen betrifft, so läßt sich hierbei das Nichteingreifen des Herausgebers nicht ohne weiteres entschuldigen. Beispielsweise spricht Martin Müller in seinem Beitrag davon, daß Hornbostel das Phonogramm-Archiv seit 1906 leitete (S. 171), während einige Seiten vorher Susanne Ziegler das Jahr 1905 nennt (S. 151).

Auf eine zusammenfassende ausführliche Einleitung des Herausgebers folgen Studien zur wissenschaftlichen Biographie Hornbostels. Marjolijn van Roon referiert in diesem Zusammenhang biographische Stationen und die umfangreiche, 200 Briefe umfassende Korrespondenz zwischen Hornbostel und Jaap Kunst, dem niederländischen Musikethnologen ("Ein Zauberkünstler. Erich M von Hornbostel im Spiegel seiner Biographie und seiner Korrespondenz mit Jaap Kunst"). Die weiteren Aufsätze berühren einzelne Aspekte: Christian Kaden ("Hornbostels akustische Kriterien für Kulturzusammenhänge") faßt die Kritikpunkte an Hornbostels sogenannter Blasquintentheorie zusammen. Steffen Schmidt beschäftigt sich kritisch mit Hornbostels Aufsatz "Melodischer Tanz" und stellt die wissenschaftlich-ästhetischen Prämissen, die dieser Arbeit zugrunde lagen, dar ("Zeit und Ausdruck: Erich Moritz von Hornbostels Aufsatz 'Meloöischer Tanz' aus heutiger Sicht"), während Gerd Grupe die Hornbostelsche Transkriptionspraxis afrikanischer Musik in ihre Schranken weist ("E. M. von Hornbostel und die Erforschung afrikanischer Musik aus der armchair-Perspektive").

Etwas weiter greift Wolfgang Ernst in seinem geschichtsphilosophischen Essay über das Gedächtnis als Funktion von Dokumentationstechnik aus ("Hornbostels Klangarchiv: Gedächtnis als Funktion von Dokumentationstechnik"). Sein Ausgangspunkt ist die von ihm konstatierte Analogie der Quellen des Historikers allgemein und des Musikethnologen Hornbostel: Beide beziehen sich auf Schriftkörper; der Historiker auf geschriebene Texte und Hornbostel auf beschriebene Wachswalzen. Nicht von ungefähr ist im Englischen das Substantiv "record" für beide Quellentypen identisch. Doch Ernst trennt in seinen Überlegungen nicht genügend zwischen analoger und digitaler Schallspeicherung. Denn während die Schrift ebenso wie die digital gespeicherten Daten der prinzipiellen Decodierung bedürfen, trifft dies bei der analogen Schallspeicherung nur marginal zu. Erst durch im Zuge der technischen Vervollkommnung der Schallspeicherung eingesetzten elektrischen Apparaturen, wie dem Entzerrer-Vorverstärker beispielsweise, wird eine Decodierung notwendig. Das Prinzip des Phonographen basiert indessen auf einer Umwandlung des Schalldrucks in greifbare Materie, die Schallrille. Insofern ist die alte Münchhausen-Geschichte der eingefrorenen Trompetentöne gar keine schlechte Metapher für das, was bei der Phonographenwalze geschieht. Und in der Tat war es diese Umwandlung, die zunächst die Zeitzeugen am stärksten beeindruckte: das skulpturale Element des Schalls.

Leider kranken Ernsts an und für sich hochinteressante Ausführungen an einer nicht stringenten Darstellung mit vielen Zitaten – man merkt dem Text über Gebühr an, daß er am Computer und nicht so sehr im Kopf entstanden ist – und an einem sprachlichen Duktus der akademischen Gelehrtheit, die im wissenschaftlichen Benennen, aber nicht im Erklären und Durchdenken ihre Aufgabe sieht. Ein Beispielsatz soll dies verdeutlichen: “Phonogramm und Fotografie sind zwei Emanationen eines technisch-epistemologischen Dispositivs” steht zwischen Sätzen, die sich mit der fotografischen Dokumentation von ethnologischen Tonaufnahmen und dem Begriff “Exposition” beschäftigen.

In ähnlicher Weise beschäftigt sich Jörg Derksen mit den wissenschaftstheoretischen und -praktischen Hintergründen, die zur Gründung der beiden Phonogrammarchive in Wien und Berlin führten (“Erkenntnis-zu-Wachs: die Einrichtung von Erich Moritz von Hornbostel im habsburgisch-preußischen Schreibsystem der Jahrhundertwende”).

Die Musikethnologin und Schallachivarin Susanne Ziegler stellt kenntnisreich und klar in ihrem Beitrag “Erich M. von Hornbostel und das Berliner Phonogramm-Archiv” Hornbostels Arbeit in seinem ureigenstem Arbeitsfeld dar, das trotz seinem relativen Bekanntheitsgrad finanziell keineswegs üppig ausgestattet war. Dabei zahlt es sich aus, daß sie als Mitarbeiterin des heutigen Phonogramm-Archivs die seit 1991 wieder zurückgeführten Vorkriegsbestände und -akten zur Einsicht hatte.

