

National Audiovisual Preservation Initiatives and the Independent Media Arts in Canada



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RÉSUMÉ Afin de servir d'introduction aux initiatives historiques de conservation de documents audiovisuels qui ont eu un impact sur les politiques et pratiques contemporaines au niveau fédéral canadien, ce texte trace les efforts des militants archivistes qui ont conçu un cadre de travail ayant permis de ne sauvegarder qu'un petit pourcentage des œuvres d'art médiatiques indépendantes au Canada. Il est important de comprendre les principales questions à l'origine de la crise de la conservation qui menace l'avenir même des œuvres d'art médiatiques dans notre histoire collective canadienne.

ABSTRACT As an introduction to historical preservation initiatives on behalf of audiovisual documents that have affected contemporary policy and practices at the federal level in Canada, this paper documents the efforts of archival activists who have built a framework that has helped safeguard only a very small percentage of Canadian, independent media artwork. It is important that contemporary activists, be they archivists, artists, or policy administrators, understand the key issues that have created the preservation crisis that currently threatens the future of Canada's independent media artwork in our collective history.

Introduction

In order to foster an awareness of legacy and contemporary media artworks produced by Canadians within the independent sector, to preserve and augment the potential for discourse concerning these contributions to Canadian cultural heritage, it is critical that future generations have access to the actual films and videos themselves. Unfortunately, very few of the works created within the media art sector over the past fifty years have been systematically preserved under appropriate archival conditions. Indeed, throughout the twentieth century, the political will necessary to maintain a cohesive federal strategy that would clearly delineate responsibility for such publicly funded work has vacillated; and, in spite of continued attempts by activists in both archival and creator communities, the resources necessary to safeguard this part of Canadian audiovisual history remain insufficient. An awareness of the key issues that have arisen throughout historical attempts to

secure a federal preservation infrastructure on behalf of audiovisual materials in Canada, should enable contemporary activists and archivists to effect policy change that would protect independent media art.

Media art practices are not uniform; the work is produced in both analogue and digital formats, and can be documentary, experimental, animated or dramatic, short or feature-length. It is important to underline that a large portion of the audiovisual legacy produced through the media arts community is composed of traditional, single-channel films and videos. This work is regularly screened at festivals and seen on television, and it is therefore archivable by most audiovisual standards and cannot therefore be easily omitted from preservation efforts on the basis of genre, form, or format.¹ What has prevented the systematic preservation of such independently produced media artwork is a much more complicated mesh of issues that has evolved within both the archival and independent media arts communities, issues that have not been adequately addressed at a federal policy level and have therefore led to the contemporary preservation crisis within this non-profit community.

The primary source of federal support for the production and dissemination of independent media art in Canada remains the Canada Council for the Arts, a Crown corporation established in 1957 and a supporter of audiovisual work from as early as 1958.² For the purposes of this paper, *independent* refers to audiovisual work over which the producer not only maintains complete creative and editorial control during production, but also post-production copyright ownership. Thus, although the Canada Council for the Arts is responsible for allocating funds to artists and arts organizations, it does not own or otherwise control the end products.³ Currently, the Council offers nineteen grant programs that support professional artists or non-profit,

- 1 This paper does not address those media art practices more commonly found in gallery settings, such as video, film, or audio art installations; nor does it address large-scale projections or multi-media works that employ film, video, or audio as part of their production. Although not all media art pieces of this nature that have been shown at national galleries have been purchased and preserved, some of this work can be found in such national collections. Similarly, the paper does not address sound in any detail, nor oral history, broadcasting, or audio art. As asserted, the primary focus is therefore single-channel audiovisual work – the type of work normally screened at film festivals and on television, and most familiar to the non-specialist.
- 2 Grant programs for the production and dissemination of independent media artworks on a provincial or municipal level vary widely; it should be noted that some provincial and municipal councils have also invested in very selective preservation of audiovisual materials. However, these programs are not within the scope of this paper, which will maintain a national focus.
- 3 Similar single-channel work is produced through the National Film Board of Canada; however, the Board negotiates shared copyright over all co-productions, thereby retaining control during production.

artist-run centres that work toward the production and/or dissemination of independent media artwork. The parliamentary appropriation to the Canada Council was \$151.7 million in 2005–2006.⁴ Of this, the grant dollars awarded directly to the media arts community totalled \$11.8 million.⁵ It is unacceptable that there are still no provisions for the systematic preservation of any of the work produced and supported through this federally funded organization. The Canadian public should be able to expect that at least some trace of what constitutes part of their cultural heritage would be preserved and therefore accessible to them as part of their history. Why has it proven so difficult to provide the basic resources necessary to facilitate an archival environment that would systematically preserve, at the very least, *some* of this government-funded work?

In the ever-changing face of our technological era, media art is inextricably part of the evolution of Canadian society as recorded on film, video and more recently, in digital formats. The story of the growth and development of this work, the evolution of media art practices, plus the subject and content of the works themselves will be lost to future generations if we cannot create a means to protect our own independent audiovisual history. This paper will look at key events that have created the contemporary audiovisual preservation crisis within which the independent media arts community finds itself, exploring the issues that have evolved within archival communities. These issues underscore the point that political will is critical to the provision of the resources necessary for establishing an infrastructure that effectively accommodates a collective strategy to ensure a place for the vast contribution of the independent media arts community in audiovisual archives within Canada.

Early Issues

One of the stumbling blocks to securing a place for independent media art in Canadian archival vaults, resides within traditions that have sought to define how audiovisual materials are prioritized and subsequently assessed as archivally relevant, as significant contributions to history. As early as 1900, the Ethnographic Congress in Paris urged anthropological museums to add *suitable* films to their archival collections and as such, the moving image was seen primarily as an ethnographic tool not yet thought of as a cultural prod-

4 See <http://www.canadacouncil.ca/grants> (accessed on 4 February 2008). The site offers a detailed breakdown of how current funds and previous increases to the Council's annual budget have been allocated, in addition to descriptions of funding and award programs, and endowments for the Media Arts Sector.

5 Canada Council for the Arts, "Annex B: Facts About the Council's Funding," *Creating our Future: An Invitation to Contribute to the Strategic Plan of the Canada Council for the Arts*, 2007 See <http://www.canadacouncil.ca/grants> (accessed on 16 May 2007).

uct in and of itself.⁶ However, as national cinemas in Germany, Italy, Russia, France, Denmark, Norway, the United States, and Sweden grew steadily from the turn of the century until the beginning of World War I, a burgeoning community of professionals began to rally around audiovisual preservation issues based on artistic merit. By 1912, new legislation in the United States made room for the deposit of moving images as a distinct art form.⁷

The establishment of the Public Archives of Canada (PAC) also occurred in 1912; however, it was Britain's Imperial War Office, not the PAC, which was responsible for Canada's first audiovisual collection. In order to provide Canadian producers reasonable access to war footage, and consequently enable the reuse of such footage in public newsreels, the Canadian government joined the War Office Cinematographic Committee, which was the beginning of Canada's first film collections, albeit within the War Office Archives. The moving image was again put to service as a publicity tool on behalf of the federal government, when in 1923 the Canadian Government Motion Picture Bureau was created within the department of Trade and Commerce. The Bureau not only fulfilled a government mandate to produce films that publicized Canada for prospective immigration, it maintained these films in national distribution, as they "... afford a valuable educational medium by which one part of Canada is enabled to know the other."⁸ These government-funded films were also exhibited internationally throughout the Commonwealth, in Belgium, Holland, Switzerland and across the West Indies, South America, and into the Far East. With healthy ties to England's Empire Marketing Board, the solid distribution network for such non-theatrical Canadian films resulted in a centralized repository at Canada House in London. The goal for the Bureau with respect to the Canada House Collection was to improve its condition, to better identify and date each film, to ensure that quality prints circulated – essentially, to maintain physical and intellectual control over the collection.

