Authorship and ownership in the digital oral archives domain:
The Gra.fo digital archive in the CLARIN-IT repository

- Silvia Calamai silvia.calamai@unisi.it
- Francesca Biliotti francesca.biliotti@unisi.it
- Aleksei Kelli aleksei.kelli@ut.ee
The outline of the talk

- The case study
  - Metadata description
  - Authorship
  - Ownership

- Towards the future
The *rationale* of the talk

- recording tools within everybody’s reach
- digitisation of analogue archives

- long-term *preservation* of data and metadata → persistence of the data derived from a research project beyond its limited timespan
- choice of data and metadata *formats* → make data findable, available, interoperable and reusable.

- from a *legal* perspective archives are covered with several rights.
The Gra.fo project

*Grammo-foni. Le soffitte della voce*
(SNS e UNISI, PAR FAS Regione Toscana)

- discovering oral archives in Tuscany
- preserving audio materials that would otherwise face deterioration
- cataloguing audio materials
- making these materials available to a wider public [http://grafo.sns.it/](http://grafo.sns.it/)
Grammo-foni. Le soffitte della voce (Gra.f0) censisce, raccoglie, digitalizza, cataloga, trascrive materiale sonoro raccolto dagli anni '60 ad oggi da studiosi, appassionati, cultori di dialetti e tradizioni popolari sul territorio della regione.

Grammo-foni è un progetto condotto dalla Scuola Normale Superiore di Pisa e dall'Università degli Studi di Siena, finanziato dalla Regione Toscana (PAR FAS 2007-2013 Regione Toscana Linea di Azione 1.1.a.3.).

Grammo-foni attraverso questo portale intende restituire alla comunità di appassionati un universo sonoro ricchissimo, fatto di storie, racconti, aneddoti, favole, proverbi, stornelli, canzoni provenienti dalla regione Toscana. In futuro si propone di accogliere anche materiali di altra provenienza regionale.
Gra.fo in numbers

- 2,800 hours of digitized recordings
- 2,208 documents
- 30 oral archives
- 639 open reel tapes
- 1,332 compact cassettes
- 950 interviewees
- 143 interviewers
- 11 people involved as staff
- € 317,400 (Regional funding: € 250,400)
Gra.fo and the CLARIN-IT repository

- AUDIO from preservation copy
- METADATA + (TRANSCRIPTION) + (ACCOMPANYING DOCUMENTS)

DOCUMENTAL UNIT

Repository About
How to describe the Gra.fo data within ILC4CLARIN and the VLO

- **maximum granularity option** → all levels of granularity are described as separate entries (Gra.fo archive as a whole, the various single archives, their sections and subsections, and finally the individual entries that are constituted by what is called the ‘documental unit’ [= the metadata entry and optionally the audio recording and additional documentation].

- **minimum granularity option** → only the Gra.fo interface is described as a single entry; users will find it in the CLARIN repository and will use the Gra.fo search interface to find individual items.

- Source: Calamai & Frontini (2016)
A document from Archive ‘Roberta Beccari’ in the Gra.fo portal
What shall we describe?

- the digital archives produced within the framework of *Gra.fo*

Or

- the original ones produced by the researcher(s) who collected the recordings in the first place.
Archive ‘Roberta Beccari’ in the CLARIN-IT repository (simple item record)
Digitization

- does not produce a mere copy of the physical reality

- in describing the Gra.fo archives in the CLARIN-IT repository, the digital archive should be the reference rather than the original, analogue one, provided that the source of the digital archive is clearly mentioned
Before Gra.fo

In Gra.fo
Archive ‘Roberta Beccari’ in the CLARIN-IT repository (simple item record)
AS A COROLLARY

1. Field ‘size’ (of an archive) → one should certainly indicate the number of digital oral documents it contains (rather than the number of open reel tapes or compact cassettes), since these are the documents that the user will find in the Gra.fo portal.

2. Field ‘date of release’ (of a given archive) → one should refer to the date when the archive was made public in the Gra.fo portal.

