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PUBLIC ACCESS TO ARCHIVES IN MALTA SINCE ITS EU MEMBERSHIP: IMPACTS ON THE SECTOR

Abstract

Purpose: *Access to archives is essential for both the academic community and for ensuring transparency in democratic societies. In Malta, archival access has fluctuated over time due to various historical, political, and logistical challenges. This study explores the impact of Malta's accession to the European Union (EU) in 2004 on access to archives, focusing on changes in policies and practices.*

Methodology: *The study employs a qualitative approach, analysing existing literature on archival access in Malta and drawing from the author's personal observations during the transitional period. The author, who played an active role in this transition, provides insights based on first-hand experiences.*

Results: *The findings reveal a significant transformation in archival access post-EU membership. Legislative reforms, shifts in cultural attitudes, and the new opportunities associated with EU membership substantially influenced how archives in Malta manage and deliver services to the public.*

Discussion: *EU accession had a profound impact on Maltese archival practices, with improved access to archives due to regulatory changes and a broader cultural shift towards transparency. The study highlights the positive role EU membership has played in enhancing public access to Malta's archival resources.*

Keywords: *archival science, access to archives, European archives.*

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Archival cooperation has changed over the last few decades. The change was the result of several factors, not only the technological revolution we experienced but also new notions of rights of access to information. This paper will focus on changes that happened in the Maltese archives domain. It will investigate to what extent changes might have been the direct or indirect result of Malta's joining the European Union (EU) in 2004.

The transitions in the sector have been the topics of discussion of several international fora. In May 2006 the VII European Conference on Archives was organised in Warsaw. This joint initiative between the Association of Polish Archivists, the State Archives of Poland and the European Branch of the International Council on Archives (EURBICA) focused on the topic "Archivist: Profession of the Future in Europe" (Urbaniak 2006, p. 358). I was a speaker in that conference and looking back at how the sector changed in Malta made me revisit the proceedings of that event. Of particular interest is a quote from the foreword by the Director of the Polish State Archives at the time, Daria Nałęcz. She wrote,

"The title of the conference: "Archivists: Profession of the Future" may seem inappropriate or excessively provocative. This element of surprise, however, should abate taking into consideration an increasing role of information in the life of modern societies, stress on facilitating access to information, including that of significance for individuals, pertaining to the history of our families, as well as information focused on wider phenomena, desire to gain knowledge on our historical environment." (Urbaniak 2006, 16)

Inspired by the overarching theme of the conference, during the Warsaw event I presented a paper entitled "The Archivist in Today's World: Regulator or Facilitator?" (Urbaniak, 2006, 104–133). The points for discussion focused on the multitude of roles the archivist plays when it comes to appraisal, regulating access, exploiting the holdings and convincing society that archives are relevant. This was applied on the Maltese scenario and highlighted the legislative obligations imposed as part of EU membership and how this changed the rules of the game when it comes to access.

International collaboration is nowadays quite common not only due to the acknowledgement of the benefits by stakeholders but also due to the economic interdependence of businesses and companies all over the world. Mergers and

franchises are rapidly taking ground world-wide, even in countries that in the past were unreachable either due to logistical and geographical barriers or due to political ideologies that promoted segregation and isolation.

The archives sector by nature is very specific and a by-product of national or regional realities. Since archives reflect the legal, administrative and operational functions of the creating bodies, they find it more difficult to align themselves with the globalised way of conducting their business. Traditionally they would devise strategies and solutions that cater to their needs. Gradually, we started seeing archives looking beyond their shores. Initially this was aimed at identifying whether other institutions have already tackled a particular challenge, the way they did it, and whether international or regional solutions can be applied locally. The archivist changed the role from a lone ranger to a member of the international community (Farrugia, 2016).

There is no doubt that one of the most commendable actions in breaking the isolation in the field of archives was the setting up of the International Council on Archives (ICA) on 9 June 1948². Notwithstanding its non-governmental status ICA managed to acquire international recognition through its world-wide membership and its consistent operations and support to the profession of archivists and records managers over the years.

