

Supporting Democratic Values Through a Relevant Documentary Foundation – An Evolutionary Complex*



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RÉSUMÉ L'évolution de la gouvernance dans les États démocratiques, de même que les changements importants dans la culture administrative des administrations publiques – et le développement de technologies habilitantes – ont touché et influé considérablement la façon dont les documents d'archives ont été gérés au sein des gouvernements. Au cours du siècle dernier, la situation et les circonstances se sont transformées si rapidement que notre capacité de gérer les documents d'archives collectivement comme société, et plus précisément au sein des organisations gouvernementales, n'a pas évolué à la même vitesse pour satisfaire toutes les nouvelles demandes et attentes générées à la fois par les transitions et les transformations de la nature et du contexte des valeurs démocratiques, et par les contraintes résultant des technologies de la communication nouvelles et hautement accessibles. L'histoire montre que non seulement nous n'avons pas été capables de nous adapter, mais que nous avons aussi graduellement perdu de vue le but et les raisons mêmes de la gestion des documents. En comparant le développement de la gestion des documents dans le contexte des administrations publiques de la Suisse et du Canada, ce texte explore les moyens de reprendre notre capacité à gérer des documents d'archives de façon efficace, au service de l'intérêt civique. Ce texte suggère aussi une série d'actions qui nous permettraient d'emblée d'aborder à la fois le progrès technologique et les demandes de la société vis-à-vis un gouvernement ouvert, et les autres besoins liés au fonctionnement d'une démocratie contemporaine.

ABSTRACT The evolution of governance in democratic states as well as substantive changes within the administrative cultures of public administrations – and the development of enabling technologies – have constantly impacted and influenced the manner in which records have been managed within governments. Over the last

* The authors originally presented the concepts and ideas in this paper in abbreviated form at the 14th Annual Conference of the International Research Society of Public Management (IRSPM), which was held in Berne, Switzerland, 7–9 April 2010. The format and content of this article reflect that both authors have taken responsibility for drafting each of their respective perspectives without imposing a common grid. The authors wanted to ensure that specificities and characteristics in the evolution of both administrations would not be lost and that regardless of the format used, the arguments presented therein flowed logically from one constituent perspective to another.

century, the situation and circumstances have transformed so rapidly that our capacity to manage records collectively as a society, and more precisely within government organizations, has not evolved at a corresponding pace to satisfy all of the new demands and expectations emerging both through transitions and transformations around the nature and context of democratic values, and by corollary pressures established through new and highly accessible information and communications technologies. History shows that not only have we been unable to adapt, but that we have also gradually lost sight of the purpose and rationale for recordkeeping itself. Through a comparison of the development of recordkeeping in the public administration contexts of Switzerland and Canada, this paper explores the means to regain our capacity to manage documents effectively in the civic interest. The paper also suggests a series of actions that would at the outset permit us to address both the technological progress and the demands of society vis-à-vis open government and other needs related to the functioning of contemporary democracy.

Introduction

Over the past thirty years or so, two separate but interrelated elements of citizen–state interaction – transparency and accountability – have been gradually inserted into the common discourse and practice of public administration and governance within democratic and constitutional states governed by the rule of law. The notion of transparency is now typically associated with an administrative context of openness in the sense of establishing a public right to know and a corresponding capacity to assess how government develops policy, renders decisions, and takes action. In many countries belonging to the Organisation for Economic Co-operation and Development (OECD), a key facilitator toward open government and greater administrative transparency has been the introduction of access to, or freedom of, information legislation “rooted in the basic principle that information in the possession of government ought to be made available to citizens whenever possible.”¹

This emphasis on accessibility certainly represents an important element in the development of the transparency and accountability around public policy and decision making expected by citizens in twenty-first-century, democratic societies. Fundamentally, openness of the ideologic and philosophic nature discussed above must be supported by administrative processes, mechanisms, and infrastructure that establish ways and means for citizens to understand and assess the business activity of government through the scrutiny and review of public information. However, we would also suggest that accessibility – both as a policy commitment and a policy process – represents

1 Secretary of State, *Legislation on Public Access to Government* (Ottawa, 1977), p. 3, noted with many additional references on the foundational principles of “public access” to information in Jay Gilbert, “Access Denied: The *Access to Information Act* and Its Effect on Public Records Creators,” *Archivaria* 49 (Spring 2000), pp. 85–87.

but one side of an essential relationship between the capacity of citizens to be informed or to inform themselves, and the nature and status of public information itself, including its presence, content, quality, and maintenance.

In essence, this policy commitment to open government and more broadly to participatory democracy based on the principles of transparency and accountability, is also fundamentally contingent upon the continuing presence of information resources and especially documentation – regardless of its form or format – of a quality, quantity, integrity, authenticity, and authority sufficient to satisfy the business requirements of public administration and the broader public interest over time, including the right to have access to government information itself. Viewed from this perspective, transparency and accountability are also documentary concepts – in addition to their status as administrative and governance principles – in the sense that they have no meaning, functionality, or utility without the contextual presence and enabling support of documentary content and substance (evidence). Our thesis is that the end-states of transparency and accountability within the context of public administration and governance are not possible without the pre-established presence of appropriate and adequate documentation established by documentary rules and protocols, specifying the creation, capture, and disposition of public sector information.

Indeed, we believe that it is not stretching the boundaries of analysis and interpretation too far to suggest that any progress toward the implementation of open government within a framework of broad democratic and participatory articulation, is ultimately contingent upon the resolution of a problematic that is a corollary to accessibility: the generally vast, unregulated and undisciplined documentary production, and poor information resource development and management within the public sector. The nature, scope, and scale of this problematic are complex, relating variably in part to: (1) the convergence of technology, services, and people within digital networks and new organizational culture/behaviour engaged by individuals and groups within organizations through corresponding social transformation; (2) the advent of new information and communications technology (ICT) and the transformation of information; and (3) outmoded information management (IM) models and infrastructure. In this complicated and multi-dimensional context, we propose that one of the first steps toward activating transparency and accountability as core business principles both to support effective decision making and to enable open government, consists in ensuring the continuing existence of a technologically neutral regime of recordkeeping (RK), and its full integration and alignment with the business operations (program and service delivery) of public administration.

This paper presents the development over time of recordkeeping (RK) and information management (IM) in Canada, and records management (RM) in

Switzerland.² It first explains the evolution of the various regimes within the historical context of their contemporary, public administrations. Second, it identifies past and current issues faced by administrations with regard to the creation, retention, preservation, and accessibility of public records. Finally, the paper concludes that new RK regimes and organizational discipline need to be established in order to better reflect recent and evolving public administration environments.³

The Canadian Experience

Historically, and as in many countries including Switzerland, the management and accessibility of information within the Government of Canada has largely been an experience of “records administration.” In Canada, this records administration experience may be practically divided into “eras” of public administration. Each era is broadly defined by the nature and context of associated “documentary production” – inclusive of IM – as it reflects the attributes and characteristics of contemporary administrative environments which have evolved fluidly over time, i.e., within a culture of decision making and responsibility, goals and objectives, expected results, business machinery, governance and the nature of citizen–state relations, etc. What is interesting about the story of records administration in Canada (and elsewhere for that matter), is its consistency – both conceptually in terms of the perceived problematic, and practically in terms of the corresponding solutions that have been proposed and adapted – despite evolving and changing environmental circumstances. Although there are any number of perspectives from which to view the development of RK linked to attributes and characteristics of Canadian public administration over time,⁴ this section presents this evolutionary context

2 It should be noted that the terms Recordkeeping (RK) and Information Management (IM) – as used in the Canadian context – and that of Records Management (RM) – as used in the Swiss context – are understood by both jurisdictions to refer to “a framework of accountability and stewardship in which information resources are created or acquired, captured, and managed as a vital business asset and knowledge resource to support effective decision-making and achieve results.” See Treasury Board Secretariat (TBS), *Directive on Recordkeeping*, <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=16552> (accessed on 1 November 2010).

3 While respectfully acknowledging the wealth of literature written from the perspective of RM and archival science, this paper presents an integrated perspective of RM/RK and public administration. It therefore specifically draws upon the literature of business and public administration to highlight the relationship and value of records in upholding the public management goals of transparency and accountability.

4 See for example, J.E. Hodgetts, *The Canadian Public Service: A Physiology of Government, 1867–1970* (Toronto, 1973); and the many contemporary essays in a highly useful compendium edited by Christopher Dunn, *The Handbook of Canadian Public Administration* (Don Mills, 2002), especially in this context the article by Alasdair Roberts, “A Fragile State: Federal Public Administration in the Twentieth Century,” pp. 18–36.

as divided into three records administration eras. Without perfectly mirroring the Swiss experience as we shall see below, we found several resemblances vis-à-vis the drivers and key historical elements that have shaped the evolution of recordkeeping in both countries.

First Era: A Paper World and the Development of a Labour-Intensive RM Function

Within the first era of records administration in Canada, the turn of the twentieth century marks an important period of transition. Both immediately before and after the First World War, the majority of federal departments witnessed a fundamental restructuring of the bureaucratic workplace. In effect, the reorganization of white collar labour to meet new management imperatives, the identification of administration as a specialized activity, the rapid growth of clerical positions in response to task rationalization, and the systemization of decision making through chain-of-command hierarchies and reporting structures converged to revolutionize the office environment and bureaucratic work behaviour. Not surprisingly, the quest for increased efficiency in government administration through “command and control” machinery coincided with new attitudes toward, and approaches to, the collection, storage, and management of information. The advent of new bureaucratic infrastructures in government not only generated new forms of information on a heretofore unparalleled scale, but also required managerial and clerical users of information to have greater access to departmental records. Inevitably, the new and paramount interests of administrative efficiency had a significant impact upon the nature and extent of the records that were created by government departments and the manner in which these records were organized, controlled, and made accessible.

