

## The trust continuum in the information age: a Canadian perspective

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**Abstract** This paper examines the role of trust in the information continuum. It argues that in the context of Canadian federal government records, an analogous ‘trust continuum’ is a useful model for analysing the relationships that exist between creator, archives and user in the information-abundant environment. The paper borrows from sociological theory to posit that creator, archives and user are bound together in a complex expert system that facilitates trust and mitigates risk in a broad societal context and contends that these interactions are shaped at the macro level by a dominant public discourse of accountability. These points are illustrated through three recent examples at Library and Archives Canada. First, the relationship between Canadian society and the archives is explored by interrogating the concept of relevance and assessing the feasibility of managing a pan-Canadian collection via a national network of knowledge institutions. Then, the role of trust between the archives and the creator in the management of government digital information resources is examined in light of the recently issued Directive on Recordkeeping, and in the context of LAC’s Trusted Digital Repository. Finally, Commissions of Inquiry—and the Indian Specific Claims Commission in particular—demonstrate both the power of archival records in repairing trust between a society and its government and the iterative nature of the relationship between the user and the archives.

**Keywords** Trust · Accountability · Commissions of inquiry · Trusted digital repository · Recordkeeping · Continuum

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Our current preoccupation with the idea of trust is not a new phenomenon. This obsession is reflected in the ubiquitous discussion of trust echoing from the hallowed halls of the academy, to the laws and regulations that frame public policy, to our quotidian interactions with neighbours, colleagues and strangers. What is trust, and how does it shape our lives? This discussion stems, presumably, from a societal desire to understand how we, as individuals, know how to engage with the body corporate, as well as, perhaps, from a semi-conscious sense of surprise that democratic society succeeds at all, and in an essentially self-regulating manner at that. We apprehend that it must have something to do with trust, and that without this fundamental human ability, our society would not persist. And, perversely, we equally apprehend that trust is tenuous, ethereal, and very easily lost.

In this article, we explore the role of trust in the relationships between archives and society in Canada in the information age. Whereas there has been extensive examination of trust relationships in the field of public administration, a review of the archival literature reveals a continued preoccupation with the notion of trust primarily as it pertains to the authenticity of individual documents and the preservation of this authenticity in the digital domain.<sup>1</sup> In light of the broader challenges of the digital age and the current crises in funding and resourcing for memory institutions around the world, it seems time to examine trust in the archives through a sociological and conceptual lens. In this way, we begin to interrogate what the place of “trust” is in the relationships between archival institutions and society at large. In particular, we posit that the twin imperatives of information abundance and a dominant discourse of accountability have resulted in a seminal renegotiation of the trust relationships between government, Library and Archives Canada (LAC), the creator or donor and the user of archives. The age of the information continuum is mirrored in a trust continuum between archives and a society characterized by fluidity and dynamism.

The following paper will examine the trust continuum through three perspectives drawn from recent experiences at LAC. First, the tension created by the juxtaposition of the modern information-abundant society and the traditional mission of the archives is explored through consideration of the concept of relevance and the need for a pan-Canadian collection managed collaboratively via a network of knowledge institutions. Then, the role of trust between the archives and the creator in the management of digital information resources is examined in the policy and technology framework that forms the basis of the Government of Canada’s *Directive on Recordkeeping*, and LAC’s Trusted Digital Repository for digital information resources. Finally, the trust required between society and its government (and archives as agent of both), and the intricate, dialogic relationship between the user and the archives is considered through a case study of records created by Canadian Commissions of Inquiry and their subsequent preservation at LAC.

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<sup>1</sup> See for example MacNeil (2000), Lynch (2000), and Hedstrom (1997). Speck (2010) provides a useful literature review, as well as a unique focus on the practical manifestations of trust in the archives.

## Archives, society and systems of trust

Trust, as defined by the Merriam Webster dictionary, is a subtle and complex concept. Trust (-worthiness) can connote either a quality of a person or object, or an attribute of relationships—both relationships between individuals and those that exist among social groups or corporate bodies. The word is used to describe a vast range of interactions between people and things and depending on the context can be interchanged with such concepts as “confidence”, “competence”, “reliability”, “good faith” and even “hope”. The breadth and extent of the ongoing research into trust in the social sciences underscores the fact that there is no common or neutral understanding of the concept. Indeed, as the heuristic nature of trust is interrogated and debated in multifarious and overlapping contexts, its definition merely becomes more nuanced and problematic.

Whereas most of the archival literature has to date been primarily focused on whether or not trust should be placed in objects or artefacts, it is the trust that exists between groups within society that are of particular interest to us here. In examining the relationship between archives and society, we assume that “trust” is a social construct, one that is defined by agents or communities for specific, self-serving purposes usually related to maintaining some form of control (good or bad) and/or power. We further posit that there is a dominant discourse of “accountability” and “transparency” that frames this construct in the contemporary archival domain.

It is in this context, for example, that we examine the current debate over the meaning of “relevance” at LAC. Government archives around the world are currently grappling with the parallel challenges of serious spending cuts and the seminal shift from analogue to digital collections. In Canada, these confluent problems can be discerned as the impetus for the major institutional renewal, a process called “Modernization”, currently taking place at LAC, Canada’s national archives.<sup>2</sup> One of the primary goals of modernization, as articulated by the Librarian and Archivist of Canada, Dr Daniel J. Caron, is to ensure *relevance*: that is, the continued (and even augmented) relevance of a national archival collection in the twenty-first century.<sup>3</sup> As currently envisioned, this relevance is to be characterized by: a focus on the digital; the sharing of responsibility for national documentary heritage among a wide network of memory institutions; and the renewal and rationalization of acquisition criteria. LAC will embed these characteristics in a clear and robust institutional policy framework. While modernization certainly stems from the immediate imperatives of fiscal responsibility and the transition to a world of electronic archival information, on a more profound level, it reflects a broader realignment of the relationship between government and society. It is argued here that discourses of accountability and transparency have become so dominant in our society that they determine the vocabulary available to us when we seek to define what “relevance” means in the archival world. To put it more emphatically, our understanding of “trust” with respect to the place of the archives

<sup>2</sup> <http://collectionscanada.gc.ca/modernization/index-e.html>.

<sup>3</sup> See, for example, “Shaping our Continuing Memory Collectively: A Representative Documentary Heritage” (<http://www.collectionscanada.gc.ca/whats-new/013-449-e.html>).

in government and in society is now defined by this dominant discourse, and this in turn shapes the systems that we construct to formalize this relationship.

While at first glance, it seems overwhelming to attempt to express the nature of the trust relationship between an archival institution and the society within which it sits, when examined through the lens of the rhetoric of public accountability a discernible pattern emerges. In this section, we look briefly at how the ideas of societal change and archival relevance, in the context of information overload, have defined a trust continuum made tangible through a series of codified systems and relationships. We suggest that it is useful to borrow from sociologists the concept of the “expert system” in order to explore the nature of the trust relationship between the archives, its donors or creators and its users.

### Relevance and societal change in the information age

Much has been written about the contemporary information-based society and its impact on information keepers and archives. Floridi (2009, p. 154), for instance, has noted the sudden and unprecedented overabundance of information: “The almost sudden burst of a global information society, after a few millennia of relatively quieter gestation, has generated new and disruptive challenges, which were largely unforeseeable only a few decades ago.” We also know that information is created and used differently, with collaborative authorship being the norm, along with constantly evolving documents, and the repurposing and reconfiguring of data and records into new resources. We are working, therefore, within an environment where there is more information than ever before, and it is infinitely changeable and potentially re-purposed into new and different documentary contexts.