Der Psychologe Martin Müller würdigt in seinem Beitrag (“Erich M. von Hornbostel: Gestaltpsychologie und kulturvergleichende Forschung”) den Gestaltpsychologen Hornbostel, in dem er anhand von drei Beispielen dessen gestaltpsychologische Experimente referiert. Etwas am Rande steht Karlheinz Barcks kurzer Beitrag über den Anthropologen Franz Boas, der von 1899 an an der Columbia University, New York City, lehrte. Barcks führt in den als Reproduktion des Typoskripts abgedruckten Aufsatz “Arier und Nicht-Arier” von Boas ein, einem 1933 in der Strassburger linken Tageszeitung *Die neue Welt* abgedruckten Text, der als Reaktion auf die nazistische Judenhate in dem Satz gipfelt “Wie die germanischen Slaven und Franzosen kulturell Deutsche; wie die franzoesierten Deutschen Franzosen, die russifizierten Russen geworden sind, so sind die deutschen Juden Deutsche geworden.”

Vom Herausgeber stammt der Aufsatz “Hornbostels Nadelkurven”, der vom Titel her auf Theodor W. Adornos hinlänglich bekanntes Essay “Nadelkurven” Bezug nimmt, ansonsten aber nicht mehr und nicht weniger als der Versuch ist, das wissenschaftliche Schaffen Hornbostels anhand der diesem Beitrag vorangehenden Studien und weiterer Quellen summarisch zu würdigen.

Abgesehen von einem Verzeichnis der Schriften Hornbostels, reproduzierten Dokumenten, englischen Abstracts der Aufsätze dieses Sammelbandes, Biographien der Autoren und einem Namensregister enthält der Band noch einen Bericht von Gerd Stanke und Tim Wöhrle über die Versuche einer optischen Abtastung von Phonographenwalzen.

Bleibt ein Resümée zu ziehen: Ein interessantes Thema und ein interessantes Buch, das in einigen Beiträgen aber auch ein Dokument für studentischen akademischen Eifer, aktuellen Wissenschaftsjargon und schlichtweg pseudoakademisches Geschwätz ist.

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**Magic Music from the Telharmonium: The story of the First Music Synthesizer.-  
Produced and directed by Reynold Weidenaar.- 28.51 mins PAL/Colour/Stereo**

Mention electronic music to most people and they will often think of Stockhausen, Robert Moog, Walter/Wendy Carlos etc. from the 1950s and 60s and much of the electronically generated pop music which is now so widespread throughout popular music and the media in general.

An interesting commercial videotape recently received by the BL/NSA entitled *Magic Music from the Telharmonium* relates the story of one of the very first instruments to use electricity to create music, from its introduction in the 1890s by Thaddeus Cahill, an American Lawyer, to its demise and extinction in 1959.

Subtitled ‘The story of the first music synthesizer’, this 30-minute documentary combines a well structured and very coherent narrative history of the events surrounding the development of this pioneering electronic instrument with a number of period photographs and relevant newspaper reports. Opinions from the time are read out as voice-overs and certain phrases, annoyingly, are subjected to electronic special effects processing to the extent that often they are unintelligible and the effect takes over, distractingly evoking, more than anything, early science fiction films.

‘Synthesizer’ is, even at this early stage, an accurate literal description of its operational process in that the instrument works by generating complex musical tones by combining the output of a series of electrical generators.

The video as a whole is let down by the lack of primary source material: there are no recordings of the sound of the Telharmonium. An admirable re-creation of how it would probably have sounded has been made for the soundtrack by Barbara Blegen by the use of modern Yamaha technology and sophisticated digital editing software. Known characteristics of the instrument are carefully emulated where possible, such as a popping/clicking attack on some sounds reported by listeners at the time and the music used throughout is appropriate to that which the instrument would have been used to play at the time. However, it is the very peculiarities of an instrument such as this, its *unpredictable* qualities, rather than the predictable, that an archive document should preserve and in the absence of actuality recordings these are now lost.

It is interesting to note that the device was conceived as simply another instrument to deliver known repertoire albeit by novel means: the concept of composition with an electronic instrument's specific capabilities in mind was still some way off. Nevertheless the Telharmonium was unwittingly responsible for what was almost certainly the first piped music routed to hotels and theatres in the vicinity of Holyoke, Massachusetts, although background, ignorable 'muzak' this certainly was not. What comes over strongly from the programme is the fascination produced by the new instrument on the part of the public: it was an immediate success, surely on grounds of novelty, as the rapid demise of that popularity was to confirm.

We learn that the instrument (only 3 were ever built) weighed as much as 200 tons. This was because of the solid metal moving parts involved and it operated along lines similar to those which would in 1936 form the basis of the well known Hammond organ.

(Indeed the latter could be said to be a direct descendant of the Telharmonium, with scant regard paid by Laurens Hammond to the Cahill patents. The assumption no doubt being the surviving members of the family were by then too old to undertake legal proceedings.)

The instrument's fortunes changed with the stock market crash of 1907. Cahill's investors pulled out and the public lost interest.

A subsequent third Telharmonium attempted to emulate the sounds of orchestral instruments more closely but ultimately to no real avail. The Cahills were ultimately declared bankrupt in 1914. In 1951 the instrument was offered to RCA in New York as an improvement on their (then very up to date and room-sized) synthesizer but with no success and it was sold for scrap in 1959.

As an archive document this tape suffers from a lack of primary source material: no recordings or motion film exist of the instrument and only one first hand interviewee is available: James Pierce, in a 1974 interview, was ten in 1906 and the son of a musician who played the first instrument, recalls hearing it played and watching its construction in a workshop.