In examining the official records and RK systems in this period, and reading the comments of the senior administrators of the day, one is left with the impression of a growing records administration problem. As government grew exponentially through the articulation and assumption of centralizing roles and responsibilities during the years following Confederation in 1867, the administration of records became increasingly difficult to the extent that the existing RK infrastructure was being overwhelmed, primarily by volume. In the Department of Indian Affairs between 1875 and 1880, for example, letters received at, and sent from, headquarters rose by 111 and 97 percent respectively, and capacity and accountability issues quickly began to develop. Robert Sinclair, Chief Clerk and Office Manager, admitted in October 1881 that, “no indexing of the letter books has been done since the middle of last April and there are, as a consequence of this, five or six volumes, each containing 1000 pages of correspondence to which, in the event of reference being needed, there is not the slightest clue, and hours of valuable time are wasted each week in the (sometimes unavailing) effort to ascertain from those books what action

may have been taken in certain cases.”⁵

This was fairly typical of the RK situation confronting many civil servants; indeed in some instances – such as at the Department of Railways and Canals – the contemporary volume of records being produced was far greater. Recognizing that the department was harnessed to the administrative yoke of antiquated RK systems unable to deal with the information capacity of new technology – primarily the typewriter and the mimeograph – officials endeavoured to cope by constantly adopting new records classification schemes.⁶ The inauguration of a subject file records classification system represented the very apex of Victorian RK thinking, and it is to be noted that this system remains fundamental to the management of records in many government departments and agencies today.

These RK problems – notably in relation to records volume and physical space requirements – within individual departments were not lost on the Government of Canada as a whole, and the associated issues began to assume a contemporary place of prominence in senior level discussions. Beginning in 1890, a series of government-wide investigations was launched into RK within the departments, culminating in 1897 with the appointment of a formal Commission of Inquiry into the State of the Public Records under the Deputy Minister of Finance, the Auditor-General, and the Under-Secretary of State “with a view to the periodical destruction of such papers and vouchers as may be deemed useless and which are merely encumbering the vaults.”⁷ Not for the first time, but certainly with greater clarity of focus, government now began to address in earnest one of the most pressing issues of the day, and one which continues to confound contemporary government in the twenty-first century: the determination of the asset and ongoing business value of records, their management and preservation over time, and ultimately their destruction. These issues would be examined in greater detail during the proceedings of the subsequent Royal Commission Appointed to Inquire into the State of the Records of the Public Departments of the Dominion [hereinafter Commission

5 Cited in Bill Russell, “The White Man’s Paper Burden: Aspects of Records Keeping in the Department of Indian Affairs, 1860–1914,” *Archivaria* 19 (Winter 1984–85), p. 59.

6 From its inception in 1879, for example, the Department of Railways and Canals gradually abandoned the old colonial system of letter books and letter docketts (packets of folded correspondence) supported by registers and indices, by “flattening” the docket papers (folded correspondence) for filing, initially into a scheme of consecutively numbered files with indexes, and finally by 1901 through 1907, into a subject file classification scheme. This would include the discontinuation of the letter, contract, deed and lease books, and their replacement with “loose leaf” documentation; the “unfolding” of all docket correspondence, contracts, deeds, and leases; and their physical incorporation into 9” x 16” paper files organized by subject and controlled by a master subject file classification plan.

7 Canada, *Report of the Commissioners Appointed to Inquire into the State of Public Records 1897* (Ottawa, 1897), p. 6.

on the Records of the Public Departments, 1914], wherein the Commissioners concluded that rational and logical administration of the public records (including their destruction) was fundamental to efficiency, the capacity to make decisions, and the ability to deliver governance in the public interest.⁸

What is also noteworthy about this era was that the administration of records became increasingly sophisticated over time, with ever more complex schemes being devised to enhance their accessibility through their physical and intellectual organization, arrangement, and description. More important perhaps, especially after the First World War, was that responsibility for the administrative custody and control of the public “documentation” – in effect the authority over its accessibility – was gradually assigned to the expertise of a growing clerical and chancellery class of *de facto* “records managers.” As government grew and extended the nature of its reach and interventions into Canadian society – especially in the determination and management of the public treasury – by establishing new departments and programs, as it gradually assumed greater roles and responsibilities within the ethos and context of the public business generally, the complexity and volume of the documentation also increased to the extent that it required greater labour-intensive focus under the operational oversight of experts. The objectives of greater efficiency and accountability within departments also led to calls for increased policy oversight under a centralized records administration authority: in 1926, a Public Records Committee (PRC) was proposed (and eventually established in 1945). Organized records scheduling and destruction within government began in 1936 under the authority of an *ad hoc* Treasury Board committee (the precursor to the Public Records Committee).⁹

By the beginning of the Second World War and the end of the first records administration era, much had changed in the nature, scope, and dimensions of Canada’s public administration and its corresponding documentary production and RK. From the vantage of hindsight today, however, it must be understood that these RK “times” were simpler and the problems smaller, even if contemporary commentary did not necessarily see it that way. It was a time of administrative hierarchy, as well as rationalized command and controlled organizational structure led by a small civil service. It was a time when very senior business managers could regularly find the time to discuss aspects of records administration in dedicated committees. It was also very much a time of paper

8 Canada, *Report of the Royal Commission Appointed to Inquire into the State of the Records of the Public Departments of the Dominion* [hereinafter Commission on the Records of the Public Departments, 1914] (Ottawa, 1914), <http://epe.lac-bac.gc.ca/100/200/301/pco-bcp/commissions-ef/pope1914-eng/pope1914-eng.htm> (accessed on 2 November 2010).

9 Jay Atherton, “The Origins of the Public Archives Records Centre, 1897–1956,” *Archivaria* 8 (1979); Canada, Treasury Board Minute T.160481 B, 2 June 1936; Treasury Board Minute T.160481 B, 16 March 1944.

and comparatively limited documentary production. In 1914, for example, the Commissioners could speak almost rhetorically about the “unchecked accumulation of papers” and the “common ruin” of the state: “As a rule the departments suffer the accumulation of papers to continue unchecked, to their very great inconvenience as well as to the detriment of the more important and valuable documents, which, engulfed by rubbish, share the common neglect, and, if not speedily rescued bid fair to participate in the common ruin.”¹⁰ Nevertheless, the Commissioners also knew with certainty that the complete extent of the government’s business records and administrative files consisted of 1,629,014 cubic feet, occupying 438 rooms, 92,872 drawers, and 127,219 linear feet of shelving. This was probably the last time that the Canadian Government would ever be able to make such a calculation and consider the problematic of RK at such a level.

Second Era: A Growing Demand For Documents From More Prominent Government Activities

Essentially, what was laid down in the era immediately prior to, and during, the Second World War was the foundation of a *de facto* business model for the administration of public records, which would be finally provided with formalized policy structure under the Royal Commission on Government Organization, 1960–1962 [hereinafter Glassco Commission, 1962], and various instruments emerging from its contextual discussions and decisions.¹¹ The broad sweep of this structure established the authority of Treasury Board over information policy writ large: it formally recognized RM as an internal service activity (not a business activity) of government under the direction of a distinct class of “service providers.” Ultimately, the *Public Records Order of 1966*, assigned roles and responsibilities to the Public Archives of Canada regarding the coordination of the government’s RM program – including sole authority over the disposal of federal records – over and above its accountability for the preservation of historical documents.¹²

The development and consolidation of responsibility and accountability around RM was an internally centralized policy response to broader and fundamental changes within the Canadian federal administration. Part of these changes may be traced back to the wartime administration of 1939–1945, wherein government expanded and intervened in the absence of private sector capacity to prosecute the war through new forms of subsidized govern-

10 Canada, Commission on the Records of the Public Departments, 1914, p. 23.

11 Canada, *Royal Commission on Government Organization* [hereinafter Glassco Commission, 1962] (Ottawa, 1962), <http://www.pco-bcp.gc.ca/index.asp?lang=eng&page=information&sub=commissions&doc=archives/topic-sujet-eng.htm> (accessed on 2 November 2010).

12 Canada, *The Public Records Order*, P.C. 1966-1749, 7 October 1966.

ment “ownership,” and tighter control over economic and business affairs in the public interest. The increase in government responsibilities during the Second World War also resulted in major structural changes: the Department of Finance briefly became the third largest department in government (excluding Defence and the Post Office); the Dominion Bureau of Statistics monitored national economic activity due to an increasing demand for statistics by the wartime administration; and a number of new special administrative bureaus with very specific functionality were created. Wartime also made clear the need for a well-staffed Privy Council Office to support decision making by the Prime Minister and his Cabinet. Basically, “the casual procedures that had been employed before the war clearly could not be sustained as the volume of decisions increased.”¹³

In the years following the war, like many countries, Canada embarked on the program development of a “new social order” through the 1950s, 1960s, and into the early 1970s. In effect, the success of the wartime effort to manage economic affairs and the appeal of the Keynesian model strengthened the case for an expanded government role in social and economic planning. For example, government proceeded with the development of several new social programs such as the Old Age Assistance Program and the Guaranteed Income Supplement. Coincidentally, the growth of government responsibilities entailed an expansion in the federal bureaucracy, and in particular, the establishment of central agencies to formulate policy and coordinate departmental activities. Over time and into the 1970s, a prevailing assumption crystallized around the notion that evidence about the effectiveness of government programs in achieving public policy objectives could and should be given a significant place in decision making on policy and resource allocation. *Knowledge is power* became a credo that defined this era of public administration, and it was also instrumental in the design of the Planning, Programming and Budgeting System (PPBS) and its successor, the Policy and Expenditure Management System (PEMS); there was a fundamental assumption within public administration that “evidence on performance could and should be brought to bear in government decision-making.”¹⁴

With what was essentially a massive expansion of government during the second era of records administration, it is not surprising to find that there was a corresponding expansion in the volume of records being produced within departments and agencies; in addition, new forms of information were also being created to satisfy the new evidence and accountability requirements.

13 Roberts, p. 25.

14 Peter Aucoin, *Decision-Making in Government: The Role of Program Evaluation*, esp. Section 2, “The Current Situation in Perspective: In Contrast with the Past,” TBS Discussion Paper, <http://www.tbs-sct.gc.ca/cee/tools-outils/aucoin-eng.asp#1.%20Introduction> (accessed on 2 November 2010).

Indeed, very shortly after the Second World War, RK re-emerged as a matter of significant national interest, both through the work of the Public Records Committee, and more particularly as a result of the 1951 *Report of the Royal Commission on National Development in the Arts, Letters and Sciences* [hereinafter Massey Commission, 1951]. Primarily examining the development of the arts and sciences in Canada, the Commissioners nevertheless devoted two chapters of their report to the state and condition of the public records.