How, in this environment, do we define the scope of a relevant collection? Clearly, it is fruitless to quibble about the relevance of isolated portions of the archival holdings to individual users. On a more general level, however, the archives as an institution must constantly struggle to be relevant to the users it serves, to the donors from whom it acquires and to the society at large represented by each. Archival appraisal theory has long wrestled with the complexity inherent in the archival imperative to build a collection that reflects an ever-evolving society, comprised of records produced by ever-changing creators, and to be consulted by a group of ever-new users.<sup>4</sup> While change is given, the archives as an institution should nonetheless strive to be relatively stable within this environment; this, by extension, allows the relationship between the archives and the broadest articulation of the society it serves (both as an information keeper and an information provider) to remain relatively stable and reliable. That is, given that trust is predicated—at least in part—on predictability and stability, and that trust is often less about what *is* than what is *perceived to be*, how do we reconcile the clear need for innovation with our responsibility for nurturing trust between ourselves (as professionals) and those we serve? Pursuing relevance through updating appraisal and acquisition criteria is

<sup>4</sup> Influential points of view from the first half of the century are Jenkinson’s impartial and objective archivist waiting for archives to be deposited upon the selection of the creator (Jenkinson 1968) (first published in 1922), and Schellenberg’s view of the life cycle with clear roles for the records manager and the archivist (although with some allowance for co-influence) (Schellenberg 1956).

particularly problematic, given that the criteria and frameworks by which archives acquire material and make it accessible should be as consistent as possible. Indeed, the challenge of appraisal and archives in a changing world is nothing new, as explored by such scholars as Hugh Taylor (2003; first delivered 1988), Terry Cook (2005) and Hans Booms (1987, 1991–1992), among others.

There are two factors that make the question particularly difficult for the contemporary government archives: the growing preoccupation of individuals within society to hold their government to account, and the isolated information-seeking habits of individuals in an environment where information is increasingly democratized, and available in its finest detail at the individual desktop or handheld/portable device. While our systems and criteria for appraisal are as codified and constant as possible, they are devised to support the trust relationship between the archives and society as a whole, rather than between the archives and the individual citizen. If it is a given that the archives cannot possibly acquire all the material with the potential to be used in the future, it is also a given that a citizen is eventually going to seek information that has not been acquired. This can, in turn, jeopardize the trust relationship between the individual and the archives. Strategies for mitigation can include effective stakeholder consultation, and even greater transparency in terms of a codified methodology for making appraisal decisions.<sup>5</sup> While neither tactic can address every potential individual concern, both serve to bolster the system and integrate aspects of the individual/institutional trust relationship. It should be noted, however, that here the risks to the trust relationship result from the changing expectations of individuals rather than the changing business model on the part of the archives. That is, the parameters of the social construct of trust shift as parties to the relationship evolve, and this, in turn, requires a renegotiation of the vocabulary of trust by the other parties to the relationship. Moreover, such shifts do not necessarily follow the dictates of conventional hierarchy or hegemony; indeed, they can be instigated by those perceived to have less agency or power in the relationship.

In the context of modernization at LAC, we are seeking relevance through a new articulation of appraisal and acquisition criteria that we hope will embody both longevity and the necessary dynamism. These criteria are defined in terms of five guiding principles—significance, sustainability, sufficiency, societal value and suitability—and are to be applied to information resources no matter their form or source. The implication is that LAC's holdings are viewed as an integrated entity and that appraisal and acquisition (as well as access) decisions take into account all variables. The objective here is to balance relevance now, with relevance in and for the future, and with the responsible use of public resources. Further, and in light of

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<sup>5</sup> LAC has, for example, embarked on an ambitious programme of stakeholder consultation. In addition, archivists and managers have long discussed the possibility of proactively publishing appraisal decisions. In the government records context, these are currently available only to the creator department in question, or via formal access to information requests. Interestingly, one of the challenges to systematic publication of appraisal decisions is another piece of legislation intended to make government documentation *more* accessible to the Canadian public and to *reinforce* trust between the citizenry and the federal government: the *Official Languages Act* (RSC 1985, c. 31). Under this Act, publication of appraisal reports would require that each report be translated into either French or English; at present, the complexity and volume of government records appraisal reports makes this a formidable prospect.

the challenges posed by information overabundance and the fluid definition of relevance, LAC has postulated that the only way truly to reflect Canadian society is through a pan-Canadian collection held not only by LAC but also by various partners within a broad network of memory institutions across the country. That is, LAC should consider its obligations in terms of reflecting societal value in the context of this broad, pan-Canadian collection. So, for example, while LAC may determine that a given information resource is significant and bears societal value, it may not be sustainable or suitable for LAC to acquire it, or may pertain to a subject for which LAC already holds sufficient information resources. In this case, LAC might seek, through a variety of means, to facilitate acquisition by a partner institution.

While this type of collaborative, total archives framework might be the only true way to reflect the diversity of Canadian society, it poses a whole new series of challenges relating to trust.<sup>6</sup> For example, how are we to establish and maintain sufficiently trusting, collegial relationships with our collaborating institutions? Perhaps more importantly, how are we to ensure their longevity over the long term, given the vagaries of funding uncertainties, shifting public priorities, regional diversity and political capriciousness? These concerns are mitigated, to some extent, by the ability of a contemporary, democratic citizenry to rely on abstract, impersonal systems perceived to be trustworthy, rather than requiring individual strategies for each potential risk. This ability has grown in tandem with the post-war expansion of government, the concomitant rise of a professional, impartial, Weberian bureaucracy and the increasing abundance of information. The frameworks for formal trust relationships in modern society have been explored extensively by sociologists such as Anthony Giddens, whose “expert system” (Giddens 1990) is a useful model for thinking about the role of trust in the information continuum. In this framework, the archives is the centrepiece, surrounded by expert systems that express and invoke trust between the archives and the creator, donor, user and society itself.<sup>7</sup> As such, we can better explain the faith that can exist between society and the archives despite the fact that users may have limited or no understanding of what (if anything) underpins that faith. In the context of modernization at LAC, the focus on the development of a rigorous policy suite that codifies relevance seeks to reinforce this model of systemic trust.

At the same time, the imposition of a business model on the mandate and governance of archival work—particularly in an institutional setting—can create discomfort and anxiety among professionals. The quest to quantify and audit both archival judgment and the value of holdings and to justify resource requirements

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<sup>6</sup> Laura Millar (1999) provides further context on the evolution of the Canadian total archives system and underscores the need for a means to coordinate acquisition and preservation efforts among individual archives, both public and private.