In Canada, consequently, it was the issue of access to finished works or to footage for the purposes of re-use that prompted an early government film policy to support the public dissemination of moving images; the policy provided the necessary funds for the creation and maintenance of early film collections. The value ascribed to the films was determined by their value to the public, and the various collections were formed with public dissemination

- 6 Sam Kula, *The Archival Appraisal of Moving Images: A RAMP Study with Guidelines* (Paris, 1983), p. 6.
- 7 Moving Image Collections (MIC), http://mic.imtc.gatech.edu/preservationists_portal/presv_timline.htm (accessed on 9 August 2005). MIC is an international union catalogue, and the portal for discovery of moving images for education and research.
- 8 Charles Backhouse, *Canadian Government Motion Picture Bureau 1917–1941* (Ottawa, 1974), p. 5.

firmly in mind. Similar movements were afoot abroad. In France, for example, Henri Langlois of La Cinémathèque française, sought to acquire as many films from the international circuit as possible in order to form a collection of work with the expressed view to provide for public screenings.⁹

Gustave Lanctôt, Dominion Archivist at the Public Archives of Canada (1937–1948), found himself part of an esteemed and powerful international lobby group, which included La Cinémathèque française, the then National Film Archive in London (now BFA National Archive), and the Museum of Modern Art in New York. As a group, these three institutions (plus the Reichsfilmarchiv in Berlin) founded the International Federation of Film Archives (FIAF) in 1938, to deal with a growing concern over the lack of audiovisual preservation initiatives, which emanated from an international community and required immediate attention. Upon the advent of sound, waning audiences meant that silent films were no longer commercially competitive and prints were being destroyed *en masse* when they reached the end of distribution circuits. Lanctôt recognized that this sense of urgency, combined with the support of an international organization, might provide the impetus he needed to lobby for the systematic acquisition of audiovisual collections within the PAC. Unfortunately, although Lanctôt became the founding president of FIAF, the Canadian treasury did not support the PAC in its bid to join the international lobby group.

By December 1937, however, Lanctôt finally managed to establish a separate and distinct division for audiovisual acquisitions within the PAC: the Cinematographic Division was created and for a very brief four years, moving images ceased to be the poor cousin within the PAC's Pictorial Division.¹⁰ There does not appear to have been any official acquisition policy to govern appraisal or selection of moving images in those formative years, although it is said that Lanctôt had a penchant for newsreels and subsequently acquired film produced for Associated Screen News of Montreal, and Movietone News and Pathé News, both of New York. Significantly, early film works produced by Canadians, such as *The Battle of the Long Sault* (1913) and the first known Canadian feature film, *Evangeline* (1913), were not selected for the collection; indeed, without vaulted preservation these works have been lost forever.

Simultaneous with the creation of the new Cinematographic Division at the Public Archives of Canada, the federal government was being lobbied

9 In July 1921, France was also the first country to set out rules against the destruction of documents that were seen to be public property. As cited by Kula, p. 21.

10 David Lemieux, "A Film Archive for Canada," *The Moving Image* (Spring 2002), p. 4. Lemieux reports that the audiovisual acquisitions of the Pictorial Division within the PAC were so small that they did not even appear in the annual reports; that is, no film acquisitions were listed.

by the independent Canadian film community who, in the face of increasing American domination, sought redress for a lack of federal policy that would support and protect indigenous Canadian film. In November 1937, Ross McLean, then private secretary to Vincent Massey, the Secretary of State for External Affairs, recommended that scholar John Grierson, also an activist at the forefront of the British documentary film movement, conduct an independent survey of Canada's film holdings and distribution activities abroad.¹¹ In June 1938, the Grierson report "stressed the need for coordination between all phases of policy, production and circulation, and urged that the distribution of all Canadian publicity films be routed through one competent agency."¹² Fundamental to the *National Film Act* of 1939, a new institution, the National Film Board of Canada (NFB), was to centralize all Canadian film activity and solidify policy, including the adoption of responsibility for moving image preservation. The NFB reported to the Department of Trade and Commerce, which administered both it and the Canadian Government Motion Picture Bureau until 1940, when the Bureau was officially absorbed by the NFB. In the transfer of power, the NFB inherited the old War Office Archives and eventually, in 1951, also acquired the Canadian Government Motion Picture Bureau Collection, both of which were in various stages of decay. The PAC's Cinematographic Division was disbanded in 1941, although the film it had acquired remained at the PAC.

During World War II, the NFB was free to operate as it saw fit, and with continued funding it managed to build upon earlier efforts to establish extensive distribution circuits throughout an international network, while also focusing on solid production values and steady output. Access to finished films was therefore fundamental to NFB policy, as the Board sought to fulfill its continued mandate to show Canada to Canadians and promote Canadian ideology through the dissemination of its films abroad. However, once the war was over, it was clear that the Board had to raise political awareness over the need for costly improvements to the inadequate physical and storage conditions, and protect the growing body of audiovisual works for which it had assumed responsibility.

Thus, after World War II, pressure was brought to bear upon the Canadian government to recommit to preservation on behalf of the moving image. FIAF had also been revived and film scholars claim that, "The growth in international film consciousness spurred governments to fund archives that would take up the burden of systematically documenting and preserving the world's film culture."¹³ By 1948, the continuous effort to create a national

11 Forsyth Hardy, *John Grierson: A Documentary Biography* (London, 1979).

12 Backhouse, p. 27.

13 David Bordwell and Kristin Thompson, *Film History: An Introduction* (New York, 1993), p. 411.

film archive in Canada had found support in Hye Bossin, editor of *Canadian Film Weekly*, who wrote a manifesto in the magazine calling for the establishment of a Canadian film archive. Prophetically perhaps, Bossin stated: “Even now, when Canada has just begun the march toward its great destiny, it is strange that such a powerful industry and art as the moving picture should be without historic records in places designed to house them. How ridiculous will it seem several generations from now.”¹⁴

By 1948, W.K. Lamb was the PAC’s Dominion Archivist, and he responded to Bossin’s call by writing the following to the NFB: “I don’t think the Archives alone could get very far with the project. On the other hand, if the film industry itself is interested, or could be interested, and if an agreement could be arrived at whereby films would be deposited regularly in an Archives collection, then I think it is entirely possible that something might be arranged.”¹⁵ This is the first call for collective responsibility toward the formation of federal policy in Canada that would provide shared governance over Canada’s burgeoning moving image history; and, it is a significant point that would reoccur throughout subsequent decades, as Canada continued to search for a solution to the problems facing the procurement of adequate resources that might effectively address its audiovisual heritage. Indeed, the NFB had not been provided with adequate resources to enable it to honour its mandate on behalf of film preservation.

Sam Kula reminds us of the general opinion of the archival community toward audiovisual records in post-war times: “All moving images were regarded by the custodians of artifact and culture as escapist fare of no lasting value.”¹⁶ He goes further, stating: “In the absence of an articulated appraisal and selection policy the accessions that were made took on the character of accident, or administrative convenience, or allegiance to fashion in selecting the critical and/or popular successes of the day.”¹⁷ While the archival community in Canada waxed uncertain about its role vis-à-vis audiovisual documents, the very place that film held in the eyes of Canadian society was evolving. From ethnographic records to propaganda for early immigration and educational indoctrination, Canadian films that had once been seen as totally utilitarian were now winning international awards and inching toward a place among the cultural, perhaps even the artful.¹⁸

14 Hye Bossin, “A Book Review and an Appeal for a Canadian Film Archive,” *Canadian Film Weekly*, vol. 14, no. 4 (26 January 1949), p. 12.

15 Lemieux, p. 11.

16 Kula, p. 4.

17 Ibid, p. 2.

18 As an example, the NFB won an Academy Award for *Churchill’s Island* (1941), and the now famous films from the NFB Animation Unit, the œuvre of Norman McLaren, were also being publicly celebrated around the world.

