

An Accountability Framework for Archival Appraisal

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The electronic environment has caused archivists to re-examine what they do and why they do it. What was understood or perhaps taken for granted in the paper environment is not understood and cannot be taken for granted in the new electronic environment. But such a reexamination also tells us that archivists do not believe themselves to be simply part of a production line, overseeing the acquisition of some records and the destruction of others. It reminds us that we believe ourselves to be active and responsible participants in the shaping of human memory and contributors to the quality of life within our societies. It might even be said – and I have heard some archivists say it – that our profession more than any other contributes to the recording of our past, in particular through archival appraisal, sometimes described as the defining role of the archival profession.

It is not surprising then that we should look to our processes to see how they are accountable to our stakeholders. And central to any concept of archival accountability is our understanding of the records we seek to preserve. In this way the remarkable impact of modern information and communications technologies on the conception, creation, use and preservation of records requires us to not only refine our understanding of what we mean by records but also how we accountably fulfil such a core function as appraising them. It is my goal today to outline a framework for understanding archival appraisal accountability. I will begin by describing archival appraisal as a business process of archivists that is executed within archival institutions.

If archivists, by this process, are active shapers of human memory through their appraisal activities, then any approach to this topic cannot be simply address the method, it must also address principles and ethics. I will conclude by suggesting that an essential component of any accountability framework is determining for how long archivists are accountable.

The Archival Appraisal Business Process

The International Council of Archives' 1997 literature review of electronic records management begins its section on appraisal by saying "Appraisal and disposition practice in North America will not work in the electronic records world."¹ Generally speaking the practice referred to here is that of undertaking appraisal at the time when records make the transition from semi-active to inactive status. Such an approach will not work in the electronic records world because electronic records must be *created* in such a way that they can be preserved. If they have not been so created, then, regardless of the outcome of the appraisal activity, they cannot be preserved – at least not as trustworthy and reliable evidence of past activities. It is hard to imagine a clearer call to review a business process.

The *Literature Review* goes on to observe an increasing emphasis on the importance of appraising records – in particular electronic records – "prior to the creation stage of the life cycle."² This message is reinforced in the companion *Guide for Managing Electronic Records from an Archival Perspective*, published the same year. There it is observed that while appraisal

¹ ICA, Committee on Electronic Records (Alf Erlandsson). *Electronic Records Management. A Literature Review* (1997), p. 55. Available at <http://www.ica.org/biblio.php?pbodycode=CER&ppubtype=pub&plangue=eng> (checked 18 July 2003).

² *Literature Review*, p. 59.

at the record conception stage is the most advantageous point, such an approach requires on-going appraisal at subsequent stages of the record life cycle.³ Appraisal, at least in the electronic environment, is not a one-time activity.

The international research teams of the first phase of the InterPARES Project which concluded its work at the end of 2001, also looked at the process of appraisal, as well as authenticity and preservation. The report of the Appraisal Task Force viewed the process as being made up of four distinct activities:

1. compiling information about the records and their contexts;
2. assessing the value of the records;
3. determining the feasibility of preserving them; and
4. making the appraisal decision.⁴

A key component in the second activity – that of assessing the value of the records – is determining whether the authenticity of the records can be presumed. The InterPARES Authenticity Task Force developed a set of benchmark requirements as a means to determine this. Heather MacNeil, who chaired the Task Force, has observed that authenticity “is particularly at risk when records are transmitted across space (i.e., when they are sent between persons, systems, or applications) or time (i.e., when they are stored offline, or when the hardware or software used to process, communicate, or maintain them is upgraded or

³ ICA, Committee on Electronic Records. *Guide for Managing Electronic Records from an Archival Perspective* (1997), p. 33. Available at <http://www.ica.org/biblio.php?pbodycode=CER&ppubtype=pub&plangue=eng> (checked 18 July 2003).

⁴ InterPARES Project, Luciana Duranti, Project Director. *The Long-term Preservation of Authentic Electronic Records: Findings of the InterPARES Project* (Appraisal Task Force Report), p. 8. (<http://www.interpares.org/book/index.htm>, checked 2 July 2003).

replaced).”⁵ This is an important confirmation of appraisal as an ongoing activity even after records have been transferred to a preserver, since any preservation system for electronic records will undoubtedly have changing technologies.

