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/

UNIVERSITÀ DI SIENA
1240

GRAF

Gra.fo: Grammo-**fo**ni
Le soffitte della voce.

Ricerca per aree linguistiche

REGISTRATI

Grammo-foni. Le soffitte della voce (Gra.fo) 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.

Tempo totale di registrazione:
2 8 1 8 : 0 7 : 0 1
Ore   Min   Sec

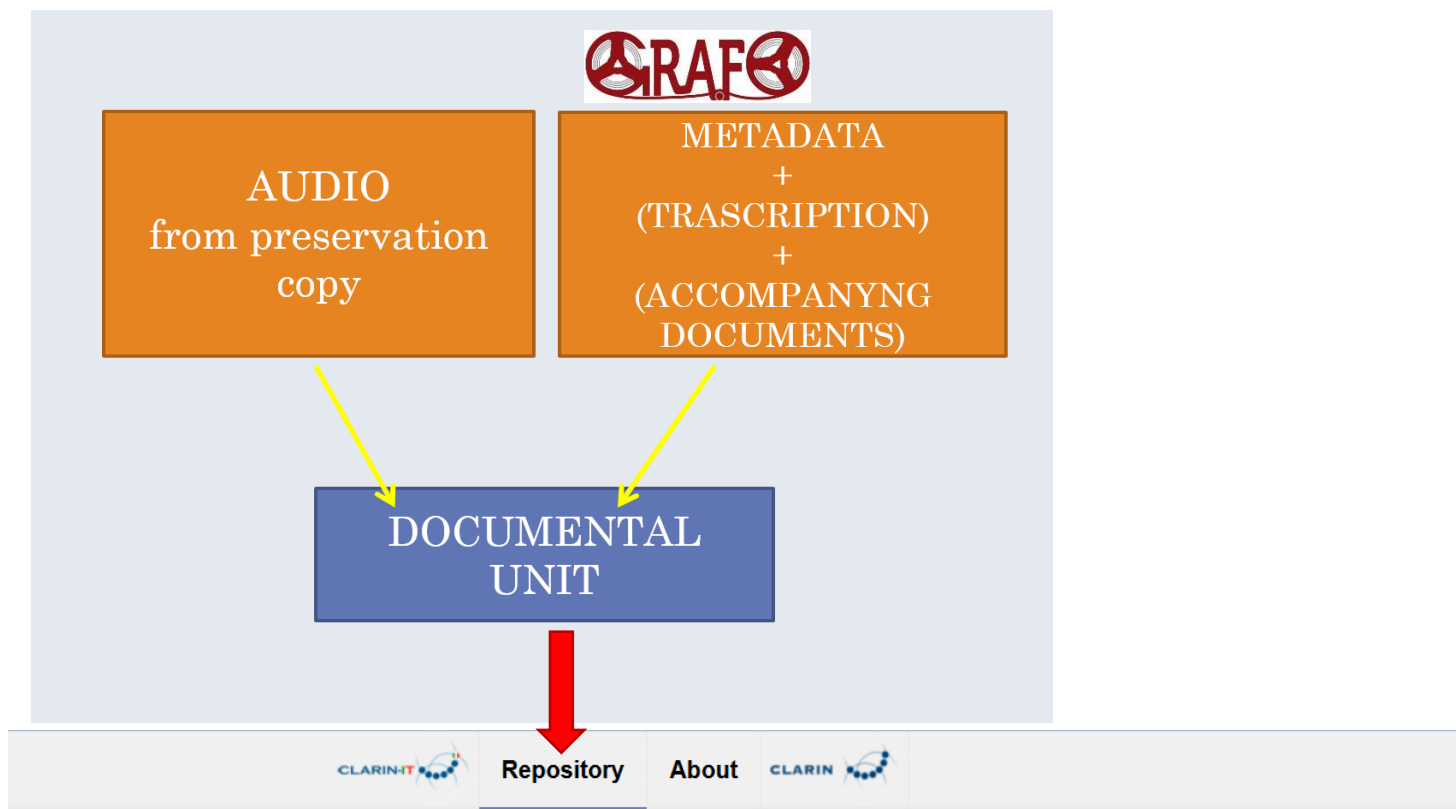Aggiornato al:
1 5 / 1 2 / 2 0 1 5

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

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.

