

## Private Archives and Data Protection Today: Introductory Thoughts

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With regard to the archival theory and practice, technical-specialistic issues related to the activity of private archives and data protection can be referred to more areas. In that regard, we must first take into consideration the fact that in the former socialist countries it was never „necessary“ discussing specifically about private archives, since they were largely nationalised after 1945. In those days there were no particular processes of data protection, since special archives had been set up for the various sectors - diplomacy, army, police, politics etc

Nevertheless, in the older guides on archival collections distributed by each institution you can trace data concerning family, personal and private funds. These funds are treated separately and inventoried in many different ways, but that were nonetheless an important segment of archival records altogether collected over years and years of existence of an archive. Similar funds are obviously preserved also in non-archival institutions, such as libraries, museums, galleries and other similar

Le ricerche condotte sui fondi privati, familiari e personali sono appunto orientate a collocare queste tipologie di materiale archivistico entro specifiche categorie definitorie della disciplina, essendo in sostanza espressione di ambiti che si sono via via sviluppati in modo diverso nei vari Paesi. In occasione della XVII conferenza dell'Istituto Internazionale di Scienze Archivistiche di Trieste e Maribor, tenutasi a Trieste nel 2007, il tema degli archivi privati è stato affrontato in modo esaustivo. Nei diciannove contributi pubblicati su ATLANTI, la Rivista internazionale dedicata alla teoria e pratica archivistica contemporanea ATLANTI, n. 17/2007 - vol. 1 e 2, pp. 109-295, un lungo elenco di esperti, elencati qui di seguito, ha presentato le proprie considerazioni riguardo a tale problematica: The research on family, personal and private funds aim precisely to put these types of archival materials within specific categories of the discipline, being essentially an expression of sectors developed differently in different countries. On the occasion of the 17th Conference of the International Institute of Archival Science of Trieste and Maribor, held in Trieste in 2007, the theme of private archives was addressed in a comprehensive way. In the nineteen contributions published in Atlanti, the international magazine dedicated to the theory and practice of contemporary archival atlases, 17/2007 - vol. 1 and 2, pp. 109-295, a long list of experts, listed below, submitted their considerations on this issue: Klasinc (Slovenia), Tatò (Italy), Ratti (Italy), Elligott (USA), Popović (Serbia), Rybakou (Belarus), Glushakov (Hungary), Gerdej (Slovenia), Delmas (France), Marosz (Poland), Gonzales (Spain), Hedžbeli (Croatia), Mossek-Budowski (Israel), Guarasci (Italy), Arathymou (Greece), Darwel (Belgium), Schöggel Ernst (Austria), Pejović (Montenegro) e Kožar (Bosnia and Herzegovina).

In the above mentioned articles there are a series of definitions attributed to private, family and personal funds, which may vary from case to case, but which nevertheless identify very precisely what is meant by each of these three types of archives. With reference to personal archives, also on the basis of the scientific literature, you can infer that they include exactly what their name means, i.e. personal archives, documents of a personal nature. In this sense, we can see that such private funds contain material that can be produced by an creator, which refers to the same, or from this was acquired.. We must also realize that within a fund one can also find material having no connection with the above mentioned: for example, a varied documentation of different topics, new documents production etc., made by the creator. From the point of view of archival science, technical issues related to personal funds along with the use of modern international standards for description of archival records are resolved, defined and regulated in accordance with the standards already existing.

On the contrary, with regard to the term „private funds“, we need to consider a broader sense than „personal funds“. In this case, in fact, ranks first the material resulting from the work of a private individual, to be understood as a product of a variety of activities including those of management, cataloging, insurance, reuse, management, rights, access to information. We also consider private material the one not necessarily resulting from the activities of an individual, but important to her/him, however, for reasons of its own existence, evidence or probative character material, or for other reasons. The creator of this material can have very different characteristics depending on the case, but it ranks however in the context of a private fund because there is a certain connection between her/him as private and the person sending certain documents. Other things falling under private archives, not directly related to the above described, can be made by private documents of any interest in terms of employment in a broad or personal sense. Talking about private archives, it is to be expected that there will be preserved material even without any direct link with the above listed, but reflecting exigent circumstances that point to the existence of the individual creator, such as analysis of related institutions, reports on the activities of the competition etc. It is not a rarity that private archives preserve documents without any connection with the activity of the creator.