The Commissioners found the RK situation in 1951 entirely consistent with the conditions existing in 1914, when “wheat and chaff alike were forgotten and as good as lost.”¹⁵ In other words, the records in departments were generally disorganized and inaccessible, with vast quantities of documents without any further administrative or historical value being stored across government at substantial public expense – apparently, based on some rough estimations, in excess of the resource allocation provided by Parliament to the Public Archives. They lamented the inaction of government in implementing the recommendations of the Commission on the Records of the Public Departments, 1914, whose proposed solutions continued to resonate, given the contemporary state of affairs: “We have thought it desirable to speak in some detail of the work of this Royal Commission of almost forty years ago since an examination of the present situation leads us to the melancholy conclusion that they labored almost if not altogether in vain.” Essentially, noted the Massey Commissioners, “the truth about Canada’s public records system must still be a cause of embarrassment to all Canadians.”¹⁶

Actually, the truth of the matter was that “no one knows the condition or extent of these [records] holdings,”¹⁷ which were scattered all over Ottawa and in some instances kept in the most primitive, inaccessible, and precarious environments. Further, in fact, even the most generous records retention calculations (50 percent) would indicate that government was spending roughly \$175,000 per annum storing “records which can probably be classified as dead in that they have no further administrative or historical usefulness.”¹⁸ More significant than the wasted resources spent storing “rubbish,” however, were fears that “the evil of indiscriminate storage is tempered by covert destruction,”¹⁹ with unfortunate consequences both for the administration of the state and for history. They noted the creation of the Public Records Committee as

15 Canada, *Report of the Royal [Massey] Commission on National Development in the Arts, Letters and Sciences, 1949–1951* [hereinafter Massey Commission, 1951] (Ottawa, 1951), Chapter X, Section 6, p. 112, <http://www.collectionscanada.gc.ca/2/5/h5-417-e.html> (accessed on 2 November 2010).

16 *Ibid.*, Chapter X, Section 10, p. 113.

17 *Ibid.*, Chapter X, Section 11, p. 113.

18 *Ibid.*, Chapter X, Section 11, p. 114.

19 *Ibid.*, Chapter XX, Section 6, p. 335.

an “admirable first step”²⁰ in administering the disposal of records, but found it hampered by the absence of logical disposal regulations and methods. They recommended the establishment of the PRC under a permanent secretary within the Privy Council Office, requiring every department to appoint a qualified records officer, and called for a departmental review of all records to support their rational disposal in relation to their ongoing value to government and Canadians. And they demanded that the regulatory environment for records disposition within government be reviewed, clarified, and updated “in order that departments may understand precisely the limits of their authority.”²¹

Ten years later, issues related to official RK were again on the government’s agenda, this time through the Glassco Commission, 1962. Little had in fact changed, and the Glassco Commissioners were “highly critical of existing conditions and regard the opportunities for improvement as challenging in the extreme”;²² they noted that there was “an appalling lack of understanding of present deficiencies and a general lack of concern about the money wastage ... possibly because no one has clear responsibility for this aspect of management ... in this presently neglected field of public administration.”²³ The money issue had been raised previously (in 1914 and 1951), but it continued without attracting much attention, despite the fact that the total paperwork bill in 1961 amounted “to about \$500,000,000, about one-twelfth of the total budget,” and “at least 100,000 civilian and military employees (one out of every eight clerical workers in Canada) are engaged in the routine operations of typing, despatching, recording, filing and storing correspondence, and in the preparation of reports, forms and directives which circulate throughout the public service.”²⁴ The volume of records being created was exerting such enormous pressure on existing procedures and facilities that it was inundating the public service with at least 2,500,000 cubic feet of records currently being stored on government premises, and each year adding the requirement for a further 250,000 cubic feet of filing space – or “the equivalent of 83 railway box cars.”²⁵ Within the context of this growing paper burden, it is interesting to note that “the electronic computer, with its enormous potential and rapidly developing technology, is already a major element of the paperwork problem.”²⁶ The Commissioners believed that an aggressive reform of extant paper management systems – including the management of records from a life

20 Ibid., Chapter X, Section 11, p. 114.

21 Ibid., Chapter XX, Recommendation “a,” p. 337.

22 Canada, Glassco Commission, 1962, Chapter 4, “Paperwork and Systems Management,” p. 482, <http://www.pco-bcp.gc.ca/index.asp?lang=eng&page=information&sub=commissions&doc=archives/topic-sujet-eng.htm> (accessed on 2 November 2010).

23 Ibid., pp. 482, 485.

24 Ibid., p. 482.

25 Ibid.

26 Ibid., p. 484.

cycle perspective, from creation to active use, to preservation or “cremation” – would yield substantial savings, minimally \$50 million per annum.

Aside from the many recommendations to address the volume and management of documentary production through legislation, policy, and regulation, what set the Glassco Commission apart from its predecessors was its more explicit focus on the value of records within the decision-making context of public administration, and in particular, on the strong link forged between the creation and preservation of public records and the capacity for Canadians to have accountable national government. Fundamentally, the Glassco Report was all about the reorganization of the public business and the infrastructure necessary to provide for its accountability, and in this sense, the recommendations regarding RM also represented a watershed around the notions of transparency and accountability connected to the accessibility of public information. For example, they contained the first formal statement made by the Government of Canada directly linking the management of public information to transparency (indicated as *democracy*) and accountability (manifested as *managerial responsibility*).

Public records have a unique importance for governments. In earlier centuries they were used mainly to document the obligations of citizens to their governments. With the rise of democratic governments, however, it became even more important to record the obligations of a government to its people. Records must be created, maintained and preserved in such a way that a contemporary democratic government can be held fully accountable to the public for its activities.²⁷

More importantly perhaps, the recommendations in the Glassco Report formally established the parameters and components of the business model that would be followed across government in the management of its records, documents, and information for the next forty years. Henceforth, the business of IM would be an internal service provided within departments across government, by a professionalized class of civil servants with developed expertise and competencies in this service field. This would be supported by legislation and policy. Ironically, it would be the questioning and ultimately the reconstitution of this very business model that would lay the foundation for Canada’s new *Directive on Recordkeeping* in 2009.²⁸

Looking back at the Glassco Commission and moving forward through the legislation and instruments that emerged in Canada in its aftermath, one is struck by the principal assumptions implicit in the articulation of information and information-related public policy. These include the notions that: (1) information and records which may be used to document decision making

27 Ibid., p. 468.

28 TBS, *Directive on Recordkeeping*.

and business activity in the contexts of transparency, accountability (and stewardship) are omnipresent and readily accessible within the “system”; (2) the management of the entire mass of the documentation produced by government in a systematic way axiomatically provides for appropriate accessibility and by extension transparency and accountability; and (3) the management and disposal of this information is a specialized, internal service operated by professionals that supports (but is not integrated with) business administration.

Third Era: Electronic Records, the Illusion of Automation, and the Growing Interest in Records Accessibility

By the early 1980s and the beginning of a third era of records administration, a new assumption was articulated: information and communications systems technology would ultimately overcome any inhibitions associated with the first three RM assumptions made during the second era. An important corollary to this assumption would eventually emerge with the rapid installation of desktop capacity for the majority of public servants across government – the notion that RK in the traditional sense could and should be accomplished by individuals using software applications and search tools at the desktop rather than by professional records managers and clerks. This thinking would start to move government away from a labour-intensive RM model (the Glassco model) toward a “labour-light” IM model with critical infrastructure and implementation dependence on computer power. In fact, it was during the 1980s that one first witnessed a major reorientation within government (beginning with the Treasury Board’s Task Force on Informatics, and its simultaneous and related reshaping of RM policy toward information holdings policy), wherein the concept of IM enabled by electronic data processing (EDP) systems and subsequent generations of technology successors (notably software), gradually began to usurp and ultimately capture the information market domain formerly occupied by the administrative services thinking offered by records managers and clerks. Technology solutions to IM issues found strong, internal resonance within government, with its promise of greater information capacity and accessibility in relation to Canada’s new *Access to Information* and *Privacy* laws passed in 1983.²⁹ In effect, the reorientation toward the combined

29 This legislation provided Canadians with a “right of access to information under the control of a government institution in accordance with the principles that government information should be available to the public; that necessary exceptions to the right of access should be limited and specific; and that decisions on the disclosure of government information should be reviewed independently of government.” See Canada, *Access to Information Act* (R.S. 1985, c. A-1), s. 2 (1). Coincidentally, a corresponding privacy law was also passed at this time providing new rights for citizens in relation to the access and protection of information about them held in public organizations, in effect, “to extend the present laws of Canada that protect the privacy of individuals with respect to personal information about themselves held

forces of IM and technology would eventually substitute one form of an administrative service industry for another, the new emphasis being on the service supply side of automation and systems development under Information Technology (IT).³⁰

From the very first introductions of mainframe capacities, few could have imagined just how profoundly the public sector information environment would change through the advent of new information and communications technologies (ICTs) – especially after the turn of the twenty-first century – in terms of the volume of information produced, the multiplicity of its channels and flows, and the opportunities for innovation in terms of use, transmission, and exchange by creators and users. Certainly, no one anticipated that the benefits and utilities for public administration enabled by ICTs would also lead inadvertently to the emergence of an increasingly pervasive and largely unrestrained institutional culture of rampant information production, as well as indiscriminate information storage and disposal in both paper and electronic forms evolving counter-intuitively to information resource needs and organizational business requirements. No one was in a position to predict that the innovation of the desktop would also lead to an enormous problem of information accessibility, characterized by a significant reduction in institutional custody and control over internally created or acquired information resources, knowledge, and corporate memory at the organizational level; the widespread dissemination and/or accumulation of prolific, superabundant and increasingly amorphous information resources of undifferentiated business value both in traditional paper and electronic forms; and the increasing production of unmanaged and unstructured information.