Thus the programme is of educational value to anyone even remotely interested in the history of electronic music, especially as an adjunct to Mr Weidenaars' book on the instrument and accompanied by a very informative booklet containing a storyboard version of the programme and extremely extensive source notes. As an archive document however, although well made, it does not qualify for the reasons outlined above.

*Noel Sidebottom, British Library National Sound Archive*

**Michael Ochs:1000 Record Covers. - Taschen, 1996. - ISBN 3-8228 8595-9**

Over the last forty-five years or more, broadly speaking from the inception of the LP record in 1950 to the advent of the CD in 1983 (in Europe at least), the LP record sleeve became a platform for some of the most adventurous artwork, some of the freshest developments in graphic design (often coupled with striking use of typography, layout and photography) to appear before a broad public this century.

Starting with the classical LPs of the early 1950s some sleeve artists soon saw an opportunity to characterise and interpret something about the music inside the sleeve rather than stick to a simple representation of the composer, the conductor or soloist. Decca, for instance, came up with very imaginative sleeves which were works of art in their own right setting a precedent for the rest of the industry which was, however, all too often ignored.

In jazz, trends were set early on and the new format quickly made a great impact, galvanizing artists in their field to produce many memorable examples and leading to the creation of a genre which would regularly throw up masterpieces. In some well-known instances this led to a whole "school" of sleeve design connected to a label which would become instantly evocative of the company and its image, e.g. Blue Note, Atlantic, Contemporary, etc.

Meanwhile popular music sleeves were to develop along more conservative lines at first. In the 1950s the artist or group would almost always feature on the front cover, often idealised or against a lush romantic backdrop or in some awkwardly posed setting. Gradually, during the 1960s, conceptual art began to make itself felt and the

influence of the virtuoso artwork to be found already in the jazz world began to appear. This trend has continued exponentially so that nowadays literally any image, of any thing, may be used on the cover of modern rock/pop releases without raising any questions, unless at a purely phenomenological level, or in other words, "How have we reached a level of irony whereby record sleeves, more than any other form of packaging, almost deny their role as a dimension of the recording by no longer needing to refer in any way whatsoever to the record inside?".

*1000 Record Covers* is a very broad attempt by the world-renowned archivist and collector Michael Ochs to illustrate the changing trends in popular music sleeve art since the 1950s. It starts with a well written and absorbing autobiographical chapter which could have been titled "My life as a record collector and obsessive". This is fascinating reading as it effectively re-creates 1950s and early 1960s American small town culture, thereby evoking first-hand a world changed out of all recognition.

The rest of the book is divided into four sections covering the 1950s, 1960s, 1970, and 1980s-90s, each headed by an overview of musical trends within that period. The author deliberately avoids going into great depth in these overviews; this is, after all, a visual book and there is a feeling that the sleeve art work should be allowed to speak for itself.

The author's selection criteria are based on his own taste and he explains in his introductory chapter the elimination processes involved. The trouble is that the sleeves he has chosen veer readily towards the bland and the clichéd. Most of them have already been featured in other publications of this sort over the years. Ochs readily admits that they were mainly chosen subjectively, favourite items from his extensive, nay, world-class collection. One should not therefore be surprised to find oneself in other than complete accord with his choices.

The arrangement of the illustrations is chronological. Recurring themes and (sometimes jaw-dropping) similarities are indicated simply by juxtaposition but with virtually no commentary. Given the author's knowledge and passion for his interest it is a pity not to share his views from time to time. The net result of this simple visual presentation with no leavening commentary is a rather indigestible tome, certainly so for someone whose tastes differ widely from those of the author.

In all this can be considered a useful picture gallery for someone interested in but not particularly knowledgeable about the subject, especially from an American point of view. There are, however, better books available on this subject.

*Noel Sidebottom, British Library National Sound Archive*

## THE IASA BOARD CHARTS

IASA Vice President Martin Elste goes solo this issue, rolling back the years and holding back the tears as he reveals which recordings first engaged his attention and those which he currently regards as indispensable listening.

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### Martin Elste's Top Ten

My first experience with the gramophone was a total failure. Back in the late 1950s it must have been, when I was six or seven years of age. My father had given me a second-hand radio set with an integrated record player and I went happily to a second-hand dealer and bought for one Deutsch Mark one of those 7-inch discs, a single with Harry Belafonte singing his *Banana Boat Song*. The *battle of the speeds*, that had taken place in a country unknown to me then, had now reached me and I became one of its casualties. I owned a record player, I owned one disc, but the two did not go together as my record player had only one speed – 78 rpm – for which no records were made any more. Instead, Belafonte's sonority transformed into a flickering castrato voice each time I put the disc onto the turntable. To an artist, this might have been a stimulus for experimenting with sounds formerly unknown and unheard of. To me, this was a frustrating experience which led me to neglect the gramophone altogether for some years. Instead, I looked at the back of the radio case through the little ventilation holes to search for *Heinzelmännchen* or Munchkins making music inside the box.