Archivists, collectors, and governments unquestionably recognized that they held the power to shape history for future generations. Realistically, however, key differences existed between the priorities of different institutions – museums, archives, or exhibition venues – and the needs of the public, some of whom were filmmakers, others simply members of the public at large. The Canadian government funded the production of new work and wanted it distributed, be that for educational or propagandistic purposes. Filmmakers, however, wanted access to pre-existing footage to inform new work while members of the general public needed to see the works to stay informed. Cultural institutions, on the other hand, sought to provide public access to promote cultural values through widespread exposure. And although museums frequently lend and exchange works, archives do not consider themselves lending institutions. Rather, an archive is best regarded as a permanent repository for irreplaceable original materials of research value. Indeed, the wish for continued access to, and use of, audiovisual media, so as to keep it in distribution or provide for its reuse, puts an audiovisual archive curiously at odds with the basic premise upon which most archival fonds are established: for permanence. So it was, and remains thus, that access to audiovisual materials means very different things to different communities, be they users, creators, custodians, or some combination thereof.

The Massey Commission and the Establishment of the Canadian Film Archive

In the speech from the throne on 26 January 1949, Prime Minister Louis St. Laurent announced that he would establish a Royal Commission to examine federally-supported cultural institutions and Canada's cultural role on an international scale, carefully expressing that the commission would be "... restricted to the activities of federal agencies – activities which are the concern of the Canadian nation."¹⁹ When the Royal Commission on National Development in the Arts, Letters and Science (known as the Massey Commission) reported on its cross-Canada investigation into Canadian culture (1949–1951), the call to address a federal role in the development of the arts in Canada was sounded. The Commission laid the groundwork for the establishment of the Canada Council for the Arts and finally, in 1957, through Bill 47, the *Canada Council Act* proclaimed an administrative board that would "support a programme of grants and scholarships for the arts,

19 Louis St. Laurent, as quoted by Paul Litt, *The Muses, the Masses and the Massey Commission* (Toronto, 1992), p. 30.

humanities, and the social sciences.”²⁰

Given that this paper’s historical exploration into early developments within Canada’s film and archival communities also seeks to contextualize the formation of an independent media art community within the purview of federal initiatives, it is important to note two key points that emerged from the investigations of the Massey Commission. First, the Public Archives of Canada remained focused on becoming a public records office and did not lobby the Commission on behalf of a moving-image collection. Instead, the Canadian Film Institute, which had just emerged from its parent organization, the National Film Society, put itself firmly forward as the future home for a national film archive. The Commission acknowledged the lobby from this non-profit organization, which was dedicated to “the study and appreciation of the technique and art of the motion picture through the private showing to its members of selected films of an artistic or experimental nature.”²¹ The Society sought to both promote film as art and keep its roots firmly planted in making film accessible to the public.

The Massey Report praised the National Film Board’s importance as a film production and distribution facility, and recommended “that responsibility for maintaining a national film collection be left with the National Film Board, that this collection be developed not merely as a record of photographic art and techniques but as an historical record of events of national importance.”²² Significantly, the Commission also listed three things that were required to emphasize the importance of Canadian film. First, film collections needed to be well catalogued and classified, a proposal that clearly echoed the early efforts of the Canadian Government Motion Picture Bureau concerning the effective care and distribution of the Canada House Collection in Great Britain. Second, the Commission advocated “an evaluation service to appraise films and to advise upon their suitability for specific purposes.” And third, the Commission recommended that there be “a procurement service through which any film ... could be purchased easily

20 Maria Tippett, “The Origins of the Canada Council: ‘The Most Generous Sugar Daddy Art Has Ever Known,’” in *Probing Canadian Culture*, eds. Peter Easingwood, Konrad Gross, and Wolfgang Kloos (Augsburg, 1991), p. 50. The Canada Council for the Arts was originally established and funded through an endowment fund when Isak Walton Killam and Sir James Dunn together left \$100 million in death duties; it was *not* an agent of the government but rather, an arm’s-length funding institution. Fifty million dollars was put into a university capital grants fund and the rest was left to the arts and humanities for grants and scholarships. The Canada Council would, however, begin to receive a regular annual budget allocation from Parliament by 1965.

21 Yvette Hackett, “The National Film Society of Canada, 1935–1951: Its Origins and Development,” in *Flashback: People and Institutions in Canadian Film History*, ed. Gene Walz (Montreal, 1986), p. 137.

22 Government of Canada, *Report from the Royal Commission on the National Development in the Arts, Letters and Sciences 1949–1951* (Ottawa, 1951), p. 309.

and promptly.” The Commission saw this service “as comparable to those now provided for books by libraries ... and book stores.”²³

The Report did not feel that the NFB should perform all of these functions on its own, but rather, staked its interest in “the work already done by the National Film Society, by the Film Councils, and by other national and local voluntary bodies.”²⁴ As such, the newly minted Canadian Film Institute would function “to provide an efficient service in the evaluation and procurement of films.”²⁵ The Massey Report proposed that the NFB share its responsibility for film preservation and circulation with the Canadian Film Institute, primarily for the purposes of cataloguing, classifying, and appraising films that could be circulated and that would remain accessible to the Canadian public.

Meanwhile, in 1951, the Canadian Film Archive Committee was formed, boasting an impressive inaugural membership consisting of Dominion Archivist W.K. Lamb, Hye Bossin of the *Canadian Film Weekly*, filmmaker J. Roby Kidd, and W. Arthur Irwin, head of the NFB. Fully aware of the pressing need for more adequate and improved physical conditions for existing audiovisual material, the NFB had prepared a report regarding the establishment of new vaults and was itself committed to housing Canada’s film collection. On the other hand, Gordon Sparling, head of *Short Subjects* at Associated Screen News, and independent producer B.E. Norrish, had both joined the Committee hoping to lend clout to efforts to build a partnership between filmmakers and the PAC, which had not expressed any interest in further developing audiovisual archives, perhaps given that the NFB was already mandated to do just that. The NFB agreed to temporarily house external, independently produced audiovisual materials as suggested by the Canadian Film Archive Committee, although there were in fact to be few such additions.

In 1954, the Canadian Film Archive Committee published a report entitled *Memorandum on a Canadian Archive for Historical Material Recorded on Motion Picture Film*, written by J. Roby Kidd. Echoing W.K. Lamb’s response to the earlier 1948 manifesto by Bossin, the Committee recommended collective responsibility for amassing contemporary moving-image heritage, in this case by suggesting that the film industry itself become financially responsible, at least in part, for the preservation of their own output. The report encouraged the repatriation of some of Canada’s celebrated past works and also pushed for a separate, autonomous film archive. Perhaps unsurprisingly, given the great cost involved in

23 Ibid.

24 Ibid.

25 Ibid.

establishing such a collection and providing the resources to vault such work, the Canadian Film Archive Committee proved unable to make any concrete progress and dissolved a few years later, in 1957.

Shortly thereafter, in 1958, Lamb publicly announced that, “At the moment the Archives is cooperating with the Canadian Film Institute in the tentative advances toward a Film Archives for Canada.”²⁶ And so it was that in December 1963, the Canadian Film Institute formally established the Canadian Film Archive, which was quickly admitted to the International Federation of Film Archives (FIAF). Clearly, the desire to provide public access to a Canadian film collection remained paramount, both in the ethos of the custodial institute, and in the federal commission that had reviewed and reported on the wishes of contemporary Canadian society. But the battle for the control of a national collection of moving images was far from over, and the struggle to procure the financial support that would realistically provide for a physical infrastructure capable of protecting audiovisual elements, remained acute.