Nevertheless, it must be admitted that a considerable information accessibility problem existed long before the arrival of the desktop, the graphical user interface, and social technology. The analog environment (of paper and other physical media) had already changed substantially in response to the massive post-Second World War expansion of government administration, and paper records continued to be produced in overwhelming volume. By the first decade of the 2000s, government could no longer assess the situation beyond “guesstimating” the volume associated with both the production of paper and now electronic information resources including data. Subsequent situation analyses would oblige government to introduce a number of reforms.

by a government institution and that provide individuals with a right of access to that information.” See Canada, *Privacy Act* (R.S. 1985, c. P-21), s. 2.

30 Part of this reorientation may be understood through the guide for information systems development audit provided through the Office of the Comptroller General in 1991; see for example, Canada, TBS, Office of the Comptroller General, *Systems Under Development (Audit Guide)*, http://www.tbs-sct.gc.ca/pubs_pol/dcgpubs/TB_h4/systems-systemes03-eng.asp (accessed on 2 November 2010).

In addition, there were few who understood that IT would not necessarily address government's IM requirements: IT was incapable of providing a taxonomy of value for information resources in relation to their ongoing business utilities, supporting the integration of information resources with internal public administrative coherences and the alignment with business outcomes, or making decisions about what information needed to be created and maintained to meet government's transparency and accountability requirements. Information technology would not be able to assess or evaluate government's business needs or determine the nature of its information assets, nor inspire or establish a culture of stewardship for information resources among public servants, nor ultimately deliver results for Canadians. In effect, few understood that IT was (and is) simply a tool, albeit with enormous power and potential to support effective public administration (including the development of information resources), but not without substantive intellectual and strategic direction and input from business managers.

These were some of the critical misunderstandings – or “illusions” – misguidedly created around the powers and impacts of computer-based automation in a new and increasingly transformative era of public administration, wherein the traditional issues of assigning and accepting responsibility for decision making within public institutions – and coincidentally rendering an account for business activity in terms of the results obtained or the methodology used – began to resurface in new conceptions of public business enterprise and administration. Beginning in the late 1980s through the 1990s into the first decade of the twenty-first century, the Canadian public service gradually entered a major phase of transition, moving from an activity-based to a results-based organization. As in many countries, this involved the development and continuing evolution of new corporate ethics and behaviours for public sector administration (e.g., new public management and governance models),³¹ in particular the introduction of “business-like managerialism” to the enterprise of public program and service activity supported by new and highly self-conscious forms of oversight, scrutiny, and review, including results-based financial and accrual accounting.³² The most recent policy manifestations of results-driven public accountability within Canada include passage of

31 For an insightful summary of new public management and its various impacts (or otherwise) within the Canadian context, see Peter Aucoin, “Beyond the ‘New’ in Public Management Reform in Canada: Catching the Next Wave,” in Dunn, *The Handbook of Canadian Public Administration*, pp. 37–52. For a supplementary and interesting view of “accountability” and emerging requirements for reform within the public sector, see Donald J. Savoie, *Court Government and the Collapse of Accountability in Canada and the United Kingdom* (Toronto, 2008).

32 Christopher Hood, “Remedies for Mismanagement: Changing the Mix, But Not the Ingredients?” in *Ethics and Accountability in a Context of Governance and New Public Management*, ed. Annie Hondeghem (Amsterdam, 1998), pp. 9–10.

the *Federal Accountability Act* (2006), Treasury Board Secretariat's new *Management Accountability Framework* (MAF), and the development of its corresponding *Policy on Management, Resources and Results Structures* (MRRS), the latter to provide a standard basis for reporting to citizens and Parliament on the alignment of resources, program activities, and results consistent with government's intention to reinforce sound and transparent management within the public service.³³ Recently tabled before Parliament, *Canada's Performance Report, 2008–2009* reiterated the fundamental nature of the new "public accountability commitment" within the federal government, and its direct and substantive link to the notion of good governance: "Accountability is at the heart of Canada's system of responsible government. It is the key to assuring Parliament – and, thereby, all Canadians – that the Government of Canada is using public resources efficiently and effectively. Accountability systems and structures ensure that the government is answerable for its actions."³⁴ Of course, all of this accounting and accountability is entirely contingent upon the creation, production, capture, management, and continuing presence of the information necessary to support corporate decision making and satisfy the corollary requirements of review, performance measurement, evaluation and audit, and more broadly, the emerging context of public scrutiny. Within the context of this contingency, the presence of the required records and documents in readily accessible form is absolutely fundamental. As events and corresponding situation analyses would eventually show, the assumption of documentary presence and accessibility was not necessarily supported either practically or even theoretically.³⁵

The growing problem of information accessibility within the administrative environment of government – initially created by the information productivity associated with massive administrative expansion during the 1970s through the 1980s and subsequently pushed beyond the limits of organizational control and capacity by information technology – is now ushering in a new information resource development agenda and networked capacity in Canada, what could be called "the return of RK." One of the first critical interventions within this context was made by the federal Information Commissioner

33 Canada, *Federal Accountability Act* (R.S. 2006, C.9); Canada, TBS, *Management Accountability Framework*, <http://www.tbs-sct.gc.ca/maf-crg/index-eng.asp>; TBS, *Policy on Management, Resources and Results Structures*, http://www.tbs-sct.gc.ca/rma/mrrs-sgrr_e.asp (both accessed on 2 November 2010).

34 TBS, *Canada's Performance Report, 2008–2009: Overview*, p. 2, <http://www.tbs-sct.gc.ca/reports-rapports/cp-rc/2008-2009/cp-rctb-eng.asp> (accessed on 2 November 2010).

35 See for example John McDonald, TBS, *Information Management in the Government of Canada: A Situation Analysis* (2001), <http://www.tbs-sct.gc.ca/ip-pi/im-gi/imreport/imreport-rapportgi00-eng.asp>, and the contemporary annual reports of the Auditor General of Canada 2001–2007, http://www.oag-bvg.gc.ca/internet/English/parl_lp_e_933.html (both accessed on 2 November 2010).

in 1999. In the context of his annual report, Commissioner John Reid noted that in addition to systemic resistance to accessibility processes within departments and agencies and the continuing culture of secrecy manifested through bureaucratic delay (and even illegal behaviour), there was also a major IM problem within government inhibiting public accessibility to the extent that he suggested that required information was not even being created in the first place. In effect, not only was there a systemic culture of resistance and delay, government's business activities were not being documented appropriately and adequately.³⁶ This public policy issue – which translated into a call for “duty to document” provisions within public administration – continued to form a conspicuous part of the Information Commissioner's proposals to reform the *Access to Information Act* over the subsequent decade.

Assessment of the Canadian Experience

It has only been very recently – broadly over the last ten years and specifically within the last five – that the substance of the discussion around RK, and the nature of its roles and relationships within the context of public administration, has changed in Canada, culminating with the creation of a new RK Directive (April 2009) under the rubric of Canada's latest IM Policy.³⁷ Leaving the issues around systemic resistance to accessibility and the culture of secrecy to the observation of other experts³⁸ – including the corollary need to establish a balance between the expectations of organizational openness and transparency and the confidentiality that enables responsible public administration³⁹ – Canada's RK story continues through the first decade of the twenty-first century in the aftermath of the Information Commissioner's comments about the poor quality of IM in government, and the debilitating impact this is having not only upon public access to information but upon the efficiency of public administration as a business operation. These comments, along with the results of several high-profile inquiries into public business activity and decision making highlighting IM issues as impediments to accountability, have begun to find resonance with other parliamentary officers, notably the Auditor General.⁴⁰

36 Canada, *Office of the Information Commissioner 1999–2000 Annual Report, et passim* continuing through 2008–2009, <http://www.infocom.gc.ca/eng/rp-pr-ar-ra-archive.aspx> (accessed on 2 November 2010).

37 TBS, *Policy on Information Management*, http://www.tbs-sct.gc.ca/pubs_pol/ciopubs/TB_GIH/siglist-eng.asp (accessed on 2 November 2010).

38 See Gilbert.

39 See D.J. Caron and T. Hunt, “The Proper Use of Transparency Instruments,” *Optimum on Line*, vol. 36, no. 3 (September 2006), p. 33.

40 See for example the comments and observations of the Auditor General about the poor quality of IM generally within government and the absence of critical documentation in particular as related in the *Annual Report of 2003*, especially in the context of Chapter 3, “The

Two sets of important conclusions have been drawn on the current state of affairs vis-à-vis RK. First, Information Management Capacity Checks self-administered within a number of departments and agencies have revealed significant organizational gaps and shortfalls in RK capacity and infrastructure. The main findings, which remained consistent over the three-year period in which they were administered by departments and agencies, are as follows: (1) there is no consistent view or understanding of IM both within and across departments; (2) organizational culture, skills, and resources around IM are major issues; (3) IM is not integrated with the business enterprise of public administration in a manner that allows managers to capitalize on its value; (4) leadership is lacking; (5) vision and governance structure are often missing or inadequate; (6) individuals do not understand the role they play in IM; and (7) IM tools are often inappropriate or lacking altogether.⁴¹

Second, an Assistant Deputy Minister Taskforce on RK has provided insight and guidance for recommendations that would emerge from a number of RK working groups composed of managers – from across departments – studying related issues over a period of six months. These discussions have led to some seminal propositions designed both to implement changes within extant RM culture and to realign IT as an information resource development enabler.⁴² The substantive conclusions may be summarized as follows:

1. RK requirements for public administration are a key innovation in the development of the information resources required by government institutions to deliver programs and services to Canadians in the new digital age.
2. Part of this broad socio-technology transformation also involves the global emergence of a new knowledge-based economy in which the nature, substance, and measure of the business value of information resources have become significant issues.
3. The primary objectives are to provide government with the capacity to capitalize on the value of its information resources for administrative

Sponsorship Program,” and Chapter 6, “The Protection of Cultural Heritage in the Federal Government,” in the course of which it is noted that IM within government is actually “in a state of crisis” (pp. 6.80–6.86).

41 The main findings are found within a roll-up summary presented to the Management of Government Information forum in 2006. See B. Provick, *Information Management Capacity Check: Real Results – Real Progress* (MGI Forum 2006), <http://www.verney.ca/mgi2006/presentations/s10.pdf> (accessed on 2 November 2010). For a broader context see also: Library and Archives Canada, *IMCC Tool and Methodology* (Information Management Capacity Check), <http://www.collectionscanada.gc.ca/government/products-services/007002-2008-e.html> (accessed on 2 November 2010).