Later, when I was thirteen or fourteen, I wanted to buy my first classical record. We still had no proper record player then, in fact, the old one had been disposed of by then. But I was eager to get a recording of Schubert's beauteous and haunting Piano Trio Op. 100, even before I had a record player to play it on. I had grown to love the slow movement of it because it was practised by older pupils at my school during a week in a holiday camp devoted to music-making. The local record shop did not have a record of this composition in stock; the sales assistant looked up a catalogue – it must have been the *Bielefelder* – and said, there were two recordings for 25 DM and 21 DM respectively. Economically minded as I was already in my youth, I opted for the cheaper issue, and several days later I bought by first 12-inch disc, an Electrola disc, namely vol. 188 of the series *Unvergänglich – Unvergessen*. Strangely, only on one side of the disc the label read "Schubert, Piano Trio", on the other side it said

instead "Nicolai, Die lustigen Weiber von Windsor – Querschnitt". Well, weird to have the highlights of a German opera on the odd side of a chamber music work, I thought. I did not quite believe it, as there was nothing about Nicolai stated on the cover. I did not dare think: did they, perhaps, use a wrong stamper? Or did they just use a wrong label? I could not check it, as I had no record player as yet, and to go back to the record shop to find out about the truth was impossible. What would the lady have thought about a customer buying a record without having the equipment to play it?

Months later I had saved enough pocket money to buy my first record player, a *Dual* record changer with integrated amplifier and a loudspeaker in the lid. Now I found out that Electrola had simply messed up the labels but not the stampers: my Schubert trio was complete and filled up both sides. And the reasonably-priced disc was one of the most treasured interpretations of this work: the Busch Trio's famous recording. I was a lucky adolescent.

My childhood, thus, had already made me experience typical problems of sound archivism: establishing the appropriate playback speed, having the proper playback equipment available and cataloguing by listening and not just visually from the source document.

About thirty years later, I wonder how many recorded performances I have heard ever since, some fascinating ones, but usually plain interpretations without much individuality or striking urge. But when I am asked to write about my favourite recordings, I inevitably have to come back to my first musical explorations. They have given me a sort of musical home, some form of musical identity. Here follows my listing which has been arbitrarily reduced to ten performances, as that is the limit given by the editor. I will comment on these recordings in a highly personal manner, quite different from my usual approach as a record critic, as I believe that such a selection has much more to do with one's personal situation when one is confronted with the disc than with the objective quality of the performance which, incidentally, I could also talk about, but not as the top ten, then.

For obvious reasons, the *Banana Boat Song* is not part of this listing, but the Schubert disc is since it is a truly classical performance. The Busch brothers, Adolf and Hermann, together with the young Rudolf Serkin, play with a certain purity which somehow seemed fitting to my Protestant upbringing and my ideas of sublime emotion deriving from it.

Before I had bought the Schubert disc, my mother had been given a Mozart disc by her boss, quite obviously only because Mozart was not his cup of tea and this very

disc was the “Record of the Month” by the record club he had subscribed to. My mother gave it to her sister who had a record player and a few classical recordings, among them the 1962-set of the Beethoven symphonies conducted by Herbert von Karajan, and one or two recital discs with Rudolf Schock, the most famous German tenor of the early 1960s. While I cannot remember having listened to any one of the Beethoven symphonies, I am still aware of the trashy sentimentality of Schock singing “Vater, Mutter, Schwestern, Brüder hab’ ich auf der Welt nicht mehr” from Lortzing’s *Undine* and “Ich bin nur ein armer Wandergesell” from *Der Vetter aus Dingsda*, both arias nobody within the family seemed to fancy. And I also remember that one day my aunt put on the Mozart disc – only to find the music uninteresting. Sometime later during my adolescence, I deliberately scratched this Mozart disc. Somehow I found it interesting to experiment to find out to what extent one could scratch a disc without actually destroying it. Even then I put it on my own record player and experienced something else, namely truly fascinating improvisations. Needless to say, the pianist was Friedrich Gulda who improvised on the piano the continuo part during the *tutti* sections and also in the solo sections. This recording has become one of the Mozart recordings which most fascinates me: Piano Concertos K.467 & 595 with the Orchestra of the Vienna State Opera conducted by Hans Swarowsky; originally released on Concert Hall, now Preiser.

My further choices, then:

- Musorgsky, *Pictures at an Exhibition* – Vladimir Horowitz (RCA) – another choice influenced by my school music education. Our music teacher played some of the movements to us, in the Ravel orchestration and in Horowitz’s performance, mainly for their illustrative quality. I was stunned and felt that I should like the original version better than Ravel’s transcription. So I bought the legendary Horowitz recording which made me forget that I was listening to a piano. This pianist who I still rate as one of the most musical virtuosi of the recording age made it possible to eliminate any medial aspect of performance. What I appreciated with all of my “heart” was pure music, was pure sound, pure musical meaning. At that time, Musorgsky ranked by far higher in my esteem than Mozart, and I was happy that, owing to the spelling of his name on the cover, Musorgsky – i. e.: “Moussorgsky” – was filed alphabetically before Mozart. Times have changed, so has my appreciation of Mozart – but the Horowitz recording I still treasure as one of the legendary piano performances of the 20th century.
- Bach, *B minor Mass*; – Wiener Sängerknaben, Chorus Viennensis, Concentus Musicus Wien, Hans Gillesberger & Nikolaus Harnoncourt (Teldec) – When I was a pupil at school, I saved most of my pocket money for discs. And every other month I was able to buy a full-price disc, but I preferred to shop for budget issues,

which then usually were distinctly poorer in sound as they were often re-issues of recordings from the 1950s, at a time, therefore, when sound recording could still be pretty bad. So I also looked for special offers, and one of them was Bach's *B minor Mass* on Teldec. It was a special offer as the mass filled only five record sides, the sixth side being left blank and thus, at the time of fixed retail prices, costing half a record less than any of the competing issue which all were on full three discs. This made me buy the set as soon as it was released, although I did not know the composition at all. But I liked Bach's music, at least, what I knew then of it. I still remember when I played the first side. What a strange music it was to my ears then, almost incomprehensible! But I had paid the price of two and a half discs for it! I listened over and over again, and finally I grasped it. Does it surprise you that this mass has become one of my most treasured musical masterpieces?