Canada’s Preservation Infrastructure Evolves

The federal government began to pay more attention to cultural matters in the 1960s, perhaps because the film community in Canada had reached a critical mass and pressure from this group could no longer be ignored. Then, an especially poignant event occurred on the occasion of Canada’s centennial celebrations. On 23 July 1967, a disastrous nitrate fire broke out in vaults under the care of the National Film Board of Canada; millions of feet of film were destroyed and the Canadian government was squarely blamed. Jean T. Guénette writes: “Because of the lack of concern for Canada’s film heritage, more than half of the films produced in this country between 1890 and 1950 have been lost.”²⁷ Over the next few years, the early debates over what, or even whether, audiovisual documents should be considered of archival significance were supplanted with questions of how to best solidify a federally-supported, national audiovisual collection and provide the necessary resources to secure Canadian audiovisual heritage for future generations. Although the film community no longer needed to justify why its work was a valid contribution to Canadian history, Canada still needed to settle the terms on what would constitute an adequate infrastructure in order to preserve and protect audiovisual materials, and finally provide the means, that is the funds and the facilities, required to house such work.

26 Lemieux, pp. 14–15.

27 Public Archives of Canada, *General Guide Series 1983: National Film, Television and Sound Archives* (Ottawa, 1983), p. 1.

Without adequate resources the NFB had not been able to perform its duty to preserve Canada's early film output. Indeed, the catastrophic Beaconsfield fire, "... led the federal Cabinet in 1969 to authorize the PAC to begin collecting the unstable nitrate film that remained in the country and to print as much footage as possible onto safety stock."²⁸ The PAC had already acquired the work of the Canadian Army Newsreel Division from London, England because apparently, "The Army Newsreel Division, represented by Col. William G. Abel, aware of the NFB's already infamous reputation, knew that films stored by the NFB stood a very good chance of being lost or destroyed by poor storage condition."²⁹ Additionally, the PAC began to repatriate older Canadian films from foreign audiovisual holdings, as had indeed been suggested by the Canadian Film Archive Committee in the 1954 *Memorandum on a Canadian Archive for Historical Material Recorded on Motion Picture Film*; among the riches of the US Library of Congress collection was one of the first Canadian actualities, *The Great Fire of Toronto* (1904) by George Scott.

Talks were again underway to establish a national film archive with divisional status within the PAC. In clear opposition to proposals for continued support for the Canadian Film Institute's Canadian Film Archive, director, producer, writer, and prominent member of the film community, Guy L. Côté, submitted a report commissioned by the Secretary of State in 1970 entitled, *Une Politique fédérale des archives cinématographiques*. Côté underlined the need for a new federal infrastructure that would be able to accommodate the many forms of Canadian audiovisual material, and he categorically dismissed the possibility that any other existing archival institution beyond federal government control was capable of handling such volume. Furthermore, the PAC's 1969 annual report stated that the Picture Division had also begun creating "archival programs in relatively new media: sound recordings, heraldry, and motion picture film."³⁰

On 4 July 1972, Secretary of State Gérard Pelletier gave a speech in Montreal outlining the first phase of a national film policy that would facilitate access for creators to professional training, to the means of production, to an expanded national film culture, and to markets. Within the new film policy, archives and preservation fell into "film culture." "The Canada Council will," Pelletier said, "... continue to provide substantial amounts of aid to bodies concerned with the conservation and spread of films, and those which encourage exchanges of information."³¹ Preservation had always

28 Ibid.

29 Lemieux, p. 8.

30 Public Archives of Canada, *Annual Reports, 1959–1969* (Ottawa, 1971).

31 Gérard Pelletier, "Canada's Film Policy: The First Phase," *Cinema Canada*, 2nd ed., no. 3 (July/August 1972), p. 7.

been important to the Canada Council for the Arts, which was evident in the early emergence of grants for the promotion of film culture. In fact, in its first full year of operation (1958), the Canada Council had indeed funded the Canadian Film Institute with a grant of \$26,000. Further such instances included: \$15,100 to La Cinémathèque canadienne (which became la Cinémathèque québécoise in 1971) and \$20,000 to Le Conservatoire d'art cinématographique de Montréal, in 1965; \$10,000 each to Canadian Filmmakers Distribution Co-operative and Cinémathèque of Vancouver (which became Pacific Cinémathèque), in 1972; and \$11,690 to Art Metropole in 1979 for "the operation of an archive."³² Additionally, within the Canada Council, the Visual Arts sector itself set up a Film Collection Program in 1974, "initiated for the purpose of documenting the results of film production grants."³³ Clearly, the Canada Council had committed its support to the dissemination of film over the years, but as identified through the new film policy, the Crown corporation was also mandated to provide financial support for the conservation of film.

With all of these competing interests, and given the fractured efforts of the past, would the film community at large be receptive to a national collection of audiovisual work at the Public Archives of Canada? How would the issue of access be handled? Or would the Canadian Film Institute, partially funded by the Canada Council for the Arts, continue to operate in conjunction with regionally active preservation initiatives to foster a much more decentralized web of repositories, created and maintained primarily to uphold circulation, as per Pelletier's policy? How would the National Film Board fare in its role? Could it continue to work in tandem with the Canadian Film Institute, as had been recommended by the Massey Report? Collective responsibility for audiovisual materials had been identified more than once throughout the historical developments that had led to this moment, but to date, policy regarding the preservation of film had always hinged on public access for distribution and circulation, not on the traditional mandate of the archival environment: that is, to acquire and preserve.

The Pelletier amendment to the National Film Policy created the National Film Archives Committee within the Public Archives of Canada in November 1972. It is perhaps of great significance that at this particular moment in time the International Council of Archives finally recognized film as an archival medium of record.³⁴ Thereafter, the PAC began its nitrate conversion program

32 Canada Council for the Arts – Visual Arts Section, *Artist Centres: A Twenty Year Perspective 1972–1992* (Ottawa, September 1993), p. 7.

33 Canada Council for the Arts, *Media Arts 1985* (Ottawa, 1985), p. 1.

34 Wolfgang Kohte, *Archives of Motion Pictures, Photographic Records and Sound Recordings: A Report Prepared for the XIIth International Congress on Archives, Moscow, August 21–25, 1972* (Paris, 1972).

in earnest and in addition to acquiring 14,000 reels of film, the large bureaucracy also began to reorganize for the accommodation of a broader spectrum of audiovisual records.³⁵ Given that there was such a great void after so many years of fragmented attempts (it had been three decades since the demise of the Cinematographic Division and over one hundred years since the nascent developments that led to film), the approach to acquiring Canadian audiovisual documents within the PAC could only be described as a total acquisition policy.

As the National Film Archives Division grew in stature within the PAC, the Canadian Film Archive within the Canadian Film Institute withered, “despite many attempts to get the funding necessary to carry on this important function.”³⁶ Indeed, in 1972, the collection of the Canadian Film Archive became one of the first major film acquisitions at the PAC. It is reported that, “In the two years preceeding [*sic*] this transfer, the Institute was forced to sell to the PAC large increments of archival material in order to survive financially.”³⁷ This of course reflects upon the role of the Canada Council and its ultimate inability to provide the very resources required by the Pelletier policies; the Council could not adequately ensure the conservation of even this single-film collection, one of many it supported. When the Canadian government established the National Film Archives as a new branch of the PAC on 29 January 1976, the branch was invited to submit a budget to the Treasury Board; by the end of the calendar year, the National Film Archives was awarded “full funding to carry out its operations, with significant growth funding to be made available in the future.”³⁸ At last, the financial resources were available, and proper vault space could be provided for the growing and disparate collections of audiovisual material.