This internationally considered opinion, which advocates an appraisal process which can (or should) begin with the conception of the records and continues beyond the transfer of the records to the care of a preserver, forms the basis for outlining an “on-going” appraisal business process.

As I see it, an appraisal business process which begins with the record conception stage has at least five decision points – six (or possibly more) if records are transferred to a preserver. They are:

1. (Conception) Determining what records to create to support the business of archival appraisal, including determining how to create them as reliable and preservable evidence;
2. (Creation) Determining that the records identified in the conception stage are in fact created, and confirming that they fulfil the business requirements and that they can be preserved;
3. (Use) Determining how relationships between the records within the appraisal business process as well as relationships with related business processes (e.g., description) are established and maintained, and how authorized modifications to the records are made;
4. (Maintenance) Determining how long the records and their relationships must be preserved from unauthorized modification (security) and remain accessible (through technological change);

⁵ Heather MacNeil, “Providing Grounds for Trust II: The Findings of the Authenticity Task Force of InterPARES” *Archivaria* 54 (Fall 2002), p. 28.

5. (Disposition) Determining that records slated for destruction are destroyed. For records slated to be preserved, determining that the preserver has the capabilities to preserve the records essentially intact;
6. (Maintenance) Same as #4, but now within the preserver's organization.⁶

I envision that the four activities identified in the InterPARES report would occur at each of these decision points.

Two layers of accountability are immediately visible: the first concerns the proper implementation of appraisal procedures within the daily work of the institution. The second concerns the accountability of the appraisal endeavour itself – not whether the procedures were followed, but whether the endeavour itself is meeting its goals. There is another layer of accountability somewhere in between that might be considered as organizational accountability. The owner of this responsibility would presumably be the institutional head who receives and disperses funds for the efficient and responsible fulfilment of the institution's mandate. These three layers are clearly interrelated, but I believe it is important to distinguish them in the development of an appraisal accountability framework. At this point I will conclude this section simply with the observation that the fulfilment of accountability requirements at one level should not detract from fulfilling requirements at any of the other two levels.

To this point I have sketched an on-going appraisal business process consistent with considered international opinion regarding archival appraisal in the electronic environment. From it I have

⁶ It might equally be argued that the preserver would begin the process from step one: conceiving the archival record, and go through all the steps.

highlighted three layers of accountability that can be seen to emerge from the appraisal process. In the next section I will identify the components, in terms of standards, etc., necessary to establish an accountability framework for appraisal. I will also outline some of the key stakeholders relevant to each of the three accountability levels as a means of articulating the values that must be embodied within an accountability framework.

Components of an Accountability Framework

With a business process sketched out, it is now necessary to determine what is meant by accountability. The ISO 15489 records management standard defines accountability as the “principle that individuals, organizations, and the community are responsible for their actions and may be required to explain them to others.”⁷

Beginning with the highest or most general layer of accountability, that of accountability to society at large, a useful starting point is Terry Eastwood’s recently published paper entitled “Reflections on the Goal of Archival Appraisal in Democratic Societies”.⁸ Eastwood presumably indicates a *democratic* society perhaps because he concluded that appraisal goals would differ in a non-democratic society, and perhaps because he felt most confident addressing appraisal within a democratic society because he understands and shares the values of such a society. Both considerations are, in my view, important in developing an accountability framework. Eastwood concludes that appraisal “in a democratic society must somehow serve the

⁷ ISO 15489 Information and documentation : records management : part 1 : general : ISO 15489-1:2001(E), 3.2. The “individuals, organizations, and community” identified as responsible for their actions in this definition coincide neatly with the three layers of accountability already identified.

need of citizens to know how they have ruled themselves, and to allow them to build understanding of their place in the communities to which they consider themselves to belong”.⁹

The first challenge at this high level of accountability is to define the society on whose behalf appraisal is being undertaken and what its values are. It is in response to this kind of requirement that initiatives such as macro-appraisal strategy came into being because if it is to society that appraisal is ultimately accountable, then it is essential to understand what that society values. Societies are not static, of course, and societal values – a challenge to determine at any time – are presumably also in a state of flux. Societies do come to an end though. For example, there is no longer a Roman society in the sense that existed from the founding of Rome in the sixth century B.C. to the sack of the city roughly 900 years later. Eastwood might have had in mind national societies, e.g., Canadian society, although I am sure he intended that his comments were relevant to any democratic society.