When one looks at the European Union (EU) level, it is also worth noting that although countries members of the EU have some of the oldest and most important archival holdings, minimal priority was initially given by the EU on both the upkeep and collaboration in the field of archives. The assessment done by Patrick Cadell in 1991 led him to state that, “*there was in general a profound ignorance amongst administrators of what archives were for and what they are about, and ... national archivists were almost as ignorant of how their colleagues operated in other countries.*” (Cadell, 2008, 418).

A strong political statement was made through the Council Resolution of 6 May 2003. Apart from the political message that the EU was appreciating the importance of archives for a democratic environment, the same resolution acknowl-

² ICA was set up with its main aim to foster a community of archivists and to facilitate collaboration between them and with the outside world. More information about the vast array of opportunities and services is available at www.ica.org.

edged the lack of information sharing amongst the sectors. It also encouraged the setting up of a group of experts with a specific remit, which included “*enhanced coordination, information sharing and exchanging of good practice between the archives services.*” (Council of the European Union, 2003).

This drive towards a larger and more unified EU led to new thinking and conscious efforts to identify areas which could be promoted as part of a bigger process to strengthen European identity. As part of this emerging collaboration one of the first tangible results was the publication of the first Report on Archives in the European Union, commonly known as the “Black Book.” This report provided policy makers and archivists themselves with a stocktaking of the situation and the possibility to start looking at legal frameworks, administrative structures and metrics on an EU-level.

The end results of these measures were positive in that the EU now had official structures defending the archives domain. These structures still need to be strengthened further, but at least, while respecting the traditions of all countries, there is a common forum where one can discuss the challenges and come up with common policies for the sector at EU level. In parallel with political challenges, the sector was also reacting to constant changes at the core of the profession – what to teach archivists; what does the public want from archives; new challenges of data protection and freedom of information; and above all new media mainly in the form of digital technology that revolutionised the whole domain (Farrugia 2016, 117).

The transitions that we, practicing archivists, have noticed on the job during the last few decades have been mapped by several academics. One such scholar is Terry Cook who interpreted the transition of national archives from Juridical Legacy to Cultural Memory, to Societal Engagement and finally to Community Archiving.³ These paradigm shifts have seen the archivist transform him/herself from a passive curator to an active appraiser, into a societal mediator and finally to a community facilitator.

Another perspective is that by Margaret Hedstrom and David Bearman. They have analysed the changing scenario with the advent of electronic records and recommended “reinventing archives” entirely by moving focus away from actu-

3 Cook has several works on the issue of archival paradigms. See Reference List.

al custody of records in archives towards controlling records remotely as these reside in on interconnected computers all over the government or business (Hedstorm, 1993, 97).

What is common in the line of thinking between various academics who worked on this issue is that there is an agreement that archives are experiencing a paradigm shift. This can be attributed to several factors including unprecedented geo-political, social and economic changes. Writing about these shifts, a previous Keeper of the Public Record Office (now National Archives) of the United Kingdom, Sarah Tyacke, grouped the reasons for this transition from a perspective on three levels: philosophical; technical; and communication through a common language (Tyacke, 2003, 3).

Against this background of change and rapid shift from a local to a global perspective the ICA came up with a declaration enshrining the fundamental concepts on archives. The Universal Declaration on Archives (UDA) is not simply a political statement but also the result of long drawn-out political, academic and professional debates in the sector. The first version of the UDA was written by archivists in Quebec in 2007 and it was later adopted by the Section of Professional Associations within ICA. The Declaration was brought up for approval at the AGM of ICA held on 29 November 2009 in St Julian's, Malta. At that session there was a suggestion by South Africa to postpone its approval to bring it closer to UNESCO principles. The Declaration was approved in principle but re-discussed and approved in Oslo Norway on 17 September 2010. Another milestone in its development was its endorsement by the 36th Session of the General Conference of UNESCO in Paris, on 10 November 2011.