- Schumann *Symphony no. 4 D minor*; – Berliner Philharmoniker, Wilhelm Furtwängler (Deutsche Grammophon) – I cannot remember anymore what made me buy this disc, I only know that it was in 1969. Perhaps it was simply the fact that Deutsche Grammophon had started to put out recordings by the famous conductor on its budget Heliodor label and I felt I had to invest in this bargain. I soon realized Furtwängler's special genius in forming the transitions so many of which this symphony has.
- Mozart, *Don Giovanni* (complete); – Brownlee, Henderson, Helletsgruber, Mildmay et al., Glyndebourne Festival Opera Orchestra, Fritz Busch (EMI) – This was my first encounter with a Mozart opera recording. It was, in fact, not even owned by me when I got to know it. My first musicological teacher, the late Klaus Blum, in his theory class at the local conservatory of Bremen, taught me about this recording to which he was very attached. I do not remember having heard from him much about the stylistic importance of this recording, about Busch's truly modern approach towards Mozart. This was something which I was to learn much later. What I learned from Blum instead was to appreciate this performance as a classic regardless of style, fashion and the like – its musical qualities taken as absolute. In a way, this approach has been superceded by sound recordings and their history as they tell us more about style and fashion than live performances ever did at a time when there were no records.
- Strauss, *Der Rosenkavalier* (complete); – Güden, Reining, Jurinac et al., Vienna Philharmonic, Erich Kleiber (Decca) – This must have been the latest addition to my top ten favourites – according to my records I bought it in May 1972 when I was already studying musicology (yes, at that time I still catalogued my discs – I soon gave it up though). This 1954-recording is one of the best opera recordings ever made in terms of both musical quality and sound. Though still recorded

monophonically, one can hear every detail of the score, and the characterization by the orchestra and by the singers is simply stunning. I recommend listening to this famous recording with the score and with headphones to grasp every bit it conveys.

- Bartók, *Divertimento for Strings*; – The Zimbler Sinfonietta, Lukas Foss (coupled with works by Ives, Milhaud, and Skalkottas on Turnabout; currently unavailable) – When I bought this record it was because of a splendid review it received in the German record magazine *HiFi-Stereophonie*. This journal assigned marks to their reviewed discs, and this one received four times the best mark feasible: 10/10/10/10. This meant that not just the performance was top notch, but also the repertoire value, the surface (not to be taken for granted in the days of the LP), and the recording. No doubt, as a young music lover I had to get this disc especially since Turnabout was a mid-price label! I do understand why the reviewer attributed a “10” to the performance, but neither the surface of my disc nor the sound quality was perfect, in fact the sound was pretty bad, and I soon realised that this was an electronically “enhanced” mono recording to simulate stereophonic sound. A glimpse into Kurtz Myers’ *Index to Record Reviews* would have told me more about the true age of this recording, but at that time I didn’t know anything about this useful section in *Notes*. Nevertheless, I am still more than grateful to the reviewer who, by giving rather carelessly top marks to this disc, made me encounter one of the most passionate and affective performances of Bartók’s *Divertimento*. It has an urgency which is quite unique. The players of the Zimbler Sinfonietta give the impression that they had to play each note out of sheer musical need. It is a most moving performance, so different from all those middle-of-the-road performances that make Bartók’s suite a mere trifle composition. I hope this recording will be revived in the CD catalogue sometime.

Undoubtedly, gramophone records are more than sound documents or “sound carriers”. That we appreciate some of them higher than others happens frequently just by mere chance. This makes record collecting a highly personal matter, the more so, the more alternative interpretations are available on the market. We should keep this in mind whenever we read hymns of praise or verdicts. Owing to sound recording we can describe a given performance in fairly objective terms such as time, balance, and dynamics, but the evaluation of it will always remain a personal matter and depend on individual musical socialisation. Nine recordings have come to my mind that have played an important role in my musical socialisation and that I still consider great. Being aware that there were more than just those nine I mentioned, I leave the place for the tenth open. It may be filled any moment by another one.

## LETTERS TO THE EDITOR

### Digitisation - The Devil's Work or Beneficial Tool? A response to Frank Rainer Huck's article, IASA Journal no.11

When the IASA Executive Board in early 1998 discussed the general theme of the annual conference, it quickly reached an unanimous agreement: digitization having been discussed sufficiently for the past several years, the general theme should be its usefulness for improving access to audio-visual collections.

