

## **FIAF**

### **Day 1**

#### **Session 1**

##### **Opening remarks symposium (Michael Loebenstein)**

Thank you for attending this year's FIAF symposium. The benefit of having the broad topic of 'rights' as a symposium topic is that it allows for both repetition – discussion of key common concerns and issues – as well as for the discussion of new ideas, for envisioning an exciting future of archives thriving and succeeding in their core work.

*Fairly Legal* – and the title is a toned-down version of the original proposal to call it “Barely Legal” which our lawyer thought was a bit too provocative! -- will hopefully serve both purposes: describe intellectual property and moral issues, impasses, obstacles film archives face while collecting, preserving and sharing their holdings; and offer ideas on how to navigate this difficult and at times obscure and even threatening terrain.

We'll shortly hear more from a broad range of speakers, from FIAF archives as well as fellow archivists and curators from outside our federation but let me take the opportunity at the beginning of this session to outline a couple of thoughts about the 'politics and ethics' of our dealings with collection material in the year 2015. It is also a bit of a personal journey for me through the last decade of my life in FIAF.

In 2005 as a young curator from Vienna with as background in digital media and film history I attended the FIAF congress in Ljubljana, Slovenia, where controversy erupted around Alex Horwath's 'intervention' titled “The Market vs The Museum”. It was a passionate and personal statement about the struggle (or the impossible feat) to reconcile the ethics of the film museum and its appreciation of the originality of the film experience with the commodification that is at the core of what we now call the “digital economy”. It was a catalyst for Alex and me to approach Paolo Cherchi-Usai who then drew David Francis into a debate that in 2008 became a book: “Film Curatorship”, and a debate at the 2009 Buenos Aires Congress' 'Second Century Forum'

While finalising the book we met again in Paris, on the last day of the Paris FIAF congress at the Cinematheque francaise. On the way to the last session Paolo and I had a debate that became the post-script of the book. A conversation around how YouTube was merely a wonky idea when we started our journey, and how the idea of accessing film heritage has been even more profoundly upset in only two years. What appeared utopian (or like a dystopia) was about to become a reality. It left us clueless yet excited. We made it to the congress venue in time for what I thought was a historical moment: the adoption of the FIAF Fair Access Declaration (then called 'Fair Use' declaration). You could feel the tension and the excitement in the room. It felt like doing the right thing.

Our dealings with intellectual property, and with rights holders are at the very core of what we do. It was the politics of the movie industries who would rather

destroy their product (actively to minimise the risk of piracy; or through neglect as it had become 'useless' in the marketplace) that led the pioneers of our sector to establish film archives. The FIAF Code of ethics – or guiding document – speaks of the “duty of respect to the original materials in our care”, and asks as to “respect and safeguard the integrity of the material in our care and protect it from any forms of manipulation, mutilation, falsification or censorship.”

'Archives' and film archives, are often considered 'closed' organisations: places where films “go to die”, or 'sanctuaries' for films who have to be protected from their rights holders who would potentially endanger their long-term survival for immediate exploitation, or censor, falsify, or irretrievably alter their content. We all know it has happened. And with digital technology it's easier than ever before.

However our code of ethics clearly states that the ultimate goal of all preservation activity is to make the collections we safeguard “permanently available for research, study and public screening. “ We are all tired of the clichéd notion of the archives as 'final resting places'.

**[I WILL NOW READ PARAGRAPH 3 of the “WELCOME” ADDRESS in the BOOKLET – p3 for English, p40 for francais, p 78 for espanol]**

It is with great pleasure that I open the FIAF 2015 congress, and welcome our Keynote speaker, Rick Prelinger.

Many of you will know Rick as a tireless archivist, curator, filmmaker, public historian and author. Rick founded Prelinger Archives, whose collection of 60,000 advertising, educational, industrial, and amateur films was acquired by the Library of Congress in 2002 after 20 years' operation. Rick has partnered with the Internet Archive to make over 6,300 films from Prelinger Archives available online for free viewing, downloading and reuse. His feature-length archival films PANORAMA EPHEMERA (2004), and NO MORE ROAD TRIPS? (2013) played festivals and venues worldwide. He has made fourteen live and participatory archival programs in the LOST LANDSCAPES series, linking urban history and urban futures, in San Francisco, Detroit, Los Angeles and Oakland. His "Field Guide to Sponsored Films" was published in 2006 by the National Film Preservation Foundation. Prelinger is a board member of the Internet Archive, has been a board member of the San Francisco Cinematheque, and sat on the National Film Preservation Board for five years as representative of the Association of Moving Image Archivists. He is co-founder of the Prelinger Library, an appropriation-friendly private research library that is open to the public, located in downtown San Francisco, and was appointed Associate Professor of Film and Digital Media at UC Santa Cruz in 2013.

We're grateful Rick that you can be here with us today, for the second time in Australia, to talk about “The Future of Memory: Disrupting the Archives to Save It”.