Archivists appraising these days will likely have to deal with what I would consider to be incremental changes. Examples of relatively recent incremental changes in the West include:

- the American *Sarbanes-Oxley Act*, where, in response to significant and very public breaches of trust, senior executives are now directly accountable for misrepresentations of the corporations they head;
- the role of access to information and protection of privacy legislation and the attention paid to those responsible for overseeing its implementation;

⁸ Terry Eastwood, “Reflections on the Goal of Archival Appraisal in Democratic Societies” *Archivaria* 54 (Fall 2002), 66.

⁹ Eastwood, “Reflections”, 66.

- the attention of various academic disciplines in the societal “memory” forum, including archivists, sociologists, historians, psychologists, etc.; and
- the emphasis of archivists themselves on their own accountability, reflected in documents such as the ICA’s *Code of Ethics*.

The *Code’s* fifth article reads “Archivists should record, and be able to justify, their actions on archival material.”¹⁰

At this highest layer of accountability, groups and legislation such as those already indicated provide indicators of societal values. From these can emerge general support for the creation and acceptance of standards and other tools and mechanisms which define the second layer of accountability. Standards such as the ISO 15489 records management standard, the ISO 9000 quality management standards, the InterPARES authenticity requirements, the Australian DIRKS (Designing and Implementing Recordkeeping Systems) methodology, professional competency standards, the American Department of Defense 5015.2 standard for records management applications are examples of rules, standards, and guides for accountability based on identified values. Standards that are widely implemented and modified over time provide evidence of an enduring value. Accordingly, standards which are not implemented likely reflect values that are not widely held. Stakeholders at this level include national, provincial/state, and municipal archivists, professional archival and information management societies, senior and line managers, service providers, software vendors, IT professionals, etc. The way in which the values emerging from the top layer are given form at this level may vary by jurisdiction.

It is my view that archivists themselves do not generally hold themselves to be accountable to society's values. Article two of the ICA *Code of Ethics* exhorts archivists to “appraise records impartially basing their judgment on a thorough knowledge of their institution's administrative requirements and acquisitions policies.”¹¹ What I am proposing is a level of accountability that goes beyond any one institution – a professional accountability, if you will – that should drive accountability within an institution. Eastwood appears to reach a similar conclusion when he observes that the role he has “outlined for archives is not realized in the mandates of public archives or appreciated by political leaders and their subordinates.”¹² But it may be that a change has begun and a general acceptance of an obligation to the societies they serve is gaining strength within the archival profession.

Recalling our appraisal process model to mind, it is possible to see that there are many elements in place that already contribute to an appraisal standard. Most existing elements contribute to the conception, creation and maintenance of the records themselves. What is still absent is an auditable way of measuring appraisal – a means of setting a value on the way appraisal is done.¹³ Benchmark or baseline requirements are needed. Chris Hurley has proposed three rules which, in my view, go a long way toward setting such requirements. They are:

¹⁰ International Council of Archives. *Code of Ethics* [adopted by the General Assembly in its XIIIrd session in Beijing (China) on 6 September 1996], article 5. Available at http://www.ica.org/biblio/spa/code_ethics_eng.html (checked 11 July 2003).

¹¹ ICA, *Code of Ethics*, article 2, author's emphasis.

¹² Eastwood, “Reflections”, 69. Article 1 of the ICA *Code*, which identifies archivists as guarantors of archival holdings as reliable evidence of the past, recognizes at least the potential for conflict between the archival mission and the environment in which archivists work.

¹³ The only appraisal standard of which I am aware is that of Archives New Zealand. The introduction carefully limits its scope as relating “only to the preparation of appraisal recommendations.” Archives New Zealand, *Appraisal Standard* (2000-2001), section 1. Available at http://www.archives.govt.nz/statutory_regulatory/standards/appraisal/standard.html (checked 18 July 2003).