<sup>7</sup> Laura Millar (2006, p. 62) has explored this idea in the context of the relationship between archival description and accountability. She notes, “a broader organizational and social accountability, managed through a regulatory environment that requires honest and complete documentation of actions and decisions is necessary to ensure the integrity not only of current and historical records, but also of the agency itself.” In addition, Cook (2005), Brown (1991–1992) and Upward (1996; 1997) have applied Giddens’s models to archival relationships.

accordingly can be a frustrating exercise and may be perceived as a diminution of professional identity and worth. This raises interesting questions about the role of the professional in the expert system, and about the implications for societal trust when an individual on the “inside” struggles to see their place in a complex system increasingly defined in abstract terms. Such a challenge is proportional to the size of the organization and then multiplied again when that organization is but a small piece of a much vaster bureaucracy and therefore buffeted by various ancillary public policy concerns.<sup>8</sup> Moreover, such anxiety—even distrust—can extend beyond the confines of a given institution and permeate the broader library, archival and historical research communities, as these clients watch changes unfold.<sup>9</sup> As such, it is useful to probe the nature of our relationships with the myriad stakeholders in order to better understand the layers of trust that exist around the creation, keeping and provision of access to archival records. In the next section, examples drawn from Canada’s policy and technology framework provide a starting point for such an inquiry into the trust continuum.

### **The creator in the trust continuum: the duty to document and the Trusted Digital Repository<sup>10</sup>**

While it may be argued that any archive is inherently a trusted repository, the term “trusted digital repository” has come to mean something quite specific in common archival parlance. The establishment of such a programme, policy suite and technical infrastructure for the ingest, management, preservation and provision of access to digital objects requires intense cooperation with creators and users. The role of the creator in the trust continuum is essential and in the case of Canadian government electronic records is manifest in recordkeeping regulations and archival transfer requirements.

For institutions, and governments in particular, the trust between departments and the central agencies that regulate the creation of records and the subsequent relationship between the department and the archives is more embedded than that of other donor dealings. The reliance on the goodwill of the government to create adequate records for accountability and to transfer the best archival record is not enough, and archives are taking a more and more active role in the creation and determination of the business and archival value of records.<sup>11</sup> In Canada, a regulatory and policy framework has been established at two levels: (1) to ensure that appropriate records for accountability are created by agencies and (2) to ensure those records bear the traits necessary for their long-term preservation and access.

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<sup>8</sup> These types of issues present evident change management challenges for organizations like LAC that attempt the transition from institution-specific, curatorial bodies into a policy-oriented, national system leaders.

<sup>9</sup> LAC has sought to mitigate this anxiety through a series of consultations with stakeholders over the course of the modernization process.

<sup>10</sup> The authors wish to thank Greg Bak and Brian Thurgood for their contributions to this section.

<sup>11</sup> Archival literature supporting the records continuum and post-custodialism are examples that support this finding. See in particular McKemmish (1994), Acland (1992), Cook (1994, 2005).

The move to the desktop computer has added a layer of complexity to the information relationship in a government context—as it has, for that matter, in any organizational recordkeeping environment. Whereas up to 20 years ago a unit within the organization was typically assigned responsibility for recordkeeping, currently the role is filled by each worker individually. A policy context for recordkeeping can be found in most institutional and government settings, but bureaucrats generally lack the skills and training required to be record keepers, and rarely have they formally accepted such a role. Such a policy-based obligation would make explicit the expectations that form the basis of the trust relationship and the commitment of the individual to carry them out. This changing relationship within organizations on both the individual/agency and agency/archives levels can be illustrated by exploring the new Government of Canada *Directive on Recordkeeping* and the evolving electronic records programme at LAC.

The trust relationships that exist between LAC and government creators, and the associated obligations, are formally framed by the *Library and Archives of Canada Act*.<sup>12</sup> Most simply, these relationships can be conceived of as bilateral—that is, archives to donor, LAC to department, agency to agency—and the parameters of this formal relationship are straightforward: Under the LAC Act, the Librarian and Archivist of Canada is responsible for legal deposit of published material, has the power to authorize either the transfer or destruction of government records and may acquire and preserve websites. The simplicity of the legislation belies, however, the complexity of the relationship that exists between the archives and the creator in the digital age. In practice, the digital era has compelled a much more nuanced trust relationship because the components inherent in the expert system are not immediately understandable by all parties and are not controlled in a traditionally hierarchical fashion. In the desktop computing environment, the individual bureaucrat occupies a much more powerful role than before.<sup>13</sup>

#### Audit as a monitoring agent in government: the recordkeeping crisis and response

The rise of desktop computing in departments and the concomitant explosion of information coincided with the brutal budget cuts that characterized Canada's fiscal policy of the 1990s. These resulted in the elimination of many records management programmes and sowed the seeds of the current recordkeeping crisis. This was only compounded by the fact that throughout the 1980s and 1990s, government records

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<sup>12</sup> SC 2004 c. 11 effected the amalgamation of the former National Library and the National Archives.

<sup>13</sup> The impact of this shift can be seen in the scope of LAC's archival electronic holdings. While desktop computing provided individual users with an unprecedented ability to create and store their own documents, departmental records management regimes in the Government of Canada failed to adjust to this new environment. In many cases, print-to-file remained (and still remains) the rule, despite the fact that staff are now saving their own copies of documents on hard drives and shared drives instead of relying on central file registries. The result has been a noticeable gap in LAC's holdings and legacy electronic records still held in departmental custody. The archival records from the 1970s and 1980s mostly consist of relational database records and similar large data files (e.g. census records, geospatial and scientific data), despite the fact that database records long ago stopped being the sole, or even dominant form of electronic records.



portfolio archivists at the (then) National Archives continued to deal almost exclusively with analogue textual records, ceding control over graphic, audio-visual and electronic records to archivists with media specializations. Consequently, not only was there a very tenuous grasp of electronic recordkeeping among both creators and archival professionals, but the balkanization of electronic records as a result of their characterization as specialized media meant that electronic records programmes and strategies suffered.<sup>14</sup>

The crisis in recordkeeping finally came to an official head in 2003. In her report of November that year, the Auditor General of Canada raised the alarm about the poor protection of cultural heritage within the Government of Canada. She roundly criticized the state of both published and archival collections and highlighted the need for major changes in the disposition programme at LAC. Compounded by the particular public administration challenges associated with governance in the digital era, and computer-based communications technology, these issues were of sufficient profile and importance to attract the attention of Canada's two highest-ranking public servants—the Clerk of the Privy Council and the Secretary of the Treasury Board.

The response of both LAC and the Treasury Board Secretariat (TBS) to the Auditor General's criticism made explicit the need for creator departments more actively to share responsibility for ensuring authenticity and reliability of the archival record. This response reflected broader, contemporaneous shifts in the policy regime of Government. For example, 2006 saw the introduction of the *Federal Accountability Act* (SC 2006, c.9). This omnibus bill ushered in a rigorous new rhetoric of accountability, including the notion of the “duty to document” for public servants—that is, the requirement for records to be created in the first place as evidence of activity. The Government of Canada *Policy on Information Management* was also strengthened to include clear roles and responsibilities, and preference was given to the creation and maintenance of information in electronic form. Further, in 2009, a *Directive on Recordkeeping* was issued which places responsibility for good recordkeeping on programme managers in government (Government of Canada 2009). Compliant recordkeeping involves defining information resources of business value in relation to the mandate of the department, and managing those resources by such means as a classification scheme or taxonomy, capture in a repository, documented destruction, etc. Support tools for each of these requirements are being developed by TBS and LAC with the close collaboration of departments. Programme managers are assessed on their compliance to the Directive though the *Management Accountability Framework* (MAF) which has an impact on agency and individual performance measurement (Government of Canada 2003; Thomas 2010).<sup>15</sup>

<sup>14</sup> The further challenges of managing information within a Web 2.0 collaborative online environment are beginning to be apparent. We are being drawn more than ever to reconsider the information lifecycle, the notion of a file, of an author, and even of provenance. The relationships and the associated trust paradigms of this environment are myriad, and the associated challenges of acquiring and preserving these types of information have yet to be met.