UNIVERSITÀ
DI SIENA
1240

Archive
'Roberta Beccari'
in the CLARIN-IT
repository
(simple item record)

Archive "Roberta Beccari"

Cinto

Authors	Gra.fo (Grammo-foni. Le soffitte della voce) ; Roberta, Beccari
Project URL	http://grafo.sns.it
Demo URL	http://grafo.sns.it/ricerca
Date Issued	2013
Type	corpus
Size	30 units, 20 hours
Language(s)	Italian
Description	Archive "Roberta Beccari" contains thirty digital oral documents stemming from twelve compact cassettes collected in 1986-1988 by Roberta Beccari for her thesis research. The archive comprises two subsections, corresponding to two different research objects. In fact, Beccari's first idea was to investigate folk literature and culture in the Val di Cornia area, so she collected tales, folk songs and interviews on such topics which form the subsection "Letteratura popolare" ("folk literature"). Then she decided to focus on folk religion, and thus recorded interviews to thirteen parish priests about religious participation in the area which form the subsection "Parroci" ("parish priests"). The archive was digitized and catalogued by the project Grammo-foni. Le soffitte della voce (Gra.fo; Scuola Normale Superiore & University of Siena, PAR FAS Regione Toscana 2007-2013). The audio files and the relative descriptions are accessible via http://grafo.sns.it/ricerca (access policy at http://grafo.sns.it/web/guest/policy).
Publisher	Gra.fo (Grammo-foni. Le soffitte della voce)
Acknowledgement	Regione Toscana
	Project code: PAR FAS 2007-2013, Linea di Azione 1.1.a.3
	Project name: FAS (Fondo Aree Sottoutilizzate)
Subject(s)	Tuscany · oral archive · Val di Cornia · folk literature · folk religion
Collection(s)	Grafo_coll

Show full 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
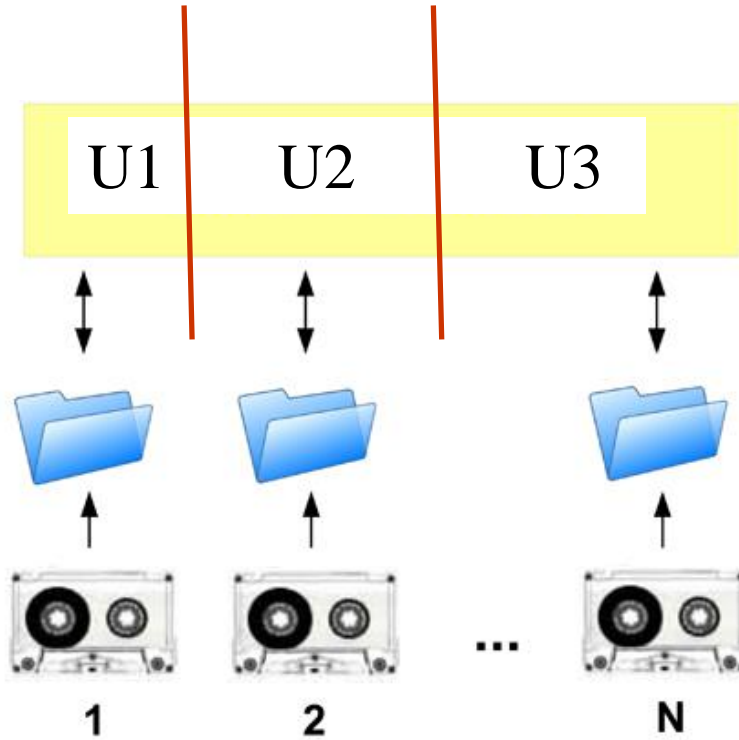
In Gra.fo
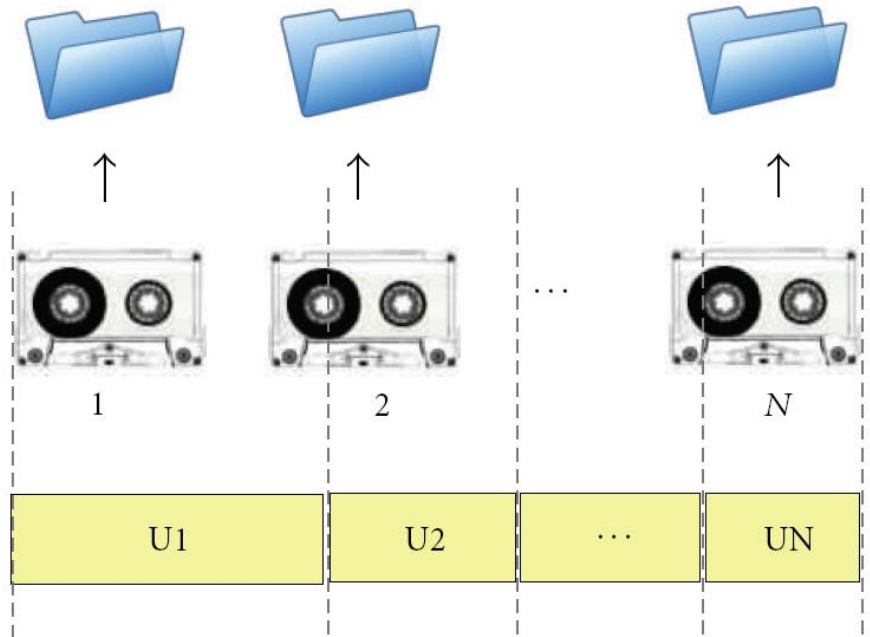
Archive
'Roberta Beccari'
in the CLARIN-IT
repository
(simple item record)