1. a preservation of evidence rule to keep records for as long as they might be reasonably be required to establish anyone's rights and entitlements;
2. a rule against 'ad hocery' [i.e., ad hoc appraisal practice] to ensure that records of the same functional processes are retained for pre-determined retention periods without exception; and
3. a certainty rule requiring appraisal criteria to be stated in advance and applied without exception.¹⁴

These rules are auditable, and assuming they reflect the values of both archivists and more importantly the societies archivists serve, could form the basis of a standard for archival appraisal. To my mind it would be desirable to add a complementary rule: something along the lines that institutional appraisal processes and criteria are openly and systematically reviewed at predetermined intervals to accommodate new approaches or criteria and reflect new or changing societal values.

The third layer of accountability, which relates to the accountability of the appraisal procedures implemented in any institution or by any archivist, is as problematic as the previous layer. Without an accepted appraisal standard, institutional procedures can vary over time, in relation to the competencies of their staff, the influence of institutional mandates, etc. McKemmish and Acland observed in 1998 that "there is a very large question mark over what constitutes archival appraisal and disposal best practice."¹⁵ And Eastwood observes three streams of archival thinking around appraisal which are not complementary.¹⁶ Thus it is unlikely that a standard will

¹⁴ Posted by Chris Hurley to the aus-archivists listserv (aus-archivists@asap.unimelb.edu.au) on 21 May 2003.

¹⁵ Sue McKemmish and Glenda Acland. "Archivists at Risk: Accountability and the Role of the Professional Society" (1998), Records Continuum Research Group website (<http://rcrg.dstc.edu.au/publications/archive1.html>).

¹⁶ Eastwood, "Reflections", 61-62.

emerge from appraisal as it is practiced. Participants in an accountability framework at this level would include institutional heads, practicing archivists, records creators, etc.

The components to support an accountability framework at this level would consist simply of written procedures and full documentation of appraisal activities undertaken. The first component (written procedures) would link institutional procedure to the accepted appraisal standard, while the second component (full documentation) would provide the means to audit the implementation of the procedures. The ICA's *Code of Ethics* encourages archivists to "keep a permanent record documenting accessions, conservation and all archival work done."¹⁷ This recommended practice would include documentation of the decision points of the on-going appraisal process model developed at the outset.¹⁸

In this section I have attempted to describe the three layers of accountability identified in the first section in terms of accountability components and give some idea of the principal participants or stakeholders. I have also established the requirement for a clear ethical basis for defining an appraisal standard which would in turn guide the development of institutional appraisal procedures. It is the demonstrated link between societal values and appraisal practice that would provide the three-tiered accountability framework with credibility. In the next section I will suggest that critical to the acceptance of this ethical foundation is an understanding of how long archivists will be accountable at each level.

How long are Archivists accountable?

¹⁷ ICA, *Code of Ethics*, article 5.

To this point I have speculated that a) there is such a thing as a business process for archival appraisal and b) that it is a continuous process beginning with record conception and continuing as long as the record exists. I have also related what I perceive to be a generally held conviction that the archival endeavour, of which appraisal is a central function, should support the sovereignty of the people, a democratic value, and help communities establish and maintain their identity.

The three accountability layers or levels introduce three kinds of time to the appraisal business process. To my mind, these correspond to the “Evidence”, “Organizational Memory” and “Collective Memory” points along “Evidence axis” of Frank Upward’s Continuum model.¹⁹ The span of time that the “Evidence” point relates to is defined by the requirements of the business process for which the records were created and used for in the first place. So, for example, the span of time for drivers licensing records is roughly equal to the span of time that drivers licenses are valid. The equivalent in the appraisal business process would be if my role as an archivist undertaking an appraisal was to complete a written recommendation for the disposition of a series of records. Within this layer, my accountability ends when the disposition is finalized. The values for accountability at this level arise within the institution that I work, and are defined by the procedures the institution requires me to follow.

¹⁸ Presumably the presence of a standard would change the language in the *Code* from a recommendation to a requirement.

¹⁹ Frank Upward, “Structuring the Records Continuum - Part One: Postcustodial principles and properties” in *Archives and Manuscripts*, 24 (2) 1996 and available on the web at <http://rcrg.dstc.edu.au/publications/recordscontinuum/fupp1.html> (checked 10 July 2003).