42 Complete information about the process of consultation and the seminal intellectual thinking – including the notion of introducing documentation standards for program and service activity in the context of public administration and RK – is available on the LAC website at <http://www.lac-bac.gc.ca/government/news-events/007001-5000-e.html> (accessed on 2 November 2010).

and business purposes, and to implement ways and means for institutions to appropriately document their programs, services, and results to satisfy business needs and meet legal obligations.

4. Documentary requirements for federal RK are intended to be comprehensive of, and prescriptive for, all information resources created, captured, used, or managed by the Government of Canada in support of decision making and the conduct of business activity both in published and unpublished form, and regardless of communications source, information format, production mode, or recording medium.
5. Part of this transformation involves the transition to a resource development function fully aligned with program administration and business operations, and the assignment of new roles and responsibilities to program and service managers regarding the identification, capture, evaluation, treatment, and disposition of information resources.
6. Responsibility for RK should be under the authority and accountability of business managers supported by information professionals.

These findings have led to the establishment of a Directive on RK that is built on three pillars: (1) building a strong culture of documentation; (2) crafting a regulatory regime for the management of records; and (3) embedding economic and financial incentives and/or disincentives in the management of information.

The Swiss Experience

Let us now turn our attention to recordkeeping in Switzerland where similar themes in the evolution of government RK and responses to its challenges are noted.

The Origins and Development of RM⁴³

In looking at the evolution of records management (RM) in the Swiss federal government and administration, it is important to stress that there have been no dramatic fault lines in the history of the Swiss federal state since 1848,

43 Administrative history is not an academic discipline that is well established in the Swiss university environment. Administrative science (as an aspect of business management) is not only often ahistorical but has also frequently neglected issues of records and information management. This fact is emphasized in works such as that of Kuno Schedler and Isabella Proeller, *New Public Management* (Bern, 2003): “NPM models have (too) long concerned themselves with setting out the conditions and forms of a new administrative organization, without considering internal administrative processes and their effectiveness and efficiency as a matter for modernization. It is therefore difficult to depict historical development and organizational concepts in anything approaching a conclusive manner; the following remarks must therefore remain selective” (p. 68).

although it has experienced some periods of accelerated growth. Within this specific framework, RM as a practical administrative technique (and the quantitative development of records production resulting from this practice), has been influenced by three key factors: (1) the changing responsibilities of the state; (2) the concomitant growth in the administration; and (3) parallel developments in bureaucratic technology.

The tasks of the federal state were essentially circumscribed in the three constitutions of 1848, 1874 and 1998, and in the more than 250 partial revisions between 1891 and 1998. The administrative organization was defined in parallel by the organizational laws and the associated implementing ordinances of 1849, 1914, 1978, and 1998; a range of special laws governed detailed issues at various times. Major efforts at reorganization were undertaken from the late 1960s onward, without, however, fundamental changes in the politico-administrative system.⁴⁴ The principal issues under discussion were the organization of government and the operation of the governmental college, including the procedures for preparing and taking decisions. The focus, however, was mainly on how to efficiently resolve differences, and in particular, the demarcation of the responsibilities and tasks of the individual members of government as heads of departments on the one hand, and members of the governmental college on the other. The discussions also examined the structural organization of the administration, organizational processes, and the creation or closure of federal offices and their allocation to individual departments. During this time, RM as an instrument of management and a central working tool in everyday administration, by contrast, attracted little attention.

Influences Affecting an Increase in Records Production

In its early days, the dimensions of the federal administration were extremely modest. An initial total of around eighty civil servants and staff has now risen to around 35,000 (excluding the Swiss railways and the postal service),

44 The federal administration experienced different waves of reorganization and reforms, for example: *Expertenbericht über Verbesserungen in der Regierungstätigkeit und Verwaltungsführung des Bundesrates erstattet dem Schweizerischen Bundesrat* [Expert Report on Improvements to Government Activity and Administrative Management of the Federal Council Presented to the Swiss Federal Council], November 1967; *Bericht und Gesetzesentwurf der Expertenkommission für die Totalrevision des Bundesgesetzes über die Organisation der Bundesverwaltung* [Report and Draft Law of the Commission of Experts on the Complete Revision of the Federal Act on the Organization of the Federal Administration], September 1971; EFFI-QM and Government and Administration Reform 93, *Projet NOVE: Rapport général, décembre 1996; Réforme de l'administration fédérale 2005/2007: Rapport fin du 20 décembre 2007*, including the sub-project on the simplification of procedures, processes, and documents (project objective: simplification of internal processes [including archiving] and shortening of documents).

though only an estimated 20–25,000 of these contribute to records production and administration of information in the stricter sense. The first spate of growth came in 1874, in the context of the second Federal Constitution and the expansion of the remit of the federal state. A second expansion followed the advent of the Second World War when the focus on military and economic national defence saw a rise in the number of state employees from 10,000 to over 30,000. In the years following the War, this figure was reduced to around 21,000, before rising again.⁴⁵ Alongside the additional tasks of the Confederation and its increasing number of staff, the production of records was also influenced by the use of new bureaucratic tools, particularly after the Second World War. These tools facilitated not only the production, but also the reproduction and broad dissemination of documents.⁴⁶

This trend in records production is also reflected in the holdings of archival records. Of the 55 km of paper files in the Swiss Federal Archives, around 85 percent date from the period since 1935, and only some 4.5 percent from 1848–1935.⁴⁷ The archived materials – their physical formats and the writing implements used – have also changed in line with developments in office technology, creating manifold challenges for conservators. At the outset, administrative documents were in the form of minute and letter books, registers, and so on. Slowly, over the course of the nineteenth century, file folders were introduced and used to keep together in loose form the complete range of documents on a particular business matter (dossiers, fascicles), arranged in accordance with a classification scheme and indexed via reference numbers. The production of these administrative documents was governed by a series of

45 *Bericht des Bundesrates an die Bundesversammlung über das Volksbegehren betreffend eine eidgenössische Verwaltungskontrolle* [Information from the Federal Council Report to the Federal Assembly on the Referendum on Federal Control of Administration], 30 April 1954, p. 1. The current figure of 36,000 federal employees also includes those working in military operations, construction and printing, cleaners, etc.

46 The purchase of the first typewriter in 1885 required a governmental decree. Later innovations in office technology found their way into the administrative routine more easily. The first machine with a typewriter ball and correction key was introduced in the parliamentary service in 1972. The advent of computers was accompanied and supported by coordinating measures from an early stage. Categorized as a “technical” standardization of “automatic data processing,” computerization was transferred to the Central Office for Organization as an administrative task in 1960, before later moving to the Federal Office for Organization (1980), the Federal Office for Information Technology and Systems (1990), and the Federal Office of Information Technology, Systems and Telecommunication (1999). *Bundesratsbeschluss über NOVE-IT: Reorganisation der Informatik des Bundes vom 30. November 1998* [Government Decision on NOVE IT of 30 November 1998]. Computerization and the modernization of traditional office technology thus proceeded in parallel for some time before computers more or less completely supplanted their older counterpart.

47 The remaining 10 percent is made up of private archives, the majority of which also date from the post-1935 period.

legal provisions, most of them not very detailed, that were contained in a wide range of decrees. The first of these was the Regulations of the Swiss Federal Chancellery (1850),⁴⁸ which regulated matters such as the taking of minutes during government sessions and their indexing, including the use of abbreviations, compilation of registers, creation of business files, and so on.⁴⁹

Federal Office of Organization and the Swiss Federal Archives

Information administration specialists were soon seen cropping up in the personnel records (such as the State Directory) even outside the Federal Chancellery (secretaries, copyists, scribes, filing clerks), with central practical responsibility for RM.⁵⁰ Positions for such specialists were specifically created when new branches of the administration were set up to carry out certain tasks such as the implementation of the *Railways Act*; two main offices were created in the 1870s for technical and administrative issues, and a third to manage the Chancellery.⁵¹ Yet specialist officials, including government members, were constantly dealing with practical issues of RM.⁵²

As the workload grew and new administrative agencies were created, the

48 *Regulations of the Swiss Federal Chancellery*, published in the *Swiss Federal Gazette* (5 October 1850), pp. 103–115.

49 The requirements for secretaries taking minutes stipulated that, for example, they should “have compact yet clear handwriting, so that as much as possible may be entered on one page.” See *ibid.*, art. 22, and note 48, p. 107.

50 To our knowledge, there is no systematic evaluation of the State Directory in existence; it is likely to be a source of highly relevant information, at least for the nineteenth century; thereafter – exactly when has yet to be established – only the upper ranks appeared in the directories. As regards professionalization, it should be noted that for a long time there was no specific vocational training for typical administrative professions. Until the 1990s, the general rule required a commercial apprenticeship. It was not until 1994 that a specific I[nformation]+D[ocumentation] training scheme with a federal certificate, followed by technical college and university courses, was established. The initiative came from the professional associations. This qualification still best meets the requirements for professional RM.

51 *Botschaft des Bundesrates an die hohe Bundesversammlung, betreffend Abänderung des Bundesgesetzes über die Organisation und den Geschäftsgang des Bundesrates vom 16. Mai 1849* [Dispatch of the Federal Council to the High Federal Assembly, Concerning an Amendment to the Federal Act on the Organization and Business of the Federal Council], 9 July 1873, published in the *Swiss Federal Gazette* (26 July 1873), p. 4.