Archive "Roberta Beccari"

> Please use the following text to cite this item or export to a predefined format:
> http://hdl.handle.net/20.600.11762/GRAFO-70

✎ Authors	Gra.fo (Grammo-foni. Le soffitte della voce) ; Roberta, Beccari
% Project URL	http://grafo.sns.it
☑ Demo URL	http://grafo.sns.it/ricerca
🛗 Date Issued	2013
🏷 Type	corpus
✖ Size	30 units, 20 hours
⚑ Language(s)	Italian
📄 Description	Archive "Roberta Beccari" contains thirty digital oral documents stemming from twelve compact cassettes collected in 1986-1988 by Roberta Beccari for her thesis research. The archive comprises two subsections, corresponding to two different research objects. In fact, Beccari's first idea was to investigate folk literature and culture in the Val di Cornia area, so she collected tales, folk songs and interviews on such topics which form the subsection "Letteratura popolare" ("folk literature"). Then she decided to focus on folk religion, and thus recorded interviews to thirteen parish priests about religious participation in the area which form the subsection "Parroci" ("parish priests"). The archive was digitized and catalogued by the project Grammo-foni. Le soffitte della voce (Gra.fo; Scuola Normale Superiore & University of Siena, PAR FAS Regione Toscana 2007-2013). The audio files and the relative descriptions are accessible via http://grafo.sns.it/ricerca (access policy at http://grafo.sns.it/web/guest/policy).
🔁 Publisher	Gra.fo (Grammo-foni. Le soffitte della voce)
🖾 Acknowledgement	Regione Toscana
	Project code: PAR FAS 2007-2013, Linea di Azione 1.1.a.3
	Project name: FAS (Fondo Aree Sottoutilizzate)
🏷 Subject(s)	Tuscany · oral archive · Val di Cornia · folk literature · folk religion
⛃ Collection(s)	Grafo_coll

Show full 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).

Italian scholars & Legal Issues

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.