The second kind of time, which I have linked to Upward's "Organizational/individual memory", I think of as "organizational time" or "[human] life time". This span of time is defined roughly by the life of the organization or individual – I say "roughly" as organizations may have some lingering existence even after being absorbed by another organization. Similarly, for individuals, this span of time might better be defined as 'within living memory'. The values for supporting accountability in "organizational time" would be those that are in existence throughout the life of the organization. To continue the example of our archivist preparing a recommendation for disposition, the values would be determined by the role played by the archival institution for which the archivist worked. Is it responsibly fulfilling its mandate by allocating adequate resources to meet its appraisal responsibilities? Is it providing the best value for the resources it was allocated? Is it adopting new processes and tools as they emerge and are proven? Are its processes transparent, i.e., adequately documented and comprehensible to authorized examiners? These values are set by the organization's operational context and when that context is substantially changed so will the values by which it operates.

The final point on Upward's Evidence Axis is "Collective Memory", which I will relate to in terms of "historical" or "societal" time. I believe this too has a definable span of time – I have already provided the example that the society of republican and imperial Rome is no more. In the accountability framework proposed here, we cannot hold archivists from that period accountable using values from our own society today. Nor can we use today's values, which inevitably color our perception and therefore judgement, to accountably appraise records created in the time of imperial Rome (which is not the same as saying that such records cannot be maintained by modern-day preservers).

Thankfully not every day brings about the end of an epoch. I use the example of Rome to suggest that societies and the values that define them do end, and that it is at such a point when the accountability of archival appraisal ends. Most of those among us with appraisal responsibilities today probably live in relatively stable societies where while change is constant, such changes do not bring about an entirely new society with new values.

For this reason, the accountability framework must include a means by which archivists can understand those constant changes and how they may affect appraisal. For appraisal to remain accountable for the length of time I have suggested periodic checks are needed to ensure that changing values within the society it serves are noted. This is not to say that these checks should drive the values governing accountable appraisal, but they should show that those responsible for archival appraisal are aware of changes in values, and that such changes are being assessed over time. Checks might include such things as noting how preserved records fared in determining rights and privileges within our courtrooms – did they make the case, or were they dismissed as unreliable? How is archival appraisal faring in external audit reports of organizations like Transparency International, a non-governmental organization which reports on accountability?²⁰ Or internal audits such as the recently published testimony of the United States’ General Accounting Office on how successfully the National Archives and Records Administration has been addressing the management and preservation challenges of preserving electronic records?²¹ How checks are conducted and who participates in them would presumably vary in detail within

²⁰ I was unaware of this organization until Hurley referred to it in a recent posting on the aus-archivist listserv. Transparency International’s website address is <http://www.transparency.org/>.

each society. The starting baseline for such checks might be the articulation of the “large body of experience of the ways in which selection and preservation serves society and [how] this experience alerts us to values for our society” referred to by Eastwood.²²

It remains to address the frequency that such checks should occur – analogous to a doctor checking on the health of a patient in his or her care, to determine whether an intervention is necessary. Factors that might help determine frequency include monitoring the demographics of archives clients, i.e., the users of the records, observance of overt “change initiatives” such as e-government, or the emergence of competing “memory initiatives” such as the Internet Archive or Microsoft’s “Cyber All” project.²³ Modern information and communication technologies, by their speed of and general accessibility, not only make societies more ‘agile’ in adopting new or changed values, they also provide a means for members of those societies to contribute to the definition and expression of societal values.

It may be helpful at this point to look at the accountability and ethics of another organization that has long-term obligations to individuals and society. The span of time which the Nuclear Energy Agency (NEA) of the Organisation for Economic Co-operation and Development must consider goes “well beyond the lifespans of current or forthcoming generations, i.e., many thousands of

²¹ U.S. General Accounting Office, *Electronic Records. Management and Preservation Pose Challenges: Statement of Linda D. Koontz, Information Management Issues*, released 8 July 2003. Available at www.gao.gov/cgi-bin/getrpt?GAO-03-936T (checked 18 July 2003).

²² Eastwood, *Reflections*, 66.