Obviously the Board had misled itself. Frank-Rainer Huck's contribution in the *IASA Journal* of June 1998 ("The eternal data file or: does digitisation really solve all archive problems?") suggests, mainly to digitally uninitiated readers, that they should keep well away from off digitization and stick with the old systems. The reader is advised that digital technology, in contrast with the well-tried analogue technology, has so far not proved its qualification and usefulness in solving the cardinal archiving problems. The half-truths with which the author supports his arguments require rectification.

Let's start at the beginning. Based on what he read in an article 'Ensuring the Longevity of Digital Documents' by the US author Jeff Rothenberg, Frank-Rainer maintains that the present digital information carriers are not suitable for any storage purpose, because they age faster and are more prone to deterioration than analogue carriers such as paper. Naturally, I have also read Jeff Rothenberg's imaginative scenario. It is well written and sounds amazingly plausible at the first reading - our instant sympathy goes out to the poor grandchildren, who cannot decipher the digital Last Will of their grandfather (that uncaring person), and we feel a slight dislike arising for all digital things. But even so, Rothenberg's thesis is not based on known facts: it remains only a scenario, and scenarios such as this one are based on assumptions and maintain their appeal mainly by the art of exaggeration. Although behind the exaggeration there may stand a wish to give somebody a warning, it is wholly unsuited as a basis for reliable prognosis in the long term. I will leave it open as to whether the ageing process of digital media is actually faster than that of analogue media. If Frank-Rainer Huck nevertheless concludes that one can reliably store information only on paper (1 - 0 to Jeff and his horror scenario), then he will have earned my full admiration as soon as he has transferred his sizeable audio-visual collections to paper.

It is, of course, a matter of fact that the storage of information is inseparably tied to a physical medium. This goes for analogue as well as digital information. Now, as before, choices about carriers are subject to considerations of longevity and cost.

These considerations will not change even with future carriers such as holographic or molecular storage systems..

So why do we store information digitally nowadays? Because, among other reasons, once it exists in digital form, it can be copied without any loss (in theory, infinitely; in practice, very, very often). This is not possible with analogue recording and playback equipment. It is essential that the information be stored redundantly (this is done as a matter of course in digital encoding systems). This allows automatic error correction, without which no CD player would, for instance, work correctly. This is also not possible in the analogue domain.

Now what have we gained? Two things: first, we have broken away from the slavish dependence on the medium's life expectancy. It doesn't matter anymore whether the medium is physically stable for 10, or for 100, years. Secondly, the automatic error correction allows digital storage systems to become self-controlling and self-regenerating. That means the nightmare of lacking quality control is finally a thing of the past.

Frank-Rainer maintains that information digitally stored has to be recopied more and more frequently due to the constant emergence of new versions of storage formats which means higher costs. Indeed, it certainly looks like as if this the case: thanks to the ever-faster development of the micro-electronics industry, new digital storage formats are coming into being all the time. This is especially true for the computer mass-market where the manufacturers, in order to ensure their share of the market billions, are already pursuing an almost ruinous policy of renewing models. Floppy discs are short-term storage media and, as part of computer systems, are not immune to this development. It is a matter of fact that the manufacturers of computer systems and floppy discs certainly are not setting their sights on the market potential of long term archiving of audio-visual documents. Floppy discs are completely unsuitable to that purpose, due to their perishable design, nor they were conceived for that purpose. On the other hand, there has, for a long time, been a demand for the long term storage capability in the research, scientific and economic field for extremely large amounts of data. Digital mass storage systems designed for that purpose are, however, not affected by the problem of short-lived formats because, consequently, the data recording process is format-independent, and data migration towards a new technical platform or the change towards a new storage generation don't cause any difficulties. Only with these systems can the problem of obsolescence be conquered. They are not affected by any recording/playback hardware or software on the mass market reaching the end of its market cycle and becoming obsolete. For that reason the argument about needing to increase the frequency of digital copying is not valid for digital mass storage systems.

Frank-Rainer maintains that a digital file is captivated by its encoding system as long as this interpreting code is unknown. Of course, there is a general rule for both the analogue and digital domain: you have to apply a code for any recording as well as for any playback process. If the code is unknown, then the information cannot be decoded. Ever since humans began to communicate, there have been codes, e.g. in writing or in speaking, to mention the oldest and most important ones. The old Egyptian hieroglyphs could be deciphered only after the Rosetta Stone, which provided the decoding system, had been found. An Arabic script can be read and understood only by someone able to read and understand Arabic as the decoding system, and the Chinese language is understood only by those who have learned it. So why should not this same general rule apply to the digital domain?

Frank-Rainer maintains that in the area of text processing there is a tendency that the present day (7 or 8 bit) code could be easily replaced by another, e.g. a 16 bit, code - as if there were no standard. Incidentally, of course, a worded standard for computer text processing has been developed - only in this way can global text communication be permitted: it is none other than the ASCII code that has existed since computer text processing was introduced. There is no valid reason to alter this, let alone to a 16-bit code, since to do so would endanger international text communication.