(This is not a) conclusion

- 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

Thanks to

- Pawel Kamocki, Chiara Kolletzek, and Irene Mecatti

REFERENCES

- [Adeney 2006] Elizabeth Adeney. The Moral Rights of Authors and Performers. An International and Comparative Analysis. Oxford University Press, 2006.
- [Berne Convention] Berne Convention for the Protection of Literary and Artistic Works of September 9, 1886, completed at PARIS on May 4, 1896, revised at BERLIN on November 13, 1908, completed at BERNE on March 20, 1914, revised at ROME on June 2, 1928, at BRUSSELS on June 26, 1948, at STOCKHOLM on July 14, 1967, and at PARIS on July 24, 1971, and amended on September 28, 1979 <http://www.wipo.int/treaties/en/text.jsp?file_id=283698#P85_10661>
- [Calamai, Bertinetto 2012] Silvia Calamai, Pier Marco Bertinetto. 2012. Per il recupero della Carta dei Dialetti Italiani. T. Telmon, G. Raimondi, L. Revelli (eds.) *Coesistenze linguistiche nell'Italia pre- e postunitaria. Atti del XLV Congresso internazionale di studi della Società di Linguistica Italiana (Aosta/Bard/Torino 26-28 settembre 2011)*, 2 voll., Roma, Bulzoni: 335-356. [ISBN: 978-88-7870-722-1].
- [Calamai, Biliotti, Bertinetto 2014] Silvia Calamai, Francesca Biliotti, Pier Marco Bertinetto. 2014. Fuzzy archives. What Kind of an Object Is the Documental Unit of Oral Archives?. M. Ioannides et al. (eds.) *Digital Heritage. Progress in Cultural Heritage: Documentation, Preservation, and Protection EuroMed 2014*, LNCS 8740, pp. 777–785.
- [Calamai, Frontini 2016] Silvia Calamai, Francesca Frontini. 2016. Not quite your usual kind of resource. Gra.fo and the documentation of Oral Archives in CLARIN. *CLARIN Annual Conference 2016*, Oct 2016, Aix-en-Provence, France. <https://www.clarin.eu/sites/default/files/calamai-frontini-CLARIN2016_paper_14.pdf>.
- [Kelli et al. 2015] Aleksei Kelli, Kadri Vider, Krister Lindén (2015). The Regulatory and Contractual Framework as an Integral Part of the CLARIN Infrastructure. 123: Selected Papers from the CLARIN Annual Conference 2015, October 14–16, 2015, Wroclaw, Poland. Ed. Koenraad De Smedt. Linköping University Electronic Press, Linköpings universitet, 13−24 (http://www.ep.liu.se/ecp/article.asp?issue=123&article=002).
- [Le Draoullec 2006] Ludovic Le Draoullec. 2006. L'utilisation des corpus oraux à des fins culturelles : quels contrats mettre en œuvre ?. *Bulletin de l'AFAS* (URL: http://afas.revues.org/622; DOI : 10.4000/afas.622).
- [MacKay 2016] Nancy MacKay. 2016. *Curating Oral Histories, Second Edition: From Interview to Archive*. Routlege.
- [Ricketson, Ginsburg,] Sam Ricketson, Jane C. Ginsburg. International Copyright and Neighbouring Rights: The Berne Convention and Beyond. Second Edition. Volume I. Oxford University Press, 2006.
- [Sheridan 2017] John Sheridan. 2017. *Creating the disruptive digital archive*. Digital Preservation Coalition (http://www.dpconline.org/blog/disruptive-digital-archive).
- [Sinello 2015] Rachele Sinello. 2015. *Le vite degli altri. Verso la definizione delle linee guida italiane per la storia orale*, Tesi di laurea, Corso di Laurea triennale in Lettere, Università Ca' Foscari di Venezia, A.A. 2014/2015, relatore prof. Alessandro Casellato.
- [Stéphan 2013] Lena Stéphan. 2013. Les archives sonores : conservation et valorisation du patrimoine oral. *Mémoires Master "Archives numériques"*, École Nationale Supérieure des Sciences de l'Information et des Bibliothèques.
- [Stérin 2016] Anne-Laure Stérin. 2016. *Le chercheur mène un entretien enregistré* (http://ethiquedroit.hypotheses.org/1133).