3. Field ‘contact person’ → one should always refer to the Gra.fo scientific coordinators, mentioning the contact person of the original archive only when that is deemed appropriate or useful for some reasons.

4. Any relevant information concerning the original archive (who collected it, when, etc.) will be provided in the “Description” box in the metadata record.
metadata descriptor related to the author

- both the author of the digital archive and that of the original one should be mentioned.
  - the work of interpretation, editing, description and transcription carried out by the Gra.fo consortium certainly deserves recognition (the digital archive can be considered a derivative work of the analogue archive (see Art. 4 Law 22 April 1941, n. 633)).
  - without the original archive, Gra.fo’s work would simply be non-existent. Thus, the contribution of the researchers who collected the original recordings should be recognised as well, since the original researchers are the authors of the corresponding original archives.
Authorship

• “the author shall have the right to claim authorship of the work” (Berne Convention Article 6bis).

• Do oral archives – mainly represented by interviews and answers to questionnaires – fall within the realm of *Diritto d'Autore*?

• Four entities are entitled economic rights over an oral archive:
  ● the informant(s),
  ● the researcher(s) who collected the document,
  ● the individual/organisation commissioning the research,
  ● the individual/organisation at whom/which the archive is deposited (Le Draoullec 2006, Stéphan 2013).
Different legal traditions

- **USA** → “the speakers in the recorded interview automatically own their own words from the moment they are spoken, until or unless transferred to another entity through a legal release agreement” (MacKay 2016, pp. 75-76)

- **FRANCE** → researchers are the authors of their recordings, or they might be co-authors in the case a speaker participates in the exchange creatively (Stérin, 2016).

- **ITALY** → authorship is applicable to original, creative works produced in literature, music, visual arts, architecture, drama and cinema (but the list is merely illustrative, and not complete - Italian *Diritto d’Autore* Act, Art. 2).
That’s why we need...

Legal Issues Committee

The main responsibility of the Legal Issues Committee is to advise the Board of Directors on all issues related to IPR, privacy protection and ethical matters, to be referred to below as ‘legal issues’.

Its main tasks include:

- to collect, consolidate and prepare for publication in a single place the findings and recommendations related to legal issues emerging from the CLARIN preparatory phase project;
- to maintain the set of license templates supported by CLARIN and adapt them to new developments within or outside CLARIN;
- to develop and implement procedures for the discussion and adoption of new recommendations for dealing with legal issues;
- to liaise closely with the Standing Committee for CLARIN Technical Centres in order to ensure that our legal issues policy and its technical implementation are in line;
- to ensure harmonisation of legal policies between CLARIN ERIC and related initiatives, such as (but not restricted to) the META project and sister SSH infrastructures;
- to publish and promote the legal policies adopted by CLARIN;
- to advise the Board of Directors in all legal issues.

The outputs of this committee can be found here
Ownership

- Oral archives have a complex life

- Owners may correspond to
  - the researcher who collected the recordings
  - the organisation funding the research
  - the organisation guarding the archive
  - or even to other persons that were not involved in the research at all (researchers’ heirs or friends).
AISO’s (Italian Oral History Association) *Good practices in oral history* - 2015 (http://aisoitalia.org/?p=4795), the culminating point of a long-standing process of reflection and discussion carried out by oral historians, anthropologists, and legal experts.

The identity of the author cannot be decided *a posteriori*: only the agreements made between interviewer and interviewee in the context of the interview can tell us who the author of that document is.
How about analogue oral archives (before the 80s)?

- The problem is crucial for those undocumented archives created in the 60s and 70s (when authorship and privacy were not common issues among linguists and historians) that now demand hard work from the curators’ part to reconstruct their story.
• the inclusion of the *Gra.fo* archives in the CLARIN-IT repository appears not only as a metadata ‘translation’, but also as a refined reflection on authorship, ownership, and on the relationship between original source and digital objects

• A stronger collaboration with CLARIN-Legal Issues Committee is needed and this presentation is the very starting point

(This is not a) conclusion
Thanks to

- Pawel Kamocki, Chiara Kolletzek, and Irene Mecatti
REFERENCES