52 See a note in a letter from the President of the Swiss Confederation to an ambassador, in which the former mentions that he had been asked to forward “une demande spéciale de notre régistrateur et de l’archiviste de laisser dans vos lettres un bord blanc assez large et que la dernière, soit la quatrième page, en haut de la page aussi un bord blanc d’environ un pouce et demi à deux pouces de large pour pouvoir y inscrire les numéros et renvois de registre et du procès verbal, le tout à peu près comme je le fais dans cette lettre.” AFS AEG Savoie 47, pièce 55, “Lettre adressée par le président de la Confédération, Frey-Hérosé à Auguste De la Rive, le 19 avril 1860.” We are grateful to Pierre Flückiger, State Archivist of Geneva, for drawing this document to our attention.

organizational autonomy of information administrators became greater in practice, and it often became more difficult to regulate or coordinate them centrally. In addition, many organizational measures were intended to achieve savings and subsequently improved cost-effectiveness and were not – or at least only indirectly – aimed at improving RM as a tool of administrative work and management or access to information. While the Central Office for Organizational Affairs was obliged to take account of the “expediency and effectiveness of organization and working methods,” it was also instructed to consider “the potential for economical design.”⁵³ It was not until its successor organization, the Federal Office for Organization, that the remit was extended such that it was not merely to “organize the deployment of personnel and materials in order to solve particular tasks, taking particular account of structure, working processes and methods, and management tools,” but also to do this in the interest of government supervision of the administration and Parliament’s supreme oversight over the government and the administration.⁵⁴

At a practical level, the Federal Office for Organization undoubtedly dealt with issues of RM. When it was disbanded in 1990, the corresponding four entities were transferred to the Swiss Federal Archives, and the RM/business administration service was augmented. Since then, this service has actively sought to promote professionalism in matters of RM, issuing directives and offering related training and advisory services. The new *Ordinance on Governmental and Administrative Organization of 1997* and the *Archiving Act of 1998* defined the standards governing this responsibility.⁵⁵ This has enabled an RM system of impressive quality to be introduced in most areas, although not all, featuring clearly structured filing plans, reliable dossier creation, and more or less regular archiving of documents no longer required

53 *Loi fédérale sur la centrale pour les questions d'organisation de l'administration fédérale du 6 octobre 1954*; see also the Federal Council report on which this law is based (see footnote 45).

54 *Loi fédérale portant sur la création de l'Office fédéral de l'organisation du 19 décembre 1980* (SR 172.010.58), in particular art. 2, 5, and 9.

55 Art. 22 (Documentary Evidence of Administrative Activity) of the *Ordinance on Governmental and Administrative Organization* (1998, SR 172.010.1) states in para. 1 that: “Les unités administratives consistent leurs activités en assurant la gestion systématique des dossiers” and take “les mesures organisationnelles, administratives et techniques nécessaires à la constitution et à la gestion des documents.” Para. 2 also states that the Federal Archives must coordinate and monitor records management. Art. 5 (Administration of Information and Records Management) of the *Federal Archiving Act* (1998, SR 152.1) stipulates that: “1. Les Archives fédérales conseillent les services tenus de leur proposer leurs documents sur la manière de les organiser, de les gérer, de les conserver et de les leur verser. Elles peuvent également proposer ces prestations à d'autres services. 2. Elles peuvent visiter les bureaux des archives courantes et les services chargés de la gestion des informations des organes tenus de leur proposer leurs documents et contrôler l'état des documents qui y sont conservés. 3. Elles édictent à l'intention des services tenus de leur proposer leurs documents des instructions sur: a. la gestion, la conservation et le versement des documents ...”

for everyday business. From the perspective of the Archives, the aim was not simply an altruistic one of serving the general good, but also to assist with its own workload by helping to reduce the access backlog and simplifying working processes, namely the transfer of archive-worthy documents from the administration. The documents transferred were no longer to be made accessible once they reached the Archives, but rather to be deposited already organized for access through the adoption of transfer lists whose structure and content were based on the filing plans. An authorities register also supported this aim. Maintained from 1970 onward, the register provided an overview of the responsibilities of the federal administration and its various entities in their capacity as authority holders, served as a basis for the creation of filing plans geared to competencies, and therefore simultaneously contributed to improving RM and optimizing access.⁵⁶

Rise of Computer Technology

The spread of computers throughout the administration since the 1980s and their use as an everyday working tool by the administration's employees from the 1990s onward, once again called into doubt the progress in professional and coordinated RM. The arguments for widespread computer use frequently centred on rationalization,⁵⁷ but such use also promoted distinctly individualizing tendencies: it led to variety, disorder, and lack of clarity, which in turn made it increasingly difficult for specialized agencies such as records offices to maintain RM at a professional level and keep it under control. Many of the technical tasks associated with RM shifted from specialists to clerks, whose attention was naturally focused on entirely different aspects of administrative work. Computerization thus initially eradicated much of the progress made in systematic RM.⁵⁸

56 Erich Schärer, "Die systematische Kompetenzenkartei des Bundesarchivs [The Systematic Authorities Register of the Swiss Federal Archives]," *Studien und Quellen* 2 (Bern 1976), pp. 113–48.

57 See the various proposals made by a wide range of administrative agencies under the EFFI/EFFI-QM programs, which repeatedly emphasized that office automation should be introduced in order to save on personnel. Farther-reaching questions of the displacement of effort were not yet part of the reform discussions. SFA, E 3120 (B) 1996/434, 012, *Effizienzsteigerung in der Bundesverwaltung* [Increased Efficiency in Government Administration], vol. 1.

58 The impact on archiving in the narrower sense was limited, inasmuch as paper remained a compulsory element of archiving. However, this adherence to paper caused another unwanted and unforeseen consequence: archiving became a kind of special task without profit for daily work and clearly removed from daily business processes. It became merely a burden, profitable for the archivist and eventually also for historians. Thus, in the administration, records management was not only marginalized as it seemed to have no strategic importance, but it also appeared as an old-fashioned instrument of discipline, inappropriate to the

Efforts to encourage more efficient and harmonized use of information technology – influenced in large part by a desire to reduce costs – at first revolved around entirely different issues and more fundamental harmonization.⁵⁹ The complexity of archiving was drastically underestimated, and interest in electronic RM and business administration was limited in the early stages to a few specialists. When the Federal Council drew up a strategy for an information society in Switzerland in 1998 (revised version January 2006), the issues of electronic communication between public authorities and of electronic administration, explicitly including records life cycle management, took centre stage and the concerns of the RM experts, especially in regard to a basic level of information supply, were readily received by the IT experts. Indeed, in the Confederation's very first e-government strategy in 2002, GEVER (*Geschäftsverwaltung* [Business Administration]) and ARELDA (Archiving Electronic Data and Records), the electronic archive project, were among the key strategic initiatives.⁶⁰

The progress of technological change in IT thus had almost contradictory effects. Among the positives was the launch of the ARELDA project to construct an e-archive in the Swiss Federal Archives, which was successfully completed in 2009 when an operational e-archive was launched. In terms of business administration and RM, however, the initiatives were only a partial success. In 2007 the federal auditors offered a fairly negative assessment of the introduction of the GEVER systems.⁶¹ This in turn was one of the triggers for the Swiss Federal Archives' initiative to re-attempt the concerted introduction of standardized GEVER systems, which led to a ground-breaking government decision on RM: on 23 January 2008, the Federal Council decided that all administrative agencies must introduce one of the two standardized digital business administration systems by the end of 2011.⁶²

NPM (a kind of business equivalent to IT).

- 59 The NOVE IT program, whose purpose was a total reorganization of IT and communications technology in the federal administration, was launched in 1997 and successfully completed in 2003. Its aim was to establish ICT as a management resource and achieve a 23 percent increase in efficiency through its use. See <http://www.isb.admin.ch/archiv/01201/index.html?lang=en> (accessed on 19 August 2010).
- 60 *L'activité gouvernementale à l'heure de la société de l'information. Stratégie de la Confédération en matière de cyberadministration (e-government)* (13 February 2002), and in particular Appendix 2 detailing the Confederation's e-government projects.
- 61 *Prüfbericht der Eidgenössischen Finanzkontrolle: Informatikrat Bund. Querschnittsprüfung im Bereich Geschäftsverwaltung GEVER Bund, 24.3.2007* [Report of the Swiss Federal Audit Office: Federal IT Council: Horizontal Audit in the Area of Confederation GEVER Business Administration]. The Federal Council's decision also creates the basis for digital documents to be archived in digital form only from 2012 onward.
- 62 These efforts may be seen as the continuation of an older tradition, as since its establishment in 1798, before the federal state itself was created, the Federal Archives had acted as the government's records office (or was at least closely linked to it).

Role of RM in the Federal Public Administration Today

Today it is clear that in a democratic and constitutional state, RM and archiving contribute to establishing legal certainty, and are also vital prerequisites for transparency, accountability, and good governance. RM also serves to provide a documentary record of the administration's business activity that must be conducted in accordance with the principles of legality, equality before the law (prevention of arbitrary decision-making), serving the common good (public interest), expediency, cost-effectiveness, and proportionality; it also facilitates day-to-day administrative management.⁶³ In its explicit form, however, this issue is relatively new within the Swiss federal legal texts; in the normative reference texts from the late-eighteenth to the mid-twentieth centuries it is at most implicit.⁶⁴

The recent *Ordinance on the Organization of the Government and the Administration* is the first to lay down, in article 22, a clear requirement for systematic RM, to be coordinated and overseen by the Federal Archives. The aim is to make the state's activities a matter of record, this being listed as the third central element of administrative management, along with planning and controlling. The older organizational laws contain no comparable provision, though other legislation, such as that relating to administrative procedure, Parliamentary oversight, and financial controlling, implicitly require orderly RM.⁶⁵

Accessibility Issues

Let us turn now to the issue of the accessibility of administrative documents independent of their function as organizational and management tools (as described by Max Weber).⁶⁶ Two main arguments may be distinguished: first,

63 See the principles in the *Federal Constitution*, the *Government and Organization Act*, the corresponding ordinances, and the rules of procedure.

64 *Federal Constitution of the Swiss Confederation* dated 18 April 1999 (SR 101), and its predecessors of 1848 and 1874. *Federal Act of 21 March 1997 on the Organization of the Government and the Administration* and the related ordinance (SR 172.010, 172.010.1).

65 This is stipulated in the *Bundesgesetz vom 23. März 1962 über den Geschäftsverkehr der Bundesversammlung sowie über die Form, die Bekanntmachung und das Inkrafttreten ihrer Erlasse*; [*Federal Act of 23 March 1962 on the Procedure in the Federal Assembly* as well as the *Form, Publication, and Entry into Force of its Legislative Enactments; Parliamentary Procedure Act*] as well as the form, publication, and enactment of its ordinances (art. 50) and in the *Federal Act of 13 December 2002 on the Federal Assembly (Parliament Act, ParlA, SR 171.10)*, which defines the access to information (records) of parliamentary commissions especially commissions of surveillance (art. 150ff). For the GAOO, see note 55.