The Declaration provides decision-makers world-wide with a powerful and succinct statement about the relevance of archives in society. It highlights administrative transparency and democratic accountability as well as the preservation of collective social memory as fundamental roles of archives. The document is a step forward towards an international consensus on the scope and nature of archives. The Declaration mentions the concept of "collective social memory." The challenge of such a document was the fact that its target is world-wide. When one looks at the history of archival development in Europe, we also realise there are big challenges arising from different historical, political, and economic back-

grounds. This might explain why the focus on the archival legal frameworks and policies started gaining momentum during the last two decades.

Writing in 2008, Patrick Cadell who was one of the protagonists in the initial discussions and policy formations, argued that it was during the presidencies of the Netherlands and that of Greece that archives took priority on the ministers of culture agenda (Cadell, 2008, 417). The Report commonly known as the “Black Book” which came out in 1994 gave a snapshot of the situation in archives in Europe. The groundwork led to a milestone in the sector. The Recommendation on Access to Archives (2000(13)) paved the way to greater cooperation. Furthermore, the sector established a structured mechanism in the form of the European Archives Experts Group (EAG) which took over the role of an official channel between national archives in the EU countries and the Commission.

Individual countries were gradually affected by the new thinking of the EU on archives. The impact might have been more pronounced in those countries like Malta that were candidate countries and thus fully focused on aligning themselves with all the policies of the EU. Malta joined the EU on 1 May 2004 in the largest enlargement at one go of the Union.⁴ In the EU network of archivists, sectors like the National Archives of Malta found a golden opportunity to learn from, network and grow.

THE EU MEMBERSHIP IMPACT

This paper identified three domains that were strongly impacted as a direct result of Malta’s joining the EU. These are in the areas of legislation, mobility possibilities and funding opportunities. To some extent the changes were even felt earlier, as the preparation for membership was already leaving a mark. The main impacts will be referred to under the three main categories of impact.

Legislation

Like most colonial countries Malta established its own national archives quite late.⁵ Considering that Malta holds archival records dating back to the fifteenth

4 10 countries joined the European Union in that enlargement: Cyprus, Czechia, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia.

5 For a detailed account of how the National Archives of Malta was set up see Charles J. Farrugia, *The Making of a National Archives: the case of Malta 1944-1990*, in Carmel Serracino (ed.), *Ardet Amans: essays in honour of Horatio Caesar Roger Vella*, Midsea Books, 2022, pp. 267-90.

century, the storage and organisation of huge amounts of records was haphazard and offered substantial challenges. The National Archives Act 1990 formally established the institution at a time when the Maltese government was already targeting EU membership. The current operations of the National Archives are conditioned by the second legal framework that was enacted in 2005.

The first legal framework was an empowering one. It established the institution but left it operating as a section within the Department of Libraries and Archives.⁶ However, that starting point was important and it provided repositories and also opportunities for personnel to start joining the National Archives. It also triggered Malta's participation in the international events organised by ICA and the EU related bodies.

Due to EU membership Malta had also to align itself with a legal regime that also impacted public records. The Malta Data Protection Act was enacted in 2018 and the Freedom of Information Legislation in 2008. The impact was substantial. Not only did these mechanisms clarify the rules of access but also provided Maltese citizens with a European yardstick with which to compare access, as well as the possibilities of appeal for any decision of closure that might come their way.

One direct impact of the EU legal thinking that I can attest to from experience at the archives was the complete change of frame of mind in terms of the ownership of records and the information within them. One case we had was a request for medical information from a file of personnel who worked with the British Forces in Malta. Notwithstanding that it was the client who was asking for the information for medical reasons, the interpretation was that the information was owned by the government and the closure periods in the National Archives act had to be observed. This meant depriving that citizen from access to his health information in the government file. All this changed with the putting into place of the full corpus of legislation. Under the provisions of the Data Protection Act we revised our access procedure for data subjects. While the data is in a government file, since it is about a data subject the interests of the latter take precedence.

6 For an analysis of that legislation see Maximilian Farrugia, *A comparative analysis of the National Archives Act (1990) in relation to International Archival Legislation*, University of Malta 2000.