Alongside my considerations, one can find in the archival literature also data and definitions according to which family and personal funds of nobility and other notable figures from the world of business, politics and culture are referred to as private archives in the various inventories, in the narrowest part of the term as well as in a broad sense, as well as in the guides to archival materials.

In those countries that have seen the onset of modern democratic transitions, the problems associated with private archives are handled within their respective archival legislation newly introduced

Private archives are indisputably very important as a source to draw from for historical research and other scientific studies, not to mention that access to archival material contained in private, personal and family funds, as well as the use of the same, have been significantly increased with the introduction of new information technologies.

## Data protection

In the course of my preliminary considerations, we will face therefore the subject of data protection, in modern words, since the classical archival theory and practice defines as protection and maintenance of the material records in order to be accessible and usable to a long term. This also applies to the latest processes made available by information technology.

Data protection has to put the files, and, of course, archivists, in the condition of becoming active seekers of truth. This means that firstly, they must seek -- and find -- documents that reveal this truth. Following the promotion of the archival material, it must be declared and subsequently taken over by the archives, where it will be placed, inventoried and stored carefully regardless of the conditions under which it was acquired.

The new definition of archival science as an autonomous, academic, multi- and interdisciplinary, has also established itself thanks to the changes in social realities, and back in the archival work, and this is why we need experts archivists with appropriate and sufficiently complete training.

We understand that the archival documents serve as evidence for the purposes of interesting research and debates, as well as to learn about facts or specific activities, conduct studies on the foundations of the rule of law, assisting citizens in protection of their rights and, last but not least, in searching of truth. And just as guardians of truth, the archives must protect the data contained in the archival material and regulate their use in a reasonable way.

During the process of inventory and systematization of archival records, in recent time professionals are facing various problems related to the training and inventory of the documents, linked to security demands of protection of personal, sensitive and reserved data. Archivists must ensure in any case universal access to the archival material.

As custodians of archival material, as well as of historical truth, archivists:

- - cannot comply to the data protection processes with regard to the „right to be forgotten“, especially when it comes to archival material;
- - cannot acquiesce to scan processes if the latter does not protect the original archival material;
- - cannot acquiesce to forms of collaboration with computer profiles that do not respect a qualified archival work;
- - may not acquiesce to solve archival problems related to technical or financial dimension, or strictly connected to the discipline itself without the active participation of experts archivists.

### Conclusions

The development of archival science and the role of archives are variously defined globally and subordinate to the level of each state regulation. We make an inventory of the existing realities of private, personal and family funds, and their data protection, developed because the same archives are highly developed as cultural, scientific and educational institutions. Under that regard, we must not forget that archives still exist that do not have a well established autonomous status in the centres in which they operate, whose existence is often linked to related institutions such as libraries, museums of various kinds, galleries, collections of documents and similar – and this is a fact which is not in line with the prospects of developing of modern archives.

## Archivi privati e protezione dei dati: la situazione oggi: riflessioni preliminari

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Per quanto concerne la teoria e pratica archivistica, le questioni di carattere tecnico-specialistico legate all'attività degli archivi privati e alla protezione dei dati possono essere riferite a più ambiti. A tal riguardo dobbiamo anzitutto tenere in considerazione il fatto che nei Paesi del socialismo reale non si è mai reso „necessario“ discutere specificamente di archivi privati, essendo stati in buona parte nazionalizzati dopo il 1945. A quei tempi non esistevano particolari processi di protezione dei dati, poiché erano stati istituiti archivi speciali per i vari settori - diplomazia, esercito, polizia, politica ecc

Ciononostante, nelle vecchie guide su fondi e raccolte archivistiche distribuite dalle singole istituzioni è possibile rintracciare dati inerenti fondi privati, familiari e personali. Si tratta di fondi trattati a parte e inventariati nei modi più diversi, ma che rappresentavano comunque un segmento importante del materiale archivistico complessivamente raccolto nel corso di anni e anni di esistenza di un archivio. Simili fondi si conservano naturalmente anche in istituzioni di tipo non archivistico, quali ad esempio librerie, musei, gallerie e altre analoghe.

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