<sup>15</sup> The Stewardship element of the MAF requires evidence pertaining to information management, corresponding to the *Directive on Recordkeeping*.

## Necessity for a trust-based policy/procedure system for electronic records

The relationship with records creators is key in laying the groundwork of trust, that is, in ensuring that digital objects are created in the first place, and that they bear the characteristics that will eventually enable their transfer and preservation in an archives. Of course, the reliance on government departments to manage information more actively prior to arrival at LAC is only one aspect of the trust paradigm between the creator and the archives. In order for trust to be established, maintained and reinforced, both creators and society need to have confidence in the preservation of their information following its transfer to the archives. While this is not peculiar to the digital age, the associated challenges are much more complex in the world of electronic information because many of the controls and technical requirements must be established by the creator. In response to these challenges, LAC has been developing a trust-based policy and procedural framework to define its relationship with creators and to articulate LAC's own commitment to the preservation of digital documentary heritage materials of enduring interest to the history and culture of Canada, and, in collaboration with others, to enable the preservation of other digital information resources of value to Canadians (LAC 2000).

Policies, however, are not enough. To build a digital repository that is truly trusted by information creators and the user community, an organization must demonstrate its commitment to digital preservation systems that are sufficient to meet the needs of digital preservation over time. This includes the ability to preserve digital objects with their authenticity and integrity intact, and with sufficient safeguards against media degradation, natural disaster and human error. It also includes the ability to render those objects, either in their original format or in a new format that preserves the integrity and authenticity of the original. A trustworthy digital repository, moreover, will maintain sufficient metadata about the object to demonstrate the integrity and authenticity of the original, as well as to document all media and format migrations, not to mention any other digital preservation or accessibility measures undertaken by the repository. LAC is currently building its digital preservation systems to accomplish these goals. Transparency around its policies, systems and resources provides clients and users with grounds to trust the institutional commitment to digital preservation, as well as to trust the TDR itself.

## Implementation of a system-based TDR

The TDR is based on the Open Archival Information Systems Reference Model (OAIS 2002) and validated by using the Trustworthy Repository Audit and Certification Checklist (TRAC) (OCLC 2007). The OAIS model relies upon trust—trust from the creators and users of information assets that the repository will implement sufficient measures to preserve them and keep them accessible over the long term. OAIS emphasizes the organizational context in which digital preservation occurs. In order to have trusted digital preservation, the archives must have a detailed policy framework in place, but it is equally important that there also be clear expectations established between the archives and the records creator. For LAC, these expectations are detailed in PAIMAS (Producer-Archive Interface

Methodology Abstract Standard), particularly in the Preliminary Phase and in the Formal Definition Phase, and actualized through acquisition mechanisms such as the Records Disposition Authorities (RDAs) that LAC enters into with federal government departments, legal deposit, web harvesting, or agreements with private donors.

Much has been made of the controversy surrounding post hoc description versus a reliance on creator-generated metadata based on a continuum model (Millar 2006). But in an information-abundant world, the experience at LAC has been that—even in the analogue realm—the volume of archival material precludes archivists from describing government records acquisitions in any detail below the series level. Records are prioritized for file-level description, but the reality is that those received with file lists from the creator get greater access sooner. The accompanying metadata are even more crucial for digital records that have been defined as the object plus its metadata. The metadata requirements go beyond simply the descriptive and are essential to ensure the transfer and preservation of the assets. Ideally, these item metadata are generated by the records creator and accompany the digital object at the time of transfer. Requirements for metadata for government records are typically outlined in the terms and conditions which accompany an RDA. For paper records at the file level, LAC typically requires at least a file title, dates, file code and container number. For electronic records, the requirements for metadata are at the item or object level. However, LAC has moved to a standalone, core set of metadata which can be updated and modified as requirements change. This core set will be in line with the new Government of Canada Metadata Standard and will be articulated in the Implementation Guide for Recordkeeping Metadata. For electronic publications, LAC is looking at tools to automatically extract metadata from the object and auto-populate the TDR.

Another crucial part of the transfer agreement is a negotiation of file formats. In order to facilitate standards surrounding the transfer of electronic records, LAC is currently developing a Local Digital Format Registry to guide donors regarding preferred formats. While this registry is meant to assist all records producers and donors, it is likely the requirements for government departments will be somewhat stricter, and that LAC will require (as opposed to suggest) submission of records in preferred formats. Most government departments welcome this kind of advice and guidance and may even use the preferred file formats for non-archival records, if they have long retention periods. Once the transferred records have been validated as archival, LAC TDR staff and systems process and describe the records in order to make them available to LAC clients. The first step in this process is to verify the access rights to the metadata of an individual archival record. LAC TDR manages an integrated process whereby archival collection management staff perform an initial review of metadata, allowing for the transfer of open metadata into MIKAN (LAC's catalogue of archival descriptions), where it can be discovered by the public, while potentially closed metadata are transferred to access rights staff.

The primary difference between the digital assets and those in other media is that LAC has not generally described its paper and other media holdings down to the level of the individual item. Users will click on an embedded permanent identifier in the MIKAN records, which will allow the user access to the item. This

unprecedented level of access to government records is made possible only by the capture of creator-generated metadata, and the automated transfer of these metadata to the descriptive database implies a similarly unprecedented level of trust in the creator. Eventually, all content will be full-text indexed, and these indexes made available through LAC's integrated search engine. There is, of course, a challenge to opening up these full-text indexes and even of exposing the potentially vast amount of item level descriptive metadata, as the richness of these resources may bias searches run through LAC's search engines to disproportionately return hits from the LAC TDR. This will have to be countered through some form of relevance ranking, whereby search results are analysed by the engine (based on descriptive metadata, popularity and links to other documents, for example) to determine the most pertinent sources and subsequently presented to the user in that order. Further, LAC is piloting the capture of user-generated metadata, through social networking, tagging and other Web 2.0 means. Hesitation about the trustworthiness of such contributions can be mitigated through balancing their organic nature with the systematization of review and control. Again, the network of relationships between creator, archives and user can be leveraged to improve access through trusted description.

#### Archives as trusted custodian and the “T” in TDR

The development of LAC's electronic records programme has focused on a two-pronged approach. LAC has made great strides in collaborating with government departments to ensure that proper attention is paid to the creation and management of records before they reach the archives. This has been accomplished through the delegation of authority for recordkeeping to the programme managers, and through the new requirements for recordkeeping as outlined in the *Directive on Record-keeping*. While the five-year implementation plan for the Directive is still underway, there is already close collaboration between LAC and departments as they develop their compliance strategies. Moreover, through the TDR, LAC is building its policy and technical infrastructure, so that it is able to ingest and manage those electronic records designated for transfer. The development work for ingest and storage of government electronic records is complete, and end-to-end testing has been successful.