66 Max Weber, *Wirtschaft und Gesellschaft, Grundriss der verstehenden Soziologie* (Tübingen, 1922) (trans. *Economy and Society: An Outline of Interpretive Sociology* [Los

citizens have a claim to access such documents derived from their impact upon the individual; and second, there is a general access claim based on state policy considerations. Both elements are aimed at a kind of transparency, but there is a clear distinction between them.

Access to administrative documents based on their impact upon the individual arose predominantly as part of the constitutionally guaranteed right to a fair hearing within the context of clearly defined procedures. This right derives from article 4 of the *Federal Constitution of 1874*, and has been protected and further developed by the Federal Supreme Court over the course of time. It did not, however, afford the affected person access to the complete administrative files, as the general interpretation of the law by the authorities and courts exempted so-called “internal” documents from inspection. The term “internal” applied to documents that reflect the processes of opinion-forming and the preparations for decision making (notes, service notices, speeches, drafts, discussion reports, joint reports, and written messages), in other words, those records that potentially document changing opinions and differing interpretations. Access to such documents was to be denied in order to ensure that no direct advantage could be drawn from such differences of opinion in the event of proceedings⁶⁷ and – importantly with a view to orderly and systematic RM – because the authorities should not be prevented by the risk of disclosure from maintaining records since “in the interest of both high quality in substantive decision-making and economic administration there is a fundamental interest in such processes being documented not just orally but also in writing within a public authority.”⁶⁸

If we widen our perspective and examine the issue of access from the point of view of a broadly interpreted transparency in the state’s activities, we find that the principle that “the actions of the administration are normally secret, subject to exceptions”⁶⁹ applied right up until the end of the twentieth century. For a long time the Supreme Court backed this view in its judgments, despite trenchant criticism from lawyers of both the principle and the case law. Freedom of information was held to include only the entitlement to obtain information from generally available sources, and was not seen as a lever for gaining access to unpublished information. Internal administrative documents were first opened up for public inspection under the *Federal Archiving Act*

Angeles, 1978)).

67 With the passage of time since this comment was made, such differences of opinion no longer appear merely as a starting point for partisan argument toward the achievement of a particular goal, but rather as the expression of contingent developments, which almost invariably lack the inevitability often hoped for, assumed, or asserted to in retrospect.

68 Alexander Dubach, *Das Recht auf Akteneinsicht* (Zurich, 1990), pp. 10–11.

69 *Message relatif à la loi fédérale sur la transparence de l’administration (Loi sur la transparence, LTrans) du 12 février 2003, Federal Gazette* (2002), pp. 1963–2046, p. 1965.

1998, albeit subject to a general thirty-year embargo period.⁷⁰ The Act viewed free access to archive materials as a fundamental political right and a vital prerequisite for democratic control of the government and administration.⁷¹

This right was considerably strengthened by the *Freedom of Information Act* 2006, which enables citizens to obtain information for themselves, review the veracity of official statements, and exercise their own supervision of the actions of the administration.⁷² The aims of the *Federal Archiving Act 1998* and *Freedom of Information Act 2006* [hereinafter FoIA] are complementary.⁷³ What is astonishing is not only that this new right was not defined until relatively recently, but also that up to now it has hardly ever been used.⁷⁴ However, the FoIA still protects administrative documents from inquisitive eyes during ongoing decision-making processes, and in so doing uses arguments similar to those deployed in respect of the right to a fair hearing, where what are termed “internal” documents are protected from

70 *The Federal Archiving Act*, art. 9 ff. defines in detail the legal entitlement to access archive materials at the end of various specific embargo periods, or within those periods subject to special approval. The entitlement extends to all interested parties and not simply to purposes such as academic research. In the nineteenth century, access was only available subject to approval and only for research purposes; later, access was opened up with embargo periods of fifty years, later reduced to thirty.

71 “Message concernant la loi fédérale sur l’archivage,” *Federal Gazette* (26 février 1997), pp. 941–76) emphasizes the state policy aspect of archiving, which is based on meticulous and systematic RM: “The actions of the government, administration and legislature can only be fully understood if all the circumstances that led to a decision are known. In many cases these circumstances, such as the process of opinion-forming within the administration at the time of the decision, are not fully disclosed to the public. The ability to review the actions of the state in their full extent is an important aspect of control of the government and administration. In a democratic and constitutional state, it is essential that this option is normally open to all citizens and the media, and not merely internal administrative or parliamentary review bodies, at least once a certain embargo period has elapsed” (p. 944).

72 See *Message relatif à la loi fédérale sur la transparence de l’administration (Loi sur la transparence, LTrans) du 12 février 2003*, in particular pp. 1973–74.

73 The *Freedom of Information Act* [hereinafter FoIA] contains a complete list of exceptions to the freedom of information principle.

74 *Préposé fédéral à la protection des données et à la transparence: Exécution, coût de la mise en œuvre et efficacité de la loi fédérale sur le principe de la transparence dans l’administration (loi sur la transparence)*. Rapport à l’attention du Conseil fédéral du 29 mai 2009. The underlying study by Martial Pasquier (*Évaluation de la loi sur la transparence* [Chavannes-près-Renens, 24 April 2009]), carried out on behalf of the Federal Data Protection and Information Commissioner (IDHEAP), shows that in 2006, 8.6 freedom of information requests were made per 1,000 inhabitants in the United States, 0.8 in Canada, and only 0.03 in Switzerland. This lack of interest in the FoIA can be partially explained by the special features of the political system, which does not recognize a strict separation between government and opposition, offers various avenues of access to representatives of public politics, and accords citizens a codetermination role in very many administrative processes and almost all political decisions.

access, even though the concept of internal records is no longer used and has indeed been explicitly abolished.⁷⁵

Assessment of the Swiss Experience

According to its legal mandate, the Swiss Federal Archives issues regulations and supports RM by consulting on individual projects, and by providing education for the federal administration's staff, for RM professionals, as well as for "ordinary" civil servants. Such education includes an ongoing struggle against the widespread trend toward individualization of records creation and storing, rather than records "keeping." This challenge undermines proper RM, resulting in the disappearance of well-structured files, and the survival of often incomplete and poorly recorded, highly redundant ones.

The Swiss federal government and administration are rather latecomers in the domain of transparency and have a fairly pragmatic approach to RM. This does not imply a lack of quality, as they have a long tradition of RM mainly based on tacit knowledge and implicit rules. The challenge of ICTs, however, questions this tradition-based way of working and makes it necessary to think explicitly about the needs and objectives to be satisfied and fulfilled by RM, as well as about ways to implement it in the daily work of civil servants.

The Swiss federal government is at a crossroads concerning what it needs to do to build up an adequate e-government strategy based on the principle of good governance without the risk of losing the capacity to take responsibility for its decisions. Looking back from the end of the records production chain and facing long-term challenges, the Swiss Federal Archives recognized the need to renew its efforts to assure a reliable Electronic-Records Management (E-RM), which would guarantee accountability and transparency. Consequently, in 2008 the *Report and Action Plan on Handling of Electronic Files, Data and Documents* was developed proposing the GEVER Program, a start-up program to assist federal agencies to implement GEVER systems and to work with them in daily business.⁷⁶ The following summarizes the experience of this program over the two years that it has been running, and draws some conclusions.

1. Senior management commitment, top-down approach: RM support is not sufficiently positioned within the organization to allocate agency resources,

75 FoIA, art. 5 and 8. See also Stephan C. Brunner and Mader Luzius, eds., *Öffentlichkeitsgesetz. Handkommentar* (Bern, 2008), pp. 94ff and 165ff.

76 The report was the basis for the request by the Federal Department of Home Affairs to the Federal Council to launch the "GEVER Bund" program (business management of the federal administration). It was approved on 23 January 2008. See <http://www.bar.admin.ch> (accessed on 20 August 2010).

or to position RM projects at the top of the department's short or mid-term plan.

2. Benefits for administration: The traditional proposals focused principally on the benefits of E-RM for archives and archiving, but few were interested in this. Instead, the Swiss Federal Archives is now integrated with administrative procedures and provides direct support to the administration's needs, in addition to the services that are provided for the public at large.
3. Systemic and business-driven approach: The Swiss Federal Archives is therefore also rethinking its own role in E-RM by reconsidering whether it wants to remain the trusted repository for records destined only for permanent storage, or – what seems probable now – if it should serve additionally as a short- and mid-term archive for all federal agencies.
4. E-RM is not an IT-project: Like traditional RM, E-RM is an integral part of management responsibility. It is about the management of public agencies, compliance, and accountability. In this approach, business requirements define the functionalities and the organization of RM. E-RM is a social project, too, because of the fundamental changes it brings to the roles of each collaborator: RM is everybody's responsibility, which makes mental and behavioural changes inescapable.

Through the implementation of RM, and in accordance with standards such as ISO 15489,⁷⁷ the federal administration will be able to increase its effectiveness and efficiency, enhance the quality and speed of its decision-making processes, improve transparency, and ultimately push the rationalization of bureaucracy forward. Responsibility for the new program and its implementation comes under the Swiss Federal Archives, in conjunction with the Federal Strategic unit responsible for ICTs.

Issues and Way Forward for Democracies in the Twenty-First Century

The experiences in Canada and Switzerland outlined above contain multiple elements that can help to identify the crucial pieces that are necessary to face the fundamentally new but constantly and rapidly evolving contemporary environment. First, there are clear lessons to be learned, and second, there are features and components of a way forward that emerge from past experiences.

Lessons from an Evolving Environment

History shows, both for Switzerland and Canada, that the environment within which RK has evolved over time may be characterized as fluid and fluctu-

77 International Standard Organization ISO 15489-1:2001 Information and Documentation – Records Management – Part 1: General (Geneva, 2001).

ating. Several factors have defined its conditional surroundings, and have created an increasingly complex conjuncture and ambience wherein public administrations – and more generally society – have gradually lost sight of the fundamental purposes and rationale for RK, and have coincidentally moved to focus largely on what add up to peripheral questions. Of course, it must be recognized that the resolution of problems and issues associated with these factors – which may properly be identified as privacy, access, transparency, and accountability – are essential to the functioning of organizations and societies at large and that they merit substantial attention. However, and this is the central point, the discussion of, and attention drawn to, these factors have too often blinded us to the implications vis-à-vis the fundamental contingency and very animating context of their potential engagement: the *presence* of records.