Then, in June 1976, Françoise Picard, the Film Officer at the Canada Council for the Arts, hosted a nation-wide conference, the Film Resources Colloquium, which focused on preservation, conservation, and dissemination.³⁹ A series of recommendations was put forward at the two-day confer-

35 Lemieux, p. 15.

36 This quotation was taken from page one of a document found in the Independent Media Art Alliance archives (Montreal), dated November 1979. Simply entitled *Canadian Film Institute*, it is a brief that was submitted to the Canada Council sponsored Film Colloquium for Non-profit Film Organizations (1979). No author is credited but a list of the Board of Directors that follows at the end of the report cites people who would go on to further shape Canadian film history, including Michael Spencer, Wayne Clarkson, André Lamy, and Sydney Newman.

37 *Ibid.*, p. 2.

38 Public Archives of Canada, *Annual Report, 1976–77* (Ottawa, 1977), p. 101.

39 The invited guests included an array of eminent alumni: Wayne Clarkson, once at the CFI, later to become the head of Telefilm; Fil Fraser, an independent filmmaker who would become a significant player at the Alberta Motion Picture Development Corporation; Jean Lefebvre from Secretary of State; Sam Kula from the National Film Archives; and Hugh

ence: 1) that the National Film Archives at the PAC be recognized as an important part of a national network of film archives; 2) that the National Film Archives be concerned with preserving such aspects of film and related electronic artefacts of long-term interest to the nation as a whole; 3) that the National Film Archives be located in Ottawa and financed by federal funds; and 4) that it be recognized and understood that regional organizations have different needs and should continue to receive separate funding, “either through the Secretary of State and the Canada Council, or through some similar federal body. Sec. State should create a film archives advisory body for Canada that would reflect the interests of regional archives.”⁴⁰ Clearly, while the national community supported the National Film Archives, the independent community was also articulating the continued need for a diversity of preservation facilities, and specifically noted the need for ongoing recognition and funding of pre-existing regional initiatives.

Françoise Picard and Sam Kula, Director of the National Film Archives, began corresponding on the fate of the films funded by the Canada Council. In May of 1978 with a view to begin placing copies of select films in the national collection, Kula began exploring the possible inclusion of works by those filmmakers who had received Senior Arts Grants. Thus, communication on the subject of archiving independent Canadian media artworks was established between the Canada Council for the Arts and the National Film Archives, although dialogue would not resume for a further five years.

The preservation project finally commenced in 1983, with earnest negotiations over how best to deposit what is now known as the Canada Council Collection. Picard submitted a list of one hundred film titles to Kula, and when the National Film Television and Sound Archives (NFTSA, the renamed National Film Archives) received its first deposit from the Council in 1984, many of those films were in that first accession. Between 1984 and 1991, under deposit agreement, wherein legal title was retained by the filmmaker/video artist, the Canada Council transferred a total of 747 titles: 186 films prints, most of which were purchased outright from labs, 546 videos, which were deposited in a direct transfer of the deliverables artists supplied to Council with their final reports, plus 15 audio reels that also made it into the collection from the archives of the Canada Council itself.⁴¹ This period

Taylor of the PAC. There were also two representatives from the independent film community: Leon Johnson of the Winnipeg Film Group, and Gordon Parsons from the Atlantic Filmmakers' Cooperative in Halifax.

40 Handwritten notes on the agenda as found in the archival papers of the Independent Media Arts Alliance, suggest that these recommendations were submitted by Frederick Manter, Canadian Film Institute; Kirk Tougas, Pacific Cinémathèque; Ken Hughes, Manitoba Arts Council; Serge Losique, Conservatoire d'art cinématographique, Montreal; Robert Daudelin, Cinémathèque québécoise; and perhaps, Gerald Pratley, Ontario Film Theatre.

41 According to the specific details of each particular deposit agreement, the donor retains

represents the last large-scale and systematic acquisition of independent media artwork to be procured by the PAC. Just as quickly as the resources had become available and finally allowed for effective partnering on behalf of the preservation of independent media art, the fountain dried up.

From the 1990s to the Present

There is no ongoing policy for preservation; therefore, the work that the Canada Council funds is in the hands of its independent producers and distributors. The independent distribution centres within the network of media art culture in Canada continue to hold copies of the earliest work produced through Council funding. Inherently organized for public access and dissemination, the member groups within the network of independent media art distributors have each managed to support and foster independent, creator-driven media artwork within their select communities for the first five decades of federally-funded Canada Council production; it is clear, however, that their legacy works are now in grave danger.⁴² It is all at risk, as distributors seldom hold original master tapes, picture negatives or soundtracks, which leaves these original elements with artists or in the hands of artist-run centres, scattered across the country in basements, on shelves, languishing under reprehensible conditions.

In a keynote speech at a 1990 conference hosted by the National Archives of Canada (formerly the PAC) on behalf of the International Council of Archives, Hugh Taylor warned:

There has long been a tradition with moving-image archives to be housed in a library or cinémathèque where the imperative to acquire has been based on the artistic and cultural merits of the exhibited film, with little consideration given to the archival components generated in the making of the film which were probably still in the hands of the producers if they survived at all. This is not to criticize the heroic efforts which were made by the great collectors to establish film as an art form, but simply to point out certain drawbacks from an archival point of view.⁴³

legal title as well as the right to recall the material. The Canada Council acted as a third party to arrangements between the filmmaker/video artist and the PAC. The relationship was further complicated by the lack of experience on both sides, as the NFTSA struggled to streamline its policies, and the Council attempted to educate its artists on the nuances of archival repositories.

42 Today, the group of independent media art distributors includes: CFMDC (Canadian Filmmakers Distribution Centre, Toronto); VTape (Toronto); GIV (Groupe intervention Vidéo, Montreal); Vidéo Femmes (Quebec City); Video Out (Vancouver); Vidéographe (Montreal); Moving Images (Vancouver); and the only centre with an actual climate controlled vault, Video Pool (Winnipeg).

43 Hugh Taylor, "Opening Address," *Documents that Move and Speak: Audio-visual Archives in the New Information Age* (Ottawa), pp. 22–23.

The comparison with what has transpired within the Canada Council for the Arts is unavoidable. Certainly, the media artwork produced at the Council must be seen; artists build their professional reputations, their careers, upon the circulation of their work and the discourse generated through its dissemination, not to mention their need to make a living. But to collect moving images with no regard for their preservation is short-sighted, even foolhardy, as time has told.

Taylor further emphasized in his speech that the demands for the physical preservation of audiovisual materials are difficult on many fronts, not the least of which is the cost of ongoing preservation. As Sam Kula reported almost a decade earlier in the 1983 RAMP study:

The immediate archival investment can thus be considerable, and the ongoing costs, in terms of environmentally controlled storage conditions (20°C and 50% RH for black and white films and videotape; -4°C and 30% RH for colour films) and the need to manufacture reference copies for every item in the collection if the originals are to be protected (the life of any film videotape copy can be measured in the number of times it is viewed, and the number is not very large) and still permit public access, adds substantially to the costs. ... It is an unavoidable and very substantive factor in appraising all media records, and often a determining factor in selecting moving images.⁴⁴

Sam Kula had also raised another issue: "... the technology associated with conservation and public service on videotape materials is actually less complicated and less costly than it is with early film. The deterrent in this case is volume."⁴⁵ By now, given that Canada's many cultural institutions were far behind in the preservation game, it is not surprising that no one institution was willing to carry this expensive torch; however, it remains unforgivable that there have been no effective long-term partnerships created to provide the infrastructure necessary to safeguard the cultural history produced by this independent sector.