Further, with government departments as partners, LAC is considering the benefits of distributed preservation through a network of TDRs in government. Clearly, this would have benefit for records of archival value with long retention periods, some of which are actively used by departments for as long as 100 years. In this way, the responsibility for recordkeeping and long-term preservation within the Government of Canada as a whole could be shared through departmental TDRs. For example, TDRs are being constructed for the preservation of government data. LAC is dedicated to participating and partnering in the preservation of these data by its creator and user communities. There is some push to consider the government network as a long-term custodial relationship for the retention of archival records as well. This illustrates a stretching of the creator–archives trust relationship even further and is currently under consideration by LAC. Some of the issues that require

balance are the arms-length relationship of the archives to the creator/government department and the accompanying assurance that the information resources will be kept permanently and in a manner that guarantees their authenticity. In Canada, the added wrinkles of the application of Access to Information and Privacy (ATIP) legislation must be considered. If the records remain under departmental control, the department is responsible for administering ATIP legislation and therefore cannot make use of the exemptions afforded to LAC to make information resources available to researchers. The complications of defining “control” in a physical world have proven challenging enough; in a virtual world—with its own bit/byte physical server location, coupled with multiple copies, location of access to the information, and so forth—the need to define and codify this legal arrangement is even more crucial. Any attempt on the part of LAC to extend a TDR network to the archival community at large will not only compound the problem but may even expand it to encompass the complex realms of inter-governmental and private control.

Clearly, there is more of an appetite than ever before to extend the role of the archives back in the records continuum to influence records creation. There is likewise a potential flow of responsibility from the records creator into what had been the strict domain of the archives. In this world of overlapping responsibilities, the agreements, systems and accompanying bonds of trust are even more significant to ensure the ongoing relationships between creators and archives, and the continued creation, preservation and use of digital archival information resources.

### **The user in the trust continuum: Commissions of Inquiry and the dialogue of government accountability**

The third part of this article looks at the role of the archives user in the trust continuum. As we have seen, if we borrow from Giddens’s framework when thinking about the role of trust in the information continuum, we can consider archives—particularly national archives—as a key component in the disembodied expert system that underpins the trust between society and government in a democracy. National archives are (in most cases) intended as trusted repositories for records produced by government. Implicit in this function is the idea that government has a responsibility for maintaining an audit trail regarding its own business, or, in other words, the archives exist as evidence that government has carried out its responsibilities to society.<sup>16</sup> Although archivists take this for granted as standard operating procedure, perhaps even to the extent of complacency or “glibness” (Harris 2007, p. 173), such an arrangement cannot, in fact, exist without

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<sup>16</sup> NARA’s mandate statement on their website is an example that encapsulates this neatly: “But we also hold in trust for the public the records of ordinary citizens ... In a democracy, records belong to the people, and for more than seven decades, NARA has preserved and provided access to the records of the United States of America. Records help us claim our rights and entitlements, hold our elected officials accountable for their actions, and document our history as a nation. In short, NARA ensures continuing access to the essential documentation of the rights of American citizens and the actions of their Government” (<http://www.archives.gov/publications/general-info-leaflets/1.html>).

a fundamental trust on the part of the citizenry that the government can be relied upon both to create and keep an integral record which, properly, also includes evidence of negligence, malfeasance and missteps.<sup>17</sup> Likewise, Commissions of Inquiry are constituent parts of the expert system of accountability in a democracy. While federal Commissions of Inquiry can be established to investigate any number of issues ranging from natural disasters to the economy, they frequently probe social and cultural problems of national importance, questionable political activities and the resolution of disputes wherein the government itself is directly implicated. In short, Commissions are often established by governments to investigate breaches of public trust and as such represent recognizable and repeatable components of a successful and reliable democratic civil society.<sup>18</sup>

What is particularly interesting in this context is the role of the Commission as a user of the archives. Much scholarly attention has been paid in recent years to the complex role of various types of truth and reconciliation commission to both societal healing and governmental accountability.<sup>19</sup> In this case, however, we are interested in a particular aspect of this role: Specifically, we use the example of a Canadian Commission of Inquiry to explore the organic, dialogic relationship between the body politic and a government institution. In doing so, we argue that society—as an abstract user of the archives—not only exerts moral pressure on governments but also shapes both the archival record and standards of social justice through exploiting the public discourse of accountability.<sup>20</sup> In this way, the archives user engages in and reinforces the expert system governing the trust continuum. Or, in simpler terms, despite the fact that Commissions of Inquiry have essentially retained the same basic (simple) structure and formal (limited) powers since the nineteenth century, the *informal* influence of these institutions has been vastly expanded thanks to the use of and focus on archival records.<sup>21</sup>

Never trust a person who says “trust me”

That Commissions of Inquiry are key components in the expert system governing trust relationships within democratic society is at the same time both sublime and ridiculous: the government acknowledges untrustworthy behaviour (often in response to a demand on the part of the citizenry), but nonetheless trusts itself

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<sup>17</sup> Verne Harris (2007), for example, has explored the problematic, tenuous nature of this responsibility. See also Rosenberg (2001).

<sup>18</sup> Royal Commissions are both historical and legal phenomena, adopted in Canada from Britain, where they had experienced renewed popularity in the nineteenth century (Henderson 1967). In Canada, they are appointed almost exclusively under the *Inquiries Act* (RSC 1985 c.I-11), first passed in 1868. Since Confederation in 1867, there have been more than 450 federal Commissions of Inquiry (Whalen 1990).

<sup>19</sup> The literature is extensive, but in addition to the seminal writings of Harris (2007) see, for example, Nannelli (2009) and Caswell (2010).

<sup>20</sup> This is therefore congruent with Cook’s (2005) arguments about the impact of citizen–state interaction on the archive.

<sup>21</sup> This informal influence is, in turn, nuanced by such factors as the degree to which the media takes an interest in both the issue at hand and the resulting record. This is discussed further below, in the context of the Gomery Commission.

enough (and is trusted enough) to oversee its own investigation. Impressive, but also curious, given that the actual power and influence wielded by Commissions can be both variable and dubious. Not only are governments in no way bound to act (legislatively or otherwise) upon the recommendations of their appointed Commissioners, but they also dictate the terms of reference and can closely circumscribe the scope of investigation.<sup>22</sup> In light of the arguable tenuousness of the Commission as an agent of impartial investigation and audit, and in the context of the relationship between archives and societal trust, the rapidly increasing importance of the resulting record is significant. Prior to 1960, the availability of records of Canadian Royal Commissions mirrored, to a certain extent, the nebulous nature and integrity of the mandate of the Commissions themselves. When, at that time, George Henderson sought to create a definitive, published handlist of Commission reports and records, the task turned out to be arduous: Ultimately, he was able to locate only three quarters of Commission reports.<sup>23</sup> This was due in part to the fact that some earlier Commissions of Inquiry never submitted reports, or that a manuscript copy was all that had ever been produced—both of which attest to the fact that in the eyes of the government of the day (and perhaps of the Canadian public), results of federal inquiries varied in their importance and potential impact.<sup>24</sup>

This began to shift, however, midway through the twentieth century, and Henderson's quest to locate and list Commission proceedings can be seen as a result of the growing importance of these bodies as enduring, trusted creators of evidence and history. Such a role had been inaugurated by the Rowell-Sirois Commission of 1937–1940 (properly the Royal Commission on Dominion-Provincial Relations), which pioneered the practice of using Commission proceedings as an opportunity to undertake independent, comprehensive research and data collection and to make public the results. Rowell-Sirois was the first to engage a team of independent researchers and to produce a series of “special studies”, issuing no fewer than eighteen special reports.<sup>25</sup>

The growing significance of Commissions as a building block of trust within Canadian civil society was also reflected in a new relationship between

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<sup>22</sup> Critics of Royal Commissions have maintained that the government can influence the type of report it will ultimately receive and has often extended or altered terms of reference after they were originally set forth (Henderson 1967). In this way, perhaps, the function of the Royal Commission illustrates the duplicity or deception that Giddens (1990) argues is an essential component of the expert system. Conversely, Free (2008) has recently explored how the rhetoric of systemic trust can actually create an atmosphere of distrust and discord, specifically in an inter-organizational context. The degree to which Free's findings can be applied to the conundrum of the increasing democratization of appraisal and acquisition—discussed briefly above—in the digital age, and the concomitant impact on trust between the archives and society deserves further investigation.