I must admit that the thesis "Away from the eternal carrier towards the eternal data file" sounds a bit ostentatious. To begin with, that's because it is a basic rule that the carrier serves to store the information, and not vice versa. The information is unique, and it is the information that is irreplaceable, not the carrier. Secondly, it's because our practice says that the storage of information (a process which is inseparably tied to a medium) is subject to physical laws which sooner or later will decompose the carrier and along with it the information we wish to preserve, thereby forcing us to make a copy onto another medium, and so on over time. Today, we have the unique opportunity to escape from the slavish dependence of having permanently to ask "What is the life expectancy of this medium or that carrier?". Of course, this has to be done with the quoted "responsibility to provide our successors with as much of the information contained in our holdings as it is possible to achieve in our professional working environment". Of course, this means all and any information, primary as well as secondary, data as well as metadata, and not only the content. It needs no discussion that historical carriers are mostly unique and have to be conserved; magnetic tapes, however, are almost solely mass-produced articles which may be conserved in an exemplary way. Digitization does not require us to give up the preservation of our cultural tradition.

For these reasons, to maintain that not one single record collector could arrive at the idea of sacrificing his collection to the thesis of the eternal data file (in other words:

the thesis of the eternal data file would require the sacrifice of the collection!) is a complete misinterpretation. On the contrary, it would be highly regrettable if record collectors, considering carefully whether they want the music or only the object containing the music, were not very anxious also to conserve the content of their collection. Those who maintain that the digital conservation or safeguarding of holdings is identical to the sacrifice of those holdings, and who circulate such slogans, act irresponsibly; they have not yet grasped the concept that the archivist's responsibility is to preserve the information placed in his hands not just for five years but forever.

It is extremely dangerous to maintain - as the author does - that by far the largest parts of the collections have been kept in good condition during the last fifty years (whatever this might mean quantitatively and qualitatively). While this may be true for Frank-Rainer Huck's collection, it is by no means the general rule. There are plenty of archives in other latitudes to which it will not apply. To deduce that everything is o.k. and nothing else need be done is to embrace negligence.

In quoting the recent survey of the Radio Sound Archives of IASA concerning the number of carriers held by radio companies, Frank-Rainer calculates a period of 30-40 years needed for the capturing process. Should it actually take 30 to 40 years for the digitization of average radio sound archive collections, as the author maintains, then a serious doubt could be raised in the mind of the unacquainted reader about the probability of realising such a goal. A short calculation, however, shows us that, quite unrealistically, only one person for each archive has been put to work at digitization. Furthermore, it is pretty naive to assume that manufacturers of analogue tape machines are not subject to economic conditions but would orient their production to the needs of archivists and keep producing as long as there are requests by sound archives. Moreover, the suspicion that the digitized files would have to be recopied onto some newer system already after 1 or 2 years is based on rumours and falls into the pessimist's corner. Finally, the horror scenario of the Terabyte or Petabyte store struck by lightning should fall to common sense: fire and insurance regulations prescribe lightning protection for most structures, and the Faraday Cage is also available as protection, commonly.

Sound archives, Frank-Rainer Huck concludes, should focus on their goal of aiming to protect and preserve the collection for posterity. Truer words were never spoken! In this sense, those "protagonists of digitization" cited by the author have, within the last ten years, worked out a generally accepted solution in the field. Apart from some grousing, no solution has appeared from Frank-Rainer Huck's side so far.

## **Reflections on the article *The 'eternal' data file, or: does digitalization really solve all the problems of sound archives?"* by Frank Rainer Huck**

**Zoltan Vajda, Hungarian Radio**

My first intensive meeting with recorded music was in the early fifties under very peculiar circumstances. There lived in Budapest a retired middle school teacher of history and literature by the name of Mr. Grexa who owned a vast collection of shellac and later LP records of classical music. He was a Wagner fan so the most important items of the collection were complete Wagner operas but he had a number of other operas and symphonic music recordings as well. Mr. Grexa held regular gramophone recitals two or three times a week for an audience of 20 to 50 people in two rooms of his three-room flat. On special occasions, e.g. in Easter Week with Bach's *St. Matthew Passion* on the programme, people were also to be found sitting in the entrance hall. Entrance was free but ash trays were placed on the tables expecting donations in the order of one penny. Students in momentary financial difficulties were asked to help tidy up the flat after the audience left.

The peculiarity, however, was not only in these circumstances or in the personality of our host with his extraordinary knowledge of arts of all kinds, but in the fact that we could enjoy music undisturbed. In those years uncontrolled regular meeting of more than a few people was practically forbidden in the communist countries, religious music was not performed and Wagner was deleted from music programmes throughout Europe and in the US, because he had been the favourite of the Nazis in Germany. There is no question about it that the secret police had been well aware of the Grexa concerts, but it is still a mystery why they let them go. Perhaps the agent at the concerts was also a Wagner.

At the university I studied physics. I got my first and last job at Hungarian Radio where I spent 38 active years doing audio (analogue!) circuit design for studio equipment in the first twenty years. In the second period I was responsible for large projects, the first being the building where, among other services, our archives are now located. This was the beginning of my connections first with the women who worked in the archives, soon afterwards with the technical staff and, as I got older, with the philosophical problems of sound archiving. In this last capacity I was really provoked by some of the thoughts included in the article by Mr. F. R. Huck: "Der 'ewige Datensatz" oder: Löst Digitalisierung wirklich alle Archivprobleme?" in *IASA Journal* No.11, June 1998.

The answer to the title question is obviously 'no!', as there have not been and will not ever be any technological development which solves or will solve all the problems of a

certain field. It solves some and brings about a number of new ones. The question is whether the balance is positive or negative, again a question with no universal answer.