By 1992, the National Archives of Canada (NA) initiated a study to assess its preservation priorities, which would culminate in December 1993, with the publication of *The Preservation and the Enhanced Use of our Canadian Audiovisual Heritage: A Passing Heritage*. National Archivist Jean-Pierre Wallot wrote:

For the past ten years at least, it has become increasingly impossible for the National Archives and other archival and cultural institutions across the country to acquire, preserve, organize and make available even the most important elements of our audiovisual heritage. As a result, we risk the irreparable loss of the audiovisual

44 Kula, pp. 34–35.

45 Ibid., p. 12.

testimonies of the present and of the recent past unless a concerted effort is pursued across the country. ... There is recognition that no single archival or cultural institution, including the National Archives, has the means necessary to ensure the safeguarding of all the records of lasting significance ... a nation-wide strategy is required.⁴⁶

Thus, the issue of collective responsibility was voiced again. In spite of the fact that the NA, through the establishment of the National Film Archives Division, had been chosen from among the contenders to provide a federal repository for all the many forms of Canada's audiovisual works, and was also awarded an independent budget to do so, it appeared as though Canada had once again found itself in the unenviable grip of too-little, too-late.

The document prepared by Wallot and his team repeatedly stressed that, "The development and implementation of any national strategy to preserve audiovisual records will involve archival and cultural institutions, creators, users, producers and funding agencies as active participants. ... very much in keeping with international opinion expressed at UNESCO."⁴⁷ Indeed, this approach was in step with suggestions that had been made repeatedly throughout the years, including: remarks made by W.K. Lamb, who unsuccessfully attempted to get producers to support preservation initiatives at the National Film Board of Canada (1948); the recommendations made in the Report from the Royal Commission on National Development in the Arts, Letters and Sciences (1951); the recommendations put forward by the members of the Canadian Film Archive Committee in the *Memorandum on a Canadian Archive for Historical Material Recorded on Motion Picture Film* (1954); and most recently, the recommendations in the *Report of the Federal Cultural Policy Review Committee* (1982). Collective, shared responsibility for the preservation and archiving of audiovisual materials is unavoidable.

In his executive summary to *A Passing Heritage*, Wallot stressed the urgency of the situation. Referencing the report of the Standing Committee on Communications and Culture entitled, *Cultural Communications: The Ties that Bind*, Wallot called for "immediate action by the government in the development of a strategy respecting the preservation of Canada's audiovisual heritage and access to it." He wrote further about "... ensuring access and facilitating the re-use (with respect for copyright and intellectual property) of products that very often were created with the help of public funds."⁴⁸

46 Jean-Pierre Wallot, *The Preservation and the Enhanced Use of our Canadian Audio-Visual Heritage: A Passing Heritage* (Ottawa, December 1993), pp. 1–2. "Enhanced Use" was defined as "the preservation of historically significant audio-visual archival records of enduring value" and, "access to and use of them so that these heritage treasures can be used for cultural and economic purposes, with full respect for copyright and related laws."

47 *Ibid.*, p. 2.

48 *Ibid.*

Wallot recommended that a Task Force be established to address four major issues: 1) the legal aspects, “including legal deposit, and specific problems such as the identification and selection of audiovisual archival records, scheduling for their destruction, division of custody responsibilities ... and effects of ‘rapid creation of new media’⁴⁹; 2) to “focus specifically on the self-destruction of physical media (nitrate and magnetic tapes, in particular) ... the rapid pace of technological and industrial change that means formats become obsolete in a very short period of time ... and the conservation technology”⁵⁰; 3) the study of “elements that have a tremendous impact on both the cultural industry and heritage institutions, including copyright ... potential for re-use, tools needed to locate documents, cataloguing standards, electronic access ... differing client needs, user fees, possible duplication of institutions’ activities ... and the role of the private sector”⁵¹; and 4) the “identification of funding sources of all types, and the current resources and other resources required for the co-ordinated and effective preservation of the Canadian audiovisual heritage in the long term, as well as for access to it by researchers and users, within the framework of certain limitations created by the Canadian economic and financial situation.”⁵² On 11 March 1994, word came that the Minister of Communications had approved Wallot’s proposal for a Task Force that would address the fate of Canadian audiovisual heritage. All in all, it was a very tall order.

The Task Force’s stakeholders were identified as “industry organizations including producers, broadcasters, and distributors; cultural institutions such as archives, libraries, documentation centres, and museums; various national and regional communities including First Nations, ethno-cultural groups and artists’ collectives, as well as related professional associations and funding agencies.”⁵³ Stakeholders were collectively held responsible for “establishing procedures for identifying and selecting the audiovisual elements of enduring value, both from their existing holdings, and from current and future productions,” and ensuring “proper retention of audiovisual material.”⁵⁴ Telefilm Canada (a Crown corporation mandated to support the Canadian feature film industry), and the Canada Council for the Arts were among those “urged to establish mechanisms to assist in the proper identification, selection and

49 Ibid., p. 12.

50 Ibid., p. 13.

51 Ibid.

52 Ibid.

53 Task Force on the Preservation and Enhanced Use of Canada’s Audio-Visual Heritage [hereinafter Task Force], *Fading Away: Strategic Options to Ensure the Protection of and Access to our Audio-Visual Memory* (Ottawa, 1995), p. 44. As an inclusive term, “stakeholders” was said to also embrace creators and/or their representatives.

54 Ibid., p. 45.

long-term retention of our audiovisual heritage.”⁵⁵ The federal government was urged to financially support those who already had preservation facilities, to “facilitate the creation of a Preservation Fund.”⁵⁶ The stakeholders were also advised on basic preservation management and conservation measures, tips for training, electronic inventories, linked databases, along with various suggestions for the acknowledgement of a standard for both storage media and recording media. General selection criteria were addressed in terms of principles that “reflect the values of Canadian society assessing relevance primarily in terms of Canadian content, Canadian production and material of significance to Canadians.”⁵⁷ Certain kinds of material were prioritized: records produced before 1940, including unedited material; all Canadian films and sound recordings produced before 1950; television and radio programs produced in Canada before 1960; Canadian sound recordings produced and published before 1970; and Canadian video recordings in non-standard formats produced independently before 1980 and music videos from the same period.⁵⁸

The Independent Film and Video Alliance (IFVA) was also invited to the table to represent the independent media arts community on the Steering Committee of the Task Force.⁵⁹ Briefly, as attempts were being made to conduct a nation-wide survey of audiovisual holdings in Canada led by Jacques Grimard, the IFVA was invited to send this survey and questionnaire to its member groups. The IFVA chose to forward this document predominantly to the independent distributors, including The Canadian Filmmakers Distribution Centre (CFMDC) and Vtape, both located in Toronto, and the Winnipeg Film Group and Video Pool, both in Winnipeg. On 31 January 1995, the IFVA responded to the Task Force, stating that the independent film and video sector was unable on its own to handle preservation and restoration of the thousands of works that represented a significant part of Canada’s audiovisual heritage, noting that much of its work was in dire need of restoration. The IFVA proposed the creation of a restoration centre, and also supported working cooperatively with the NA to develop appropriate

55 *Ibid.*, p. 46. The author has not found, to date, any record of the Canada Council’s contribution to this request.

56 *Ibid.*, p. 47.

57 *Ibid.*, p. 45.

58 *Ibid.*

59 The Independent Film and Video Alliance (IFVA) was formerly known as the Independent Film Alliance du Cinéma Indépendant (IFACI) when first created in 1979. The organization later changed its name to the Independent Media Arts Alliance (IMMA) to better reflect its broadening community and changes in the technology that artists were using to create media artworks. It continues to operate as IMAA and represents over ninety member organizations from across Canada. For the most part, these are non-profit, artist-run centres funded through the Canada Council for the Arts.

strategies that would help to achieve solutions to the preservation and archival problems facing their community.⁶⁰ In keeping with developments within the archival community at large, the IFVA was acutely aware that its work was at risk for many of the reasons that had been raised in years past: money, facilities, changing formats and technological obsolescence, physical and intellectual control (access), and of course, selection criteria and acquisition policy within major cultural institutions.