Up until the Second World War, the Canadian and Swiss governments were largely able to cope with the management of records, at least to a level of what appeared to be an acceptable degree of competency; they were able to deal with the quantity of records produced using some systematic approaches. But with the Second World War and its impacts on government activities, and with the emergence of the modern welfare state shortly thereafter, together with the beginning of the introduction of new technologies such as the photoduplication process, traditional RK practices were rapidly rendered obsolete. Further, the introduction of new legislation such as privacy and access to information laws have increased demands for information and documents including access to more substantial and critical records. Finally, the various management practices introduced within governments have been progressively focusing on performance and other measurable attributes, and coincidentally have been putting even more pressure on information production (including the production of new forms of information). For politico-administrative reasons, such as urgent, “provable transparency” and “open government” within an immediate and transactional context of citizen engagement, administrative behaviour has frequently been tailored and directed toward processes related to the new aspects of IM (privacy, accountability, etc.), and has not given sufficient focus to the critical and fundamental *presence* and sound management of its raw material: documents.

Our brief examination of the history of RK in two Western democracies leads us to the basic conclusion that it has typically not been sufficiently articulated, understood, or engaged as a crucial component of public business enterprise, to the extent that it has not been integrated or critically inserted strongly enough into the main body of enabling public administration functions such as financial management, human resources management, or public policy making in general. Consequently, it has been the more peripheral aspects of IM that have recently dominated the debates and continue to retain most of the attention. While this has unfortunately left the discussions and related implementation of appropriate RK approaches and business protocols

lagging behind with, among other things, some detrimental effects on the public interest in transparency and accountability, a more profound understanding of the value of RK has emerged and is evolving within both the Canadian and Swiss federal public administrations.

Attributes of a Modern RK Regime

The capacity for democratic society and its governments to continue to evolve with a sufficient level of credibility is directly related to our capacity to re-think our approaches to RK in the current administrative context, and craft them in such a way that they will self-adapt to forthcoming environmental changes both anticipated and unanticipated. Looking at what has happened over the last one hundred years, our research suggests that a reliable RK system with the capacity to support the requirements of current and future environments must minimally meet at least the five following attributes.

1. Positioned Upstream (Creator-Driven)

Currently within many organizations, IM typically focuses its attention on processes and activities *post-facto* the creation of documents and records, including their identification, arrangement and organization, handling and maintainance, within separate and neutral administrations providing a service conduit from creators to users for information dissemination, reference, and consultation. IM is generally considered to be, and positioned as, an internal administrative service activity. Essentially, modern RK must place primary emphasis – and focus the attention of organizations – on the deliberate and self-conscious creation and capture of information resources having continuing business value. In other words, contemporary RK is first and foremost about creating appropriate documentation for business activity and subsequently establishing the continuing presence of records for the purposes of public business enterprise, all of this under the authority of business managers (supported by information specialists), and according to the business prescriptions and requirements of organizations.

2. Reflective of Business Requirements and Continuing Value

Modern RK should be, both conceptually and practically, a continuous process of information resource development and evaluation conducted according to business standards, rules, and criteria determined within institutions, and should fundamentally accept that only a prescribed amount of information created in the course of business activity will be selectively captured and maintained as business records by institutions variably over time. Within this approach to RK, a critical distinction should be made between information and records, wherein records are identified as an evolved *superset* of information resources. In its broadest sense, information refers to all of the tangible documents and data in paper, electronic, and other forms that an organization creates or accumulates in the course

of business to meet its legal, operational, or institutional needs. In contrast, records consist of differentiated information that has been declared by an organization to have ongoing value as business assets or knowledge resources warranting special attention in relation to their creation, custody, capture, retention, accessibility, retrieval, and disposition.

Fundamentally, the *a priori* components of RK within modern RK organizations will consist in assessing the strategic and operational value of their information resources for business purposes according to established criteria (*triage*), and in judging how to create, capture, and manage the selected information *as records* having ongoing business value to the organization. The critical corollary distinction here is that organizational investment will be substantially (exclusively in some cases) directed at information resources having value as defined by organizations, and that all other information either unnecessary or extraneous to business administration will be systematically eliminated. In other words, *post-facto* creation, RK manages information resources in a differentiated manner as assets (or otherwise) on a graduated scale of business value. Simply stated, organizations cannot afford to manage all of their information in an undifferentiated manner, nor would it be practically feasible or intellectually logical to do so even if the resources were available.

3. *Technologically Neutral*

Modern RK should not be technologically dependent, but in fact entirely technologically neutral. This is not to say that IT is not to be used in relation to RK, but rather that it be deployed exclusively as a business enabler, especially in relation to information resource persistence, i.e., establishing the continuing presence of authentic, reliable, and trustworthy electronic records in a RK repository. In this technologically neutral sense, a modern RK repository should be a preservation environment for records established within an organization consisting of a specified physical or virtual storage space and associated infrastructure managed according to business rules, processes, and protocols with sufficient capacity and functionality to capture and control records in an authoritative manner such that they are managed over time and rendered authentic, reliable, and accessible on a continuing basis.

A number of countries advocating the development and enhancement of organizational RK capacity are currently articulating and specifying elements of RM and information resource preservation and persistence functionality required within e-systems and e-repositories to render them continuously authoritative, as well as proposing changes to the way technology is considered and deployed to serve information needs and support business-acceptable communication within public administration, notably in relation to the capture, management, preservation, and disposition of records as business assets. The primary issues concern the linkages that

need to be established (and maintained over time) between business activity architecture, organizational business needs expressed as documentation requirements, and the development of information systems, as well as the interactive connectivity required between information creators or users and an information systems infrastructure capable of accepting, capturing, documenting, and managing designated information resources as business records in an authoritative and fully accessible manner.

4. *Aligned with the Culture of Public Administration*

RK should be conceived both theoretically and practically as a horizontal business enabler, and primarily seek to integrate and embed the creation, capture, and subsequent secondary management of records into the conduct of everyday business affairs within organizations as one of several core and essential activities required to support effective administrative coherence and decision making, accountability, strategic planning, needs analysis, and the alignment of business outcomes and results with organizational goals and objectives.

In effect, RK should represent a comprehensive approach to the understanding, creation, designation, maintenance, and sustainability of records as business assets and knowledge resources within organizations. In addition, its functionality should integrate fundamentally with all elements of business systems planning and process both locally in, and horizontally across, constituent administrative entities. Within an RK organization, all managers and employees should have delegated authority and/or assume some form of shared accountability for the creation and keeping of records, including having roles and responsibilities regarding the development and realization of appropriate organizational culture and business behaviours regarding sustainability and accessibility over time.

5. *Responsive to Democratic Values*

By embedding the attributes and elements of modern RK into public administration – in particular by establishing a business requirement within public organizations to create records and assure their presence over time in order to document decision making and the delivery of programs and services to citizens – RK will gradually come to be understood and engaged as core-essential to the foundation of democracy based on transparency, accountability, and openness. In effect, RK assures the continuing presence of the *causa materialis* of democracy over time, by both providing evidence for public scrutiny and providing one of the primary means through which public administrations can act broadly in the public interest and support the rule of law. Fundamentally, by pursuing a reform agenda and by reintroducing RK as a self-conscious documentation of the public business, citizens and the broader public interest are democratically served by the following end-state in government: ready access to the right records and evidence; improved decision making and performance; greater admin-

istrative and business coherence; increased capacity to lever information capital; increased capacity to lever technology; rational disposal of unnecessary records; capacity to satisfy accountability and stewardship requirements; open processes under audit, investigation, and litigation; and greater economy and efficiency.

Conclusion

The intention of this paper has been to compare and contrast the progress and contemporary situation of the Swiss and Canadian federal RM experiences. There are a number of points of interest from a historical perspective, and it has been useful to reflect upon the diverse sources and contexts from their respective origins, foundations, and jurisdictions. What has largely animated both the purpose and discourse of this paper has been the framing of the basic problematic currently facing public administrations in all of their complexity and multiple dimensions. This has evolved and emerged over the course of recent modern times to address the challenges associated with producing, capturing, and managing official records and documents, i.e., assuring their creation, authenticity, integrity, and continuing presence in the public interest as a critical element of democratic governance under the rule of law.

In fact, what has been especially stimulating about this collaborative reflection upon RM and RK in the public sector is the emerging consensus of ideas and thinking. This is built around a nucleus of perspectives and conclusions, which our current research demonstrates are core and essential requirements for information resource development within any progressively open and transparent future public administration, regardless of domain or jurisdiction. The research suggests the following:

- 1) accountable public administration and democratic governance based on foundational principles of openness, transparency, and especially information resource accessibility are critically (entirely) dependent on the continuing presence of documents and records purposefully and self-consciously created and captured by government institutions and organizations over time;
- 2) the production, management, capitalization, and preservation of these documents and records require institutional and organizational discipline and rigour at all levels within public administrations engaged through normative business rules, regulations, and protocols;
- 3) RK as a manifestation of information resource development – production, management, capitalization, preservation – must be fully integrated with public programs and service delivery to citizens as a basic component of enabling administrative ethos; and
- 4) the intellectual development and management of information resources within the public sector both *de facto* and *de jure* as the documentary

causa materialis of the democratic state must be neutral of technology – insofar as the meaning and value of documentary material transcend the context of technology, and that purely technology-centred organizational interventions within the domain of information resource development typically fail.

The research on the RK problematic could indicate a fifth and most salient conclusion:

- 5) as the epistemological, normative, and technological elements are involved with information resource development broadly in the service of the democratic state, this could also engage socio-cultural transformations within public administration.

The new episteme and norms of “documentary RK” articulated above will necessarily require considerable socialization. This will necessitate moving toward behavioural modification at the organization, group, and individual levels. In the end, this may prove to be its most significant challenge, yet provide its greatest opportunity.