How Archivists View Copyright

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Abstract: Archivists have eagerly embraced the Internet as a means of increasing access to their holdings, not just by digitizing finding aids, but also by digitizing archival materials and making them available online. As archives enter the digital domain, copyright issues present a challenge, both in what is selected for online dissemination, and in how digitized content is presented online. Copyright legislation, like all laws, is subject to interpretation by repository staff, and the copyright practices of archival institutions will be influenced by how their staff members view and understand copyright.

The presentation reports the findings of IMLS-funded research into the copyright practices of archival repositories in the US when digitizing their holdings for online access. Among other things, the study investigates archivists' views and perceptions of copyright. Using data from surveys and interviews, the research investigates such issues as: archivists' perception of the risk involved in dealing with copyright, the extent to which they think they should control further uses of their holdings, their view of their role in educating users about copyright, and what they would change about copyright to make their jobs easier.

If, as the findings suggest, archivists are apprehensive about copyright issues, they are likely to be highly risk averse. Consequently, they may interpret copyright more conservatively than necessary in ways that limit what they put online or constrain access to their online holdings. It is important to understand repository practices in this regard to ensure that copyright is not inappropriately being invoked so as to compromise archives' mission to make their holdings available in the long-term interests of society.

About the author:

Dr. Jean Dryden is a member of the faculty of the College of Information Studies at the University of Maryland (http://www.ischool.umd.edu/ people/dryden/). Her research interests include copyright in the digital environment, information law and policy, archival arrangement and description, and digital preservation. Her doctoral dissertation, completed at the University of Toronto in 2008, investigated the copyright practices of Canadian archival repositories in making their holdings available on the Internet. She is currently the Principal Investigator for a comparative study funded by IMLS that investigates the copyright practices of American archival repositories and their impact on users.