In 1995, the final report from the Task Force was released as *Fading Away: Strategic Options to Ensure the Protection of and Access to our Audio-visual Memory*. The Task Force proposed twenty recommendations and a three-year action plan was envisaged.⁶¹ Year one would produce a consortium of players that would identify collective priorities, funding mechanisms, and training issues, which would initiate the process. Year two was to confirm funding, establish a feasibility study, research initiatives, and create a database for holdings, a voluntary central registry for material,⁶² standards for description,⁶³ and produce a digital technology study. Year three would establish common regional storage facilities, a centre for information on obsolete and deteriorating formats, and a study on digital technology.

From the *Fading Away* report, the Alliance for Canada's Audiovisual Heritage was created, and in June 1996 its mandate embraced the year one strategy proposed by the Task Force. The Alliance became a consortium of "producers, creators, distributors, users and collectors from across Canada who are dedicated to promoting the preservation of Canada's audiovisual heritage and to facilitating access to and usage of regional and national collections through partnerships with members of the audiovisual community."⁶⁴ Its mandate was "to coordinate a national strategy [*sic*] for this critical heritage work and to collect funds to restore and copy materials of the past that need immediate attention ... pro-active preventive mechanisms for the

60 From documentation of IFVA involvement in the Task Force as found in the archives of the Independent Media Arts Alliance (Montreal, July 2005).

61 Task Force, *Fading Away*, p. 47. The National Archives also produced a short video, *Fading Away*, that summarized key issues raised by the study and its final report.

62 This refers to a linked database that might provide for shared information on audiovisual holdings that were scattered in various repositories across Canada; it was to list all holdings on-line, including original conservation elements, and was understood as an invaluable research tool for those who believed in a shared responsibility for preservation, which included avoiding duplication.

63 With the introduction of a new database, MIKAN, in 2000, the *Rules for Archival Description* (RAD) were adapted to accommodate unique needs for the description of audiovisual records.

64 Brian Robertson, *Feature Film Policy – Some Comments*, Alliance for Canada's Audiovisual Heritage, March 1998. This was a submission to the Canadian Feature Film Review by the president of the Alliance; see <http://www.pch.gc.ca/progs/ac-ca/pol/cinema-film/pubs/sub78.htm> (accessed on 8 April 2005).

future to ensure long term preservation of and access to our Canadian audiovisual heritage.⁷⁶⁵ The Alliance has since morphed into today's Audiovisual Preservation Trust and continues to try to move the agenda forward. Much progress has been made across Canada regarding the establishment of institutional databases that list inventory, an invaluable research tool, although a central registry was never established.⁶⁶ The organization also facilitated a detailed report entitled, the *Canadian AV Vault Inventory*, published in June 2003.⁶⁷ It also funded the Educational Assistance Program, which has allowed the Canadian Filmmakers Distribution Centre, for example, to produce several DVDs for the educational market, including *Key Canadian Documentaries*, *Winter Kept Us Warm* (dramatic feature film by David Sector) and *Made by Hand: Experimental Works for Educational Environments*. Perhaps most visibly, the AV Preservation Trust also contributed to the canonization of Canadiana by hosting the Masterworks ceremonies, which “recognize twelve culturally significant classics each year, drawn from the archives of the Canadian film, radio, television and sound recording industries.”⁶⁸ These efforts are commendable in that they heighten awareness of the need to preserve Canadian audiovisual work, including independent media art, as well as promoting discourse on independent media arts practices in general.⁶⁹

A shift in policy at the Department of Canadian Heritage was announced at the end of 2000⁷⁰ and, as the Task Force suggested, it included the establishment of a Preservation Fund, limited to feature-length film. Canadian Heritage invested in a series of initiatives with an initial fifteen million dollars in 2000–2001, then fifty million dollars per year henceforth. Without a doubt, the portion of this money that was provided to the preservation

65 Ibid.

66 For example, la Cinémathèque québécoise has a detailed, on-line database that makes it easy to avoid duplicating its efforts.

67 Villeneuve Media Technologies Inc., *The Canadian AV Vault Inventory Report* (Ottawa, 2003). This is an adequate starting point for those who wish to assess the kind and number of vaults that currently contain specific moving-image collections in places designed as long-term storage facilities for conservation and preservation. The report also outlines significant technical issues confronting ongoing preservation initiatives and is available on the AV Trust website: <http://www.avpreservationtrust.ca>.

68 From AV Preservation Trust website (www.avpreservationtrust.ca), *MasterWorks 2006: Jury Guidelines Version 1.2*, May 2006, p. 2.

69 Masterworks has been running since 2000 and independent media artist, Michael Snow, was honoured in 2006 for his film, *Wavelength*. A full list of all award winners for each category is available on the website, as are the recipients of the invaluable Education Assistance Program. It should also be noted that in the fall of 2007 the Harper government initiated cuts to funding for the AV Preservation Trust but at the time of writing, it was not clear if these cuts would be implemented.

70 Canadian Heritage, *From Script to Screen: New Policy Directions for Canadian Feature Film* (Ottawa, 2000).

community has gone a long way: \$750,000 per year was shared between Library and Archives Canada (LAC, formerly the National Archives of Canada) and the AV Preservation Trust. At LAC, the money was initially split between preservation initiatives and acquisition activities, resulting over the past years, in the purchase of a significant number of independently produced feature films.⁷¹

Canadian Heritage's policy document, *From Script to Screen: New Policy Directions for Canadian Feature Film*, took to heart the 1948 proposal made by then Dominion Archivist W.K. Lamb, which suggested that the film industry itself commit to preservation efforts by depositing prints within archives. In accordance with the policy, Telefilm Canada now requires "that the cost of preservation copies be included in production budgets,"⁷² which means that producers must meet deliverables under mandatory deposit and, depending on their budgets, give LAC certain copies of their work. Again, these are echoes from the past, from the report written by J. Roby Kidd on behalf of the Canadian Film Archive Committee in 1954, which suggested that filmmakers themselves become partially responsible for the preservation of their own work. Today's commercial feature-film producers do not receive their final drawdown payment from Telefilm until they can provide a letter from LAC that states that they have fully met the deliverables in their funding contract. All of which leaves room for the purchase of independent features. But although the creation of the Canadian Feature Film Preservation Fund has enabled the purchase of independently produced feature-length work, safeguarded institutionally produced feature-length work through mandatory deposit, and perhaps inadvertently redirected small amounts of money toward the acquisition of shorts, there is as yet no systematic means by which to protect the bulk of independently produced short-form work, including that produced through the funding mechanisms of the Canada Council for the Arts' Media Arts Sector.

A quick analysis of the mandate of LAC vis-à-vis its role and responsibilities with respect to the Canada Council for the Arts, accounts for the final loop hole that has left the media arts community without any clear and direct archival strategy. Mandatory deposit means that an entity has a legal responsibility to place documentary materials in an archive. Most often, it pertains to the compulsory deposit of government records as stipulated under the *Archives Act*; this has been so since 1930. The current *Library and Archives of Canada Act* defines documentary heritage to mean "publications and records of interest to Canada." A *record* is said to be "any documentary

71 The funds from the Canadian Feature Film Preservation Fund are administered through a Memorandum of Understanding between Library and Archives Canada and the Department of Canadian Heritage.

72 Canadian Heritage, *From Script to Screen*, p. 8.

material other than a publication, regardless of medium or form,” while a *government record* is “a record that is under the control of a government institution.”⁷³ Hence, independent, media art audiovisual documents funded through the Canada Council cannot be considered records, because they are not under the control of the Canada Council for the Arts; consequently, under the *Library and Archives of Canada Act*, the Canada Council for the Arts is not obliged to produce any of these works for preservation under mandatory deposit, nor is LAC bound to accept such assets.