²³ The Internet Archive was founded by Brewster Kahle. The interface to the Archive is via the “Wayback machine” (see <http://www.archive.org/>). “Cyber All is a project to encode, store, and be able to retrieve all of a person’s information for personal and professional use. The archive includes books, CDs, correspondence (i.e. letters, memos, and email), transactions, papers, photos and albums, and video.” Gordon Bell, “A Cyber All Project: A Personal Store for Everything” (MSR-TR-2000-75), July 2000. Available from <http://research.microsoft.com/research/pubs> (checked 18 July 2003).

years into the future.”²⁴ Of interest here are two (of four) principles used by the NEA to guide their choices about waste management strategies:

- wastes should be managed in a way that secures an acceptable level of protection for human health and the environment, and affords to future generations at least the level of safety which is acceptable today; there seems to be no ethical basis for discounting future health and environmental damage risks; and
- a waste management strategy should not be based on a presumption of a stable societal structure for the indefinite future, nor of technological advance; rather it should aim at bequeathing a passively safe situation which places no reliance on active institutional controls.²⁵

In recommending a particular disposal strategy for radioactive wastes, the NEA observed that it places “no requirement for further intervention or institutional control by humans. It assumes that siting records and routine surveillance would in practice be maintained for many years if society evolves in a stable manner.”²⁶ This represents a common opinion that any waste disposal strategy must be based on values present in today’s society. There is no claim that this approach will be seen to be an ethically appropriate one beyond that.

Conclusion

²⁴ “The Environmental and Ethical Basis of Geological Disposal of Long-Lived Radioactive Wastes. A Collective Opinion of the Radioactive Waste Management Committee of the OECD Nuclear Energy Agency” (1995), p. 7. Available at <http://www.nea.fr/html/rwm/reports/1995/geodisp.html> (checked 18 July 2003).

²⁵ Ibid., p. 8.

Developing a new business process or changing an existing one is a challenge at any time. The imperative need to change the archival appraisal process is based on a rapid transition to computer-based information and communication technologies by governments and corporations. This transition to new technologies is much less evenly distributed at the individual level.

If archival appraisal is in fact a business process, then as such it must be clearly defined and understood as a prerequisite to establishing any kind of accountability structure. I have tried to outline the process as a shared responsibility of the record creators, archivists, and the institutions that sustain the endeavour. I have drawn on the records continuum model to support my contention that there are three layers of accountability in play. And I have pointed to the ICA's *Code of Ethics* to emphasize the inseparability of accountability and ethical behaviour. Finally, I have suggested that overall the archival ethic of appraisal is incomplete, at least in relation to the appraisal business process as I have defined it.

Of the three layers of accountability, which I believe must be interrelated, the first – accountability to the business process itself – may already be completely defined by standards. Which is to say that it could be audited and challenged within its own business process time context. And it may also be that this is the only layer which is affected by the record medium. It is essential, in my view, that the two remaining layers of accountability – accountability to organizations and individuals, and accountability to society – must also be defined by a standard that permits measurement for successful implementation. Without these higher layers, there is no way to support the archival function of appraisal as an accountable contributor to human memory. By basing accountability on sensitivity to social values, appraisal minimizes the risk of

²⁶ Ibid., p. 12.

records deriving their value solely from “theorizing and selection principles of archivists who identify their source and scope, judge their value, select and preserve them prior to their creation and then “appraise” them again post-creation.”²⁷

Let me repeat Eastwood’s observation that in many democratic societies, the role he outlines for archives “is not realized in the mandate of the public archives or appreciated by political leaders and their subordinates.”²⁸ This is, I believe, consistent with my contention that a fundamental challenge to developing an archival appraisal ethic is the acceptance of the period of time relevant to an accountability framework. If archivists choose to base an appraisal ethic on the values of the societies in which they live and work, then that ethic remains relevant through the existence of that society. Without an articulated understanding of societal values and how appraisal helps support them, there will be no incentive to change those mandates or the appreciation of the purpose of appraisal by political leaders.

²⁷ Lily Koltun, “The Promise and Threat of Digital Options in an Archival Age” *Archivaria* 47 (Spring 1999), 123.

²⁸ Eastwood, *Reflections*, 69.