<sup>23</sup> Both Henderson (1967) and Whalen (1990) provide synopses of preceding attempts.

<sup>24</sup> In addition, Henderson estimates that perhaps 25 earlier reports were lost in the fire that destroyed Canada's Parliament buildings in 1916. It is notable that the Library of Parliament was the only building not lost to the fire, which suggests that any extant reports that were destroyed were not housed in the Library itself.

<sup>25</sup> The Commission's records are held at LAC in RG33-23. Prior to Rowell-Sirois, both the function and form of Commissions were relatively simple. They consisted of a few Commissioners, a secretary and a stenographer and concerned themselves mainly with recording testimony (as opposed to research and data collection).



Commissions and the Public Archives of Canada.<sup>26</sup> In 1960, the Dominion Archivist, W. Kaye Lamb and the Clerk of the Privy Council, R.B. Bryce, agreed that records of Royal Commissions should be deposited at the archives.<sup>27</sup> Prior to that date, the Orders-in-Council establishing Commissions had contained no provision for the disposition of Inquiry records. Moreover, few records management principles were applied, and consequently the records of many Commissions were dispersed, lost or destroyed (Whalen 1990). Further systemic provision for both the access and preservation of Commission records was effected in 1985, when it became standard for Commissions to transfer all their records to the Clerk of the Privy Council at the time of their closure. By this means, public access to records created by an institution not otherwise subject to the new Access to Information legislation (1983) was ensured. A quarter of a century on not only have Commissions of Inquiry systematized the role of investigator and publicist, but the policy framework around the acquisition of the resulting evidence by the national archives is clearly established, embedded and reliable.<sup>28</sup>

#### User as creator: the Indian Specific Claims Commission and the evolution of Commissions of Inquiry

The Rowell-Sirois Commission signalled the evolving role of the Commission in the context of a growing public discourse of accountability and demonstrated how such an institution could play an active role in shaping the trust dynamic between the government, the Commissioners, the archives and the public. A recently concluded Commission of Inquiry provides a particularly nuanced contemporary example of this. The Indian Specific Claims Commission (also called simply the Indian Claims Commission; hereafter ISCC), established in 1991, was a direct result of the systemic breach of trust between governments across Canada and aboriginal (or “First Nation”) communities over the course of the last couple of centuries. The European concepts of land ownership imported by early modern French and British colonists clashed fundamentally with aboriginal custom and practice. While early administrators recognized the need to reserve land by entering into treaties with Canada’s first peoples, they systematically failed to respect both the letter and the

<sup>26</sup> Canada’s national archives was styled the “Public Archives of Canada” between 1912 and 1987, at which time the name was changed to the “National Archives of Canada” (SC 1987, c. 1). As noted above, in 2004, the National Archives of Canada and the National Library of Canada were merged to become Library and Archives Canada.

<sup>27</sup> As early as 1950, an unpublished report for the Secretary to Cabinet had recommended that records created by Royal Commissions be transferred to the Public Archives of Canada (Whalen 1990).

<sup>28</sup> At present, Commission records come to LAC via *Records Disposition Authority* 93/001, under Section 13 of the *LAC Act*. It should be noted that while Canada was considered to be in the vanguard of the freedom of information movement in the 1980s, it has been argued that she now lags increasingly behind other Commonwealth countries (Hazell and Worthy 2010), both in terms of expediency and friendliness of service, as well as in terms of what is released versus severed. Given that freedom of information legislation is an important constituent of an expert system of trust—not only in the context of the relationship between the user and the archives, but also more broadly in terms of the relationship between the citizen and the state—its perceived inefficacy has obvious detrimental implications for the utility of government records (and Commission records in particular, in this case) as a guarantor of governmental transparency and accountability.



spirit of these agreements. Just as the treaties represented a moral and contractual obligation on the part of the Crown to protect the rights (as conceived in a European context) of aboriginal peoples, the need for the ISCC represented the utter failure of the Crown actually to do so.<sup>29</sup> This malfeasance had long been recognized—the first Parliamentary Committee on the topic had been struck as early as 1946—but it took a violent confrontation between the residents of the town of Oka, Quebec and their neighbours on the Mohawk reserve of Kanasatake almost half a century later to precipitate the formation of a Commission of Inquiry with the power to hear claims and make independent recommendations to Government.<sup>30</sup> The following year, the ISCC was established as an interim solution to the pressing need for an independent tribunal to adjudicate land claim disputes between First Nations and the federal government.<sup>31</sup>

The ISCC therefore faced numerous exceptional challenges in terms of its perceived reliability and trustworthiness as a component of the expert system. In addition to those shortcomings (already enumerated above) inherent to all Royal Commissions—such as the lack of enforceability of its recommendations, for example—the ISCC also had to contend with the dysfunctional and fundamentally mistrustful relationship between the Crown and First Nations communities.<sup>32</sup> This problem was particularly acute given that the ISCC was itself a federal government body. Indeed, the ISCC of 1991 was actually a second attempt to address land claims issues via a Commission of Inquiry: The first Indian Claims Commission had been formed in 1969 but had failed before it even started due to profound opposition among aboriginal groups to the policy paper that had been the genesis of the Commission itself.<sup>33</sup> And yet, despite these shaky beginnings, the ISCC

<sup>29</sup> Indeed, the oppression resulting from this particular aspect of imperialism is so common in the histories of all the so-called settler colonies that it does not bear repeating here. For a useful overview of the historical relationship between the Crown and Canada's aboriginal peoples with respect to land, see Morrison (1979).

<sup>30</sup> See the ISCC Final Report (2009) for an overview. The creation of an Indian Specific Claims Commission was recommended in 1946 and then repeatedly in subsequent decades. An earlier Indian Claims Commission existed but was relatively ineffectual.

<sup>31</sup> The mandate of the Commission was to hold a public inquiry into cases where the Minister of Indian Affairs had rejected a land claim by a First Nation, or into cases where the Minister had accepted the claim but there existed a dispute over compensation. Specific claims (as opposed to “comprehensive claims”) arise when a First Nation alleges that the federal government has not honoured its treaties, agreements or legal responsibilities (these represent the majority of outstanding claims in Canada). About 1300 such claims have been submitted since 1970, and about 450 have been concluded. Claims were first submitted to the federal Department of Indian Affairs and Northern Development (“DIAND”) by First Nation communities for assessment, and if subsequently rejected for compensation negotiations, could then be referred to the ISCC for inquiry. Before the creation of the ISCC, the courts were the only recourse available to First Nations. The ISCC has now been replaced by the Specific Claims Tribunal.

<sup>32</sup> As per Order-in-Council OIC 1991-1329, the decisions of the ISCC were not binding on the Government. The Commission's Final Report explores the various challenges they faced in terms of trust.