Further, according to the legislation, a *publication* is “any library matter that is made available in multiple copies or at multiple locations ... to the public generally ... through any medium ... in any form, including printed material, on-line items or recordings.” Certainly, almost all films, videos, sound, and newer media are infinitely reproducible and therefore technically available in multiple copies. Some are even in libraries or available on-line. Further, films and videos are considered published as soon as they are screened to the general public; almost all independent media artworks play the festival circuit. Should independent media art therefore be under the care of LAC as published audiovisual documentary heritage? If so, independent media art would fall under the purview of Legal Deposit, and “the publisher who makes a publication available in Canada shall, at the publisher’s own expense, provide two copies of the publication to the Librarian and Archivist.”⁷⁴ However, under Legal Deposit published materials are deposited in original consumer packaging, which does not therefore accommodate original archivable elements; DVDs are not considered an archival format. A DVD of published work ought to reside in the Library in its published form, complete with liner notes, but this does not in any way alleviate the preservation crisis currently faced by the independent media arts community.⁷⁵ As Hugh Taylor cautioned in 1990, the tradition of housing moving images in libraries, cinémathèques, or distribution centres that are not mandated to preserve original materials does nothing to protect the independent media art community and shepherd them through the current preservation crisis.

Independently produced work, as defined and supported by the Canada Council, simply falls between the gaps of Canada’s preservation infrastructure. That the Canada Council does not deposit film, video, sound, or new media artworks with LAC as part of its obligation under the *LAC Act*, or facil-

73 *Library and Archives of Canada Act*, Section 2: Interpretation and Application: Definitions.

74 *Ibid.*, Section 5: Legal Deposit: Deposit of Publications.

75 Once again, we are reminded of the recommendation made by the Massey Report, when it suggested that the National Film Board of Canada allow the National Film Society to share its responsibilities, one of which they clearly identified as “a procurement service ... comparable to those now provided for books by libraries.” *Report of the Royal Commission*, p. 309.

itate any form of mandatory deposit between its clients from the independent, media arts community and LAC, or participate in any type of Memorandum of Understanding through the Department of Canadian Heritage, means that to date, this government-funded work remains beyond the preservation safety net: no one is mandated to accept this work, to safeguard this audiovisual history. Of course, there is nothing preventing LAC from directly purchasing work made by such artists and indeed the practice is to do so, as funds allow and according to ever-shifting institutional priorities, departmental acquisition policy, and selection criteria. Meanwhile, those media artworks that are part of the Canada Council Collection, acquired by LAC in the 1980s, remain accessible to the public, in accordance with access regulations, which means that the public-as-researcher is able to request a consultation copy, while the public-as-exhibitor, needing access to original works, will have to secure permission from the copyright holders and otherwise comply with loan procedures at LAC. This presumes that the titles are still playable, machine-readable, and/or in adequate shape to be migrated onto a more contemporary technological format, as may be necessary.

What is the independent, media arts community itself doing to rectify the situation? Results of a recently-developed strategy for the adoption and implementation of best-practice guidelines has resulted in a working manual now posted on the Independent Media Arts Alliance website.⁷⁶ It is hoped that as an interim solution, this will help lessen the threat to the survival of contemporary media art. However, it is clear that an investment of significant resources will be necessary in order to responsibly provide for the restoration and recovery of legacy works from within this community, those films and videos that essentially locate the developmental history of media art practice in Canada. These works risk permanent obscurity unless activists can garner the necessary, crucial political will requisite to the procurement of resources for the ongoing preservation of this cultural heritage.

Conclusion

This paper has explored how in the first half of the twentieth century archivists, as activists, had to first fight to establish the archival significance of audiovisual materials at large. The long struggle to affirm and then enable a national repository for audiovisual work in Canada reflected a lagging political will to provide the resources necessary to perform this function. Once archivists had established why the work was valuable, they then had to decide what to archive and, of course, who would choose what was to be archived. The community now in question – the expansive network of independent

76 See <http://www.imaa.ca/>.

media arts organizations and artists – is as vast as it is disparate. Some form of triage at the artist-run centre level may be necessary to ensure that all regions are adequately represented (for not every region has its own distributor), and to avoid the massive volume of work Sam Kula warned against. As the archival issues have moved from why to how, an intersecting activism in the second half of the twentieth century has involved artists in their own fight to engage the Canadian federal government to support their art and to safeguard their contribution to Canadian cultural history.

One of the primary objectives behind the preservation of Canadian, independent media artworks rests with the need to maintain and increase awareness of, and access to, both legacy and contemporary media art, in order to preserve and augment the potential for discourse. Young artists and emerging talent need evidence of their own history; media artworks must remain available to foster a sense of what has created both the critical and the aesthetic environments that these artists have inherited. The legacy of work by Canadian media artists must also be preserved for future generations so that artists, scholars, exhibitors, distributors, and the public can understand and expand upon this valuable contribution to the history of Canada, both because of the content of the works themselves and because of the evolution of the media arts as an artform and a cultural community. To ensure that this legacy remains in the collective memory and to increase awareness of the ongoing potential of Canadian independent media art, a contemporary strategy for the long-term preservation of Canadian history as ensconced within this art form is imperative, yet remains elusive.

The time, space, and resources necessary to maintain care of media art collections is another key issue that must be addressed in the development of a sustainable strategy to safeguard independent, Canadian media artworks. In the short term, the establishment of best-practice guidelines will enable and ensure that the media arts community can at least temporarily protect its work. However, the lack of practical, technical preservation knowledge and few formal training opportunities, are challenges that add weight to the fact that most independent distribution and production centres are not equipped to store work in optimum conditions. Nor are they able to keep abreast of technological obsolescence as it affects the ability to maintain playback equipment and potentially migrate collections. In the interim, although best practice guidelines will help the artist-run community itself advocate for better preservation, adequate maintenance and storage environments must also be identified to ensure the long-term preservation of a national media art collection.

The perennial notion of collective responsibility for the expensive and expansive task of preserving the audiovisual history applies to independent Canadian media art as well, and underscores the importance of political will. One cannot undertake a co-ordinated approach to the preservation of a

national collection of independent media artworks without assessing the role of funding and infrastructure. A better understanding of the manner in which the Canadian government funds its agencies, corporations, departments, and non-profit organizations in order to enhance and protect Canadian culture is important to the independent media arts sector so that it can successfully co-ordinate a manageable, long-term preservation strategy with the specific needs of the media arts community and any potential repositories for their work. This first question must be an ethical one: for whom is the work being preserved?

The difference between archiving and preserving a collection of independent, Canadian media artworks involves assessing future access to the work, which in turn may mean differentiating between contemporary and legacy works. While the community may decide that the original elements of legacy works would best be serviced in vaults, it is unlikely that archives will be seen as a viable solution to the ongoing preservation needs of contemporary works that remain in active circulation. There are several competing interests that the independent media arts community will need to assess. Access to vaulted material is determined by the individual institution and necessarily shifts to accommodate internal and external flux, changes that affect that governing organization. While museums frequently lend their work and galleries consistently cull their collections, archives are responsible for the permanent protection of the records entrusted to them. Distribution centres, on the other hand, are responsible for creating demand for the artworks across a gamut of needs. Certainly, copyright and other contractual considerations are as important and will invariably affect access to any established permanent collection; therefore, these rights must also be acknowledged. The second question is also an ethical one: under what conditions and according to what circumstances should the work be preserved?

Ethical concerns are reflected in the establishment of appraisal, acquisition and selection criteria, and are the most contentious issues that will need to be addressed by the independent media arts community if a realistic long-term strategy for the preservation of legacy media artworks is to be achieved. To begin the difficult task of assessing independent media artworks, the community may wish to establish some very basic criteria that address work that is most at risk before beginning to choose individual artists or titles. In this regard, both archival and library sciences will certainly be of benefit, and there is a wealth of experience that can be drawn upon. As this historical survey advises, much work has already been done within the creator community to help identify the key issues and encourage the political will so integral to the survival of the Canadian audiovisual legacy produced by the independent media arts community.