Mobility opportunities

Another change brought about by EU membership was a strong emphasis and resources for mobility of students and workers. Up to the process for joining the EU Malta already had few opportunities for its youngsters to study abroad or explore international placements and experiences. This often emerged from programmes offered to Commonwealth countries or out of bilateral cultural agreements. For Malta, the Cultural protocol with Italy offered several opportunities for such exchanges.⁷

The preparation phase to join the EU started opening new opportunities which found their fulfilment with membership. As National Archives of Malta, we started experimenting with projects that were funded under the EU programmes. The first project the National Archives of Malta embarked upon in 2005 was under the Leonardo Programme with a project entitled “Preserving Digital Archival Contents.” It was a project that we led and involved several participants. The participants included the Friends of the National Archives of Malta, Linguamine Ltd., the Institute of Mathematics and Informatics of the Bulgarian Academy of Science, the National Archives of Bulgaria, the Open Society Archives Budapest, and the two private digitisation companies Datadisc.it and Global Microfilm Digital SRL from Italy.⁸

During the same year the National Archives of Malta also got involved in another project, ARISTHOT: Sciences in the Mediterranean. The project aimed at developing and using Information Society tools to preserve and promote natural, applied, traditional and auxiliary sciences from the Mediterranean basin. The strength of this project was not in the amount of funding Malta received but more in the fact that this project was managed by a network of fourteen institutions, 10 from the EU and 4 from Mediterranean countries.

Needless to say, other EU-funded projects followed and have now become part of the daily business process of the National Archives of Malta. However, the focus on these two first projects is on purpose. These projects gave the first exposure to almost all the staff of the institution at the time to travel abroad, visit other

7 The author of this article was a recipient of a Commonwealth scholarship to specialise in Archives and Records Management at UCL in the UK during the academic year 2000-2001.

8 For a detailed report about the project see National Archives of Malta Newsletter, Issue 10, July 2007, pp. 3-5.

archives, and build friendships with archivists abroad. Twenty years down the line these friendships and networks are still flourishing and benefitting the sector.

Funding opportunities

Several organisations and members of the public associate EU membership with funding. While it is true that there are huge sums of money to be tapped into at EU level, the archives sector in Malta benefitted much more in terms of expertise rather than funding.

Notwithstanding, the National Archives of Malta has participated in several EU funded projects which provided it with a steady stream of funds. The funding was not huge but was enough to start putting focus on areas that were overlooked – training, finding aids creation and publications.

One such project was the Archives Portal Europe in which the National Archives of Malta was one of the founding partners. This project has bestowed so much knowledge on our cataloguing staff. It has also provided us with the main tool of our catalogues. The project is now a standalone product backed up by the Archives Portal Europe Foundation of which NAM is a member.

The European Digital Treasures (EDT) was another bigger project in which we participated fully. It focused on identifying treasures within European archives that can be communicated to wider audiences using unconventional methods. The transmedia exhibitions, multi-lingual catalogues and merchandising convey the spirit of European collaboration and values. The whole learning experience is now feeding into other projects, with the current focus on a newly awarded project led by Spain under the heading “Sustainable Archives and Greener Approaches” (SAGA).

CONCLUSION

The changes described above have affected the very essence of our services to the public, especially access. It is rather difficult to segregate what actions arose from membership in the EU or from a conglomeration of other factors. There were developments such as the focus on standards development by ICA that made a huge impact on how national archives operate. The development, publication and promotion of ISAD(G) brought a silent revolution in the area of archival de-

scription. This was further promoted through the development of a free to use open-source software that made it possible for several archives to apply standards on an electronic platform (AtoM, 2022). Combined with better opportunities for mobility through internships, scholarships and professional exchanges, it became possible for small national archives to produce much more than they could ever have done if they remained in isolation.

All these factors are helping in overcoming the limitations imposed by market economies through the sharing of resources. This line of action is imperative for a profession that comparatively speaking will always remain small and specialised compared to several other streams of specialisation. The future still holds important challenges for the profession. The positive impact of EU membership on access to archives cannot be denied. The current discussions about the digital challenges and the impacts of AI on archives augur well for a future in which better access will be further guaranteed

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