<sup>33</sup> The first ICC (1969–1977) had resulted from the “Statement of the Government of Canada on Indian Policy” (the infamous “White Paper”) (Minister of Indian Affairs, Northern Development 1969) regarding aboriginal claims to land. Widespread rejection of the White Paper amongst aboriginal groups resulted in the ICC being limited to an exploratory and advisory role. No formal hearings were held, and the Commission's report was not tabled in the House of Commons (see Commissioner on Indian Claims 1977). The records of this first ICC are also held at LAC (RG33-115).

succeeded—over the course of 18 years and hundreds of inquiries and mediations—to build a solid documentary foundation for a new and more trustworthy relationship between government and society. In effect, the work of the ISCC reflects how *users* of the archives can become creators of a new, integral archival record and demonstrates the impact that this shift has on accountability in the public arena. In light of the fact that the ISCC had no real legislative or adjudicative power, the records represent the key product of the process, and the most important means by which it could exert moral influence in society. The *raison d'être* of the Inquiry becomes the collection, collation and preservation of a permanent, coherent body of evidence.

### Re-claiming the archive: the power of the documentary record in trust systems

The records of the ISCC have obvious informational value: over the course of almost two decades, the Commission inquired into and documented the history of the federal government's relationship with aboriginal peoples. The value of particular interest in this context, however, is the reflexive use of historical evidence (a) to lobby for contemporary political change and (b) to establish a documentary cache that serves as a moral baseline of sorts. First, the approximately 120 linear metres of records document the public policy debate over how, going forward, the Crown should more responsibly deal with disagreements with aboriginal communities, and the campaign waged by the Commission for the establishment of a badly needed tribunal.<sup>34</sup> Moreover, with respect to the historical record, the ISCC was a pioneer. It introduced the concept of a single documentary record into the Canadian claims process. Given that aboriginal land claims are, by definition, rooted in events long since past, historical documentation is an integral part of both the initial claim and the subsequent inquiry. This draws upon oral histories held by First Nations' Elders and other witnesses, government records held at both Library and Archives Canada and by the Department of Indian and Northern Affairs,<sup>35</sup> as well as a broader range of secondary and scholarly sources that shed light on these primary materials. Previously, parties to a claim would gather such documentation separately, a process both time-consuming and asymmetrical, as the lack of resources at the command of native communities and the concomitant limited access to records meant their histories were often incomplete.

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<sup>34</sup> The ISCC repeatedly recommended the creation of an independent body with legislative authority to make binding decisions. The Specific Claims Tribunal was finally established by the *Specific Claims Tribunal Act* (SC 2008, c. 22).

<sup>35</sup> In addition to the unified documentary record, the ISCC also pioneered the legal recognition of oral history, prior to the courts granting it equal status with documentary evidence. As the ISCC was not bound by traditional rules of evidence, it defined its own procedures in order to gather oral evidence and to give First Nations' members an opportunity to participate in the inquiry process and to provide a perspective not always apparent in the documentary record. In each case, the Commission travelled to the locale in question and held what they called a community session. This also allowed the Commission (and the representatives of the Crown) to see the location of the historical events relevant to the inquiry and allowed the First Nations to explain their understanding of the claim and its issues in the location most affected by them. The Commission considered this to be perhaps the single most important step in the inquiry process.

The ISCC responded by introducing an approach based on a single documentary record that was shared equally with all parties. Indeed, in a throwback to Rowell-Sirois, the Commission employed a team of historical researchers who gathered not only as comprehensive a history of each claim as possible but also produced an annotated version of the historical documents. The resulting archival record is impressively coherent; certainly, the Commission viewed this innovation as one of its most important legacies, claiming that it had not only introduced efficiency into a process heavily reliant on old letters and reports, but, more importantly, that it had rendered a collective history accessible to all members of Canadian society because, as the final report explicitly states, the records are available at Library and Archives Canada.<sup>36</sup> As such, during its two decades of “temporary” deliberations, the ISCC exemplified an interesting iterative relationship as both user and creator of archives.

The ISCC is, therefore, an example of how the dominant public discourse of accountability has imbued the mechanism of the Commission of Inquiry with a particular utility, which is anchored by the archival record. Despite the absence of any real change in form of the Royal Commission, its function has shifted significantly because of the existence and use of the archive. In short, the role of the Commission of Inquiry as a signifier of trust between government and society has been accentuated and reinforced, thanks in part to the dynamic and dialogic relationship between the user and the archives.<sup>37</sup> This dialogue is extended, and the significance of the record further cemented, therefore, by the degree to which the media takes up and reports on the issue at hand. The recent (2004) Commission of Inquiry into the Sponsorship Program and Advertising Activities (the “Gomery Commission”) is an excellent example of this. The Gomery Commission enjoyed unprecedented media coverage and consequent public interest, and the impact on popular politics was profound.<sup>38</sup> The role of the media was so significant, in fact, that a Federal Court judge subsequently found that Commissioner Gomery had inappropriately exploited the media coverage of the Commission proceedings.<sup>39</sup>

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<sup>36</sup> That is, the records as copied, collected and collated by the Commission. In many cases, of course, the originals are also held at LAC, albeit in disparate fonds.

<sup>37</sup> Royal Commissions (or “Public Inquiries”), formed under Part I of the *Inquiries Act*, are but the most conspicuous of these signifiers. A similarly important role is played, for example, by Departmental Investigations, constituted under Part II of the same Act. A pertinent example is John English’s (1999) report on the future roles of the National Archives of Canada and the National Library of Canada (which led indirectly to the establishment of Library and Archives Canada). Cook (2002) has examined the nature of the engagement of the library and archival communities in this inquiry and the impact on the subsequent record.

<sup>38</sup> The “Sponsorship Scandal” was a key issue in the 2006 General Election, during which the federal Liberal Party (tainted by the controversy) was defeated after a thirteen-year reign. The newly elected Conservatives used the Commission proceedings as a foil for a new regime of “accountability”, exemplified by the much heralded *Federal Accountability Act* (SC 2006, c.9). The records of the Gomery Commission were transferred to LAC in March of 2011.

<sup>39</sup> See <http://decisions.fct-cf.gc.ca/en/2008/2008fc802/2008fc802.html> for Judge Teitelbaum’s decision of 26 June 2008. The review had been instigated by none other than the former Prime Minister of Canada, Jean Chrétien. Teitelbaum’s finding against Gomery was upheld by the Federal Court of Appeal in October 2010.

It is important, of course, not to overstate the point about the informal influence of the archives in building societal trust, particularly in the context of the ISCC. The relationships between Canadian governments, society and First Nations remain tentative and tenuous, and the impact of the work accomplished by the ISCC is still to be fully assessed. Nonetheless, it is worth using such case studies to problematize the notion of the hegemony of the colonial archive. By interrogating overly simplistic dichotomous paradigms about the relationship between Western evidentiary tradition and marginalized communities, we will better understand how “subalterns” have claimed agency and power over their own history, and how this has, in turn, shaped and attenuated the dominant intellectual discourse.<sup>40</sup> Indeed, in examining the integral relationship between the claims process and archives throughout the erstwhile British Empire, scholars such as Morrison (1979), Pylypchuk (1991–1992) and Wareham (2001) have laid the groundwork for further analysis in this area.<sup>41</sup> This will, in turn, pave the way for further theoretical considerations of the nature of trust in the archival context. For if we undermine, to some extent at least, the hegemony of the colonial archive, perhaps we also complicate sociological depictions of trust as a largely hegemonic social construct. In the examples of Royal Commissions cited here, we have seen that while the federal government seeks to dictate and direct societal trust by tightly controlling these (ostensibly impartial) components of the expert system, the interaction between the citizenry and Commissions of Inquiry (through the medium of the archives, for example) can result in a striking realignment of influence. In short, the power of “trust” is claimed and repurposed by society at large through a complex, dialogic process.