The story of the children in 2045 with the CD-ROM seems to be thought provoking, but after a short reflection it becomes clear that the situation would be exactly the same if the children found now a 45 rpm gramophone record produced in the millions not so long ago (cf. Martin Elste's review of the book by Witteloostuyn on page 61 of the same copy of the Journal: "*this very time span of only (!) 35 years during which the LP was the main mass-produced format for sound recording*") or a reel of 6,25 mm tape (both analogue!). And I am not so sure that the letter of the grandpa would be understandable for the children of 2045, taking into account Neudeutsch, Rechtscheiben (versions 1.0, 1.1, ... 3.0 in 50 years) and the rapidly changing usage of words, style, abbreviations and slang in all of our languages. And I am afraid that the German children of nowadays would have serious difficulties with the Gothic script in a hand-written letter from the 1940s.

Concerning the arguments around and against the introduction of computer technology in sound archiving (slang 'digitalization') let me try to summarise my reactions and arguments, which are neither original nor new.

- A time function - information flow if you like - can be recorded only using a time-location transformation. The only means of this transformation is movement, the kind of movement and whether the 'pen' or the 'paper' or both are moving is irrelevant. In addition to the movement an instrument and a method is needed to make irreversible local changes on or inside the recording medium. For the reproduction a reverse transformation has to be performed which means that the very same movement used for the recording has to be used again together with a sensor to read the changes made on the medium.
- It really is a pity that the above is true even for digital recording! The only exception to the above procedure, as far as I know, was observed by baron Münchhausen in the eighteenth century who had the experience that sounds of a horn had frozen into the instrument and came out of it when melting. Unfortunately this observation could not have been repeated ever since. (This would not merely be a recording method without a storage medium but a real encoded, analogue — linear? — storage method!)

"Digital" seems to be the evil in our fine analogue world. But is it really analogue? Writing, the oldest method of recording information is far from being analogue from the time on when 'fish' was not the picture of a fish or

'lamb' a picture of a lamb any more. Writing is sampled and coded information and there must have been a second Babel when in addition to the different languages different ways of writing was introduced as an intentional means to put an end to the rest of understanding among people. Digital is just another way of coding various types of information. It will not solve anything in itself, it brings about however the possibility of solving problems unsolvable by analogue means.

- There are two preconditions for the possibility to 'clone' information and preserve it without a time limit: the capability to recognise its change as compared to its original state and a method to fully reconstruct it to the original condition. For analogue signals neither can we measure the actual condition of the signal and compare it to the original nor can we reconstruct the original. With digital signals we can do both with extremely low probability of unrecognised and/or incorrigible errors. And both can be done automatically and with very high speed. Thus, in spite of the fact that the condition of any record will certainly deteriorate with time, the file, the information package can really be made eternal by copying and recopying it when necessary to a new medium which due to the development of technology can be quite different in form and material from the previous one.
- There is no real proof that e.g. a pressed CD (Audio or ROM) has a shorter life than magnetic tape or the gramophone record if handled with the same care. And there is no real proof either in the statement that the probability to find a gramophone in the attic is higher than that to find a CD-ROM drive. (My own example seems to prove Mr.Huck's point, I have two gramophones up there and no drives as yet but this situation, I hope, will change soon.)
- The very quick obsolescence of technologies and the quite common lack of backward compatibility of new software versions is a real problem and costs all of us much trouble and a lot of money but it is not an unforeseeable natural disaster. With foresight, care, co-operation between archives and, of course, with the necessary financial resources the damage could be minimised. The possible loss of the data of the census of 1960 in the US is for me much more an example of human negligence, lack of foresight or the result of some bureaucratic ploy to save money, than the consequence of the obsolescence of technology. (If you forgot to close the tap in the bathroom, you would not blame the water supply technology for the flood in your apartment even though with only a bucket and a well in the garden the disaster could not have happened.)

- Whether a record can be accessed by hand or not, has a sleeve and label or not has nothing to do with it being analogue or digital. (The Studer 'jukebox' for broadcast automation based on Elcassettes, which was in operation in Stuttgart in the late seventies was analogue). I fully understand the feeling of loss of not to be able to fondle fine old gramophone records but it would be fair to add that this privilege should be limited to those very few (if any) who would handle them with the same care as we ourselves do. Further, it depends on the institution whether it wants to preserve the file only or the record as well. I am quite sure, that most of the recorded sound will in the foreseeable future still be published and marketed in the form of records and albums and will be available electronically.
- Mr. Huck finds it a great disadvantage of a bit stream that it can represent numbers, letters, pictures and sounds. Using the same argument monochrome printing where the arrangement of dots (ones and zeroes) carries the information has the same disadvantage. Missing the programme of interpretation .. But it is normally not missing, why should it? Let's hope that the Alzheimer syndrome is just as rare in the digital technology as it is with humans.

The question of digitalization will finally not be decided by theoretical arguments. In the last few years a definite tendency can be observed in our archive: a larger and larger percentage of the material acquired from the archives in a given period of time is on CD, the usage of the tapes is declining. As a strong believer in human laziness (strongly supported by personal experience), I am convinced that the main reason behind this is the smaller dimensions and weight, and the convenience of CDs as against tapes. Now imagine a future small digital archive with a limited number of recordings which will be accessible by pressing some buttons on one's desk. This digital archive is part of a large collection of the most valuable recordings on 6,25 mm tape in a separate building (without cafeteria). Which will — o.k. the majority of — people use?

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