## Conclusion

Floridi (2009, p. 157) has argued that “the relation between the agricultural and the information revolutions may be more a matter of circular return to our origins than a linear evolution from them if, according to the information foraging theory, human users search for information online by relying on ancestral foraging mechanisms

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<sup>40</sup> Scholars continue to explore the nature and impact of Western dominance over the documentary archive. Examples include, of course, Burton (2005), as well as Butler (2009) and Maliniemi (2009). There are fruitful links to be made between archival science and similar debates that continue to rage amongst historians over the nature and breadth of hegemony (intellectual and political, and in both the colonial and post-colonial contexts), and which have evolved from the face-off between Ranajit Guha’s Subaltern Studies group (e.g., Guha 1982) and the so-called Cambridge School (see Washbrook 1999) in the 1980s. Recent work by Stoler (2009) makes strides in this direction.

<sup>41</sup> As Pylypchuk (1991–1992) has elucidated, the 1969 White Paper had an immense impact on the relationship between aboriginal people and archives. The new spotlight on land claims precipitated increased government funding for native organizations to research land claims, greater record creation by aboriginal groups and more use of aboriginal documentary heritage by academics and litigators. Indeed, it is interesting that the birth of the ISCC coincided with Pylypchuk’s call for a novel approach to documenting the aboriginal experience in Canada via innovative appraisal methodologies (e.g., the documentation strategy and the documentation plan).

that evolved in order to find food in a pre-agricultural society.” The implications for archives and archivists are profound, for Floridi’s model suggests the end of our traditional role as trusted intermediaries. Instead, new information seeking habits circumvent the classical need for validation, and the privileged framework of the bona fide researcher has now been relinquished in favour of the independent, tech-savvy researcher. Given that trust is predicated, to a certain extent, on a clear and transparent understanding of roles and responsibilities, what is the nature of the trust relationship between the archives and society in a world where such roles are shifting and multiplying so quickly?

We have argued here that it is useful to consider these twenty-first century interactions as components of an iterative and multidirectional trust framework—in effect, a human or relational analogy to the information continuum. The loss of traditional trust resulting from the disparate and dynamic nature of information creation, use and preservation is mitigated somewhat by the abstract faith of all parties in the legal, policy and technological frameworks—the expert systems—that hold government and society accountable for its respective actions. In doing so, we suggest that the relationship between trust and archives bears further investigation using the theoretical frameworks borrowed from sociologists, economists and psychologists. For example, in the same way that the rhetoric of private-sector business modelling has infiltrated and influenced public administration, the vocabulary of organizational behaviour and system-based performance management now shapes how we talk about the role of the professional public servant. Deeper analysis of the meaningfulness of these concepts in the archival context promises to advance our understanding of what trust means for archives and archivists, particularly at the national level.

At the institutional level at LAC, the renegotiation of relationships between the archives, creators and users can be seen in current discussions around acquisition policy. We are in the midst of debating the concept of relevance in order to understand how (if at all) the meaning is shifting in the information age, and to determine what this means for appraisal and acquisition. We are also exploring how to collect collaboratively in order to harness the power of the digital era. In doing so, the trust continuum is, potentially, stretched to include other memory institutions—both governmental and otherwise. At the Government of Canada level, the renegotiation of relationships is evident in the development of the *Directive on Recordkeeping* and the design of LAC’s Trusted Digital Repository. Both the *Directive* and the TDR make explicit the key role for and reliance on creators in the effective preservation of information resources. In addition, the possibility of a network of government TDRs further extends the idea of shared responsibility for trustworthy information resources. Finally, at a more abstract, societal level, the realignment of relationships can be discerned in the role of Commissions of Inquiry. Commissions, as both users and creators of archives, exert moral pressure on government and society through the discovery and production of evidence. In turn, society—as an abstract user and creator of the archives—builds and perpetuates a trustworthy, democratic polity rooted in the concept of transparency. Indeed, in all cases, the nature of these relationships is shaped by a dominant public discourse of accountability. This has not only facilitated our ability to think in terms of systemic

relationships but also influences our ideas and vocabulary regarding risk, acceptable behaviour and moral responsibility.

It is important to note, however, that the existence of an explanatory model or system for trust relationships in the archival world by no means guarantees that those relationships will actually work. For example, inherent in our debate over “relevance” is the danger that we will marginalize groups within society simply through the act of articulating such a definition. If we are indeed flirting with the democratization of acquisition when we speak of the guiding appraisal principle of “society”, what are the implications? In a further example, Canada’s recently constituted Truth and Reconciliation Commission (TRC) has been given the mandate of establishing a National Research Centre to serve as a repository for all records pertaining to the history of the aboriginal experience in Canada.<sup>42</sup> In doing so, the TRC has sought to escape the bonds of conventional evidence-gathering by allowing testimony in any form, and by establishing the research centre outside of the parameters of the conventional archival framework.<sup>43</sup> The hope is that relationships previously damaged by distrust will be mended through a move away from established, hegemonic systems. While the mandate is admirable and the merit self-evident, in the absence of clear or traditional roles and responsibilities in terms of access, provenance and preservation, new and unintended threats to trust appear. As others have noted, the truth and reconciliation process itself creates and engenders pain and damage, and we are in danger of undermining it if we fail to treat its record properly.<sup>44</sup>

The flexible and expansive relationships suggested by the model of the trust continuum promise unprecedented rewards. Inherent in the new and multidirectional engagements between creator, archives and user in the information age are creative and stimulating roles for the archivist. At the same time, there are significant hazards: in the absence of effective frameworks to provide guidance on the disparate roles and responsibilities, the greatest risk lies in missed opportunities, misguided assumptions and misunderstandings over who, at the end of the day, is actually responsible. Just as we grapple with questions over the best way to exploit the power of wikis and user-contributed description, our challenge is to determine how to maintain the integrity of the archival relationship in a non-linear, collaborative environment.

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<sup>42</sup> The TRC was born out of the controversy over the Indian Residential Schools system which prevailed in Canada in the nineteenth and twentieth centuries. Under this system, aboriginal children were removed from their homes and placed into the care of state- or church-run schools. In 2006, Canada agreed to a settlement with First Nations communities over the damage caused by the IRS system. In addition to monetary compensation, the settlement provided for the preservation of memories and experience through a Truth and Reconciliation Commission and the establishment of a National Research Centre. See Section 12 of the TRC mandate (<http://www.trc.ca/websites/trcinstitution/index.php?p=7#twelve>).

<sup>43</sup> Yet another Commission of Inquiry—the Royal Commission on Aboriginal Peoples (1991–1996)—can be seen as the link between the Indian Specific Claims Commission and the Truth and Reconciliation Commission. The Commission’s records are held at LAC in RG33–157.

<sup>44</sup> In particular, Verne Harris discussed this point during a panel discussion on “Is Reconciliation Possible?” at the Association of Canadian Archivists meeting held in 2009 in Calgary.

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