INFORMATION ACCESS ON BRAZILIAN STATE ARCHIVES[1]

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1 INTRODUCTION

The access to information is a present theme discussed by all society, in Brazil in 2011 was sanctioned the law nº 12.527/2011 which places the access to information of public interest. This law directs the public authority to turn accessible, through sorted media, all kind of data they produce.

Since José Maria Jardim (1999, p. 02, author´s highlight) wrote "the **right to information** - expression of a third generation of rights of citizens - carries with it a flexibility that is located not only as a **civil right**, but also as a political right and social right, composing a historically new dimension of citizenship" more efforts appear for Brazilian information access scenario's.

The law generated researches, discussions, some of them concerned about how would the public authority turn the archives and public institution's data mass accessible to population? Various questions were the core of alternatives and solutions to implant functional systems focused on the access to public data of public interest

The access to Brazilian documental information involves questions, both political, and structural, the Public Archives, in special, need the government apparel to have equipment and groups to manage documents online. On this lack the Public Archives live, and, due to the informational scenery imposed by the law, a new look over the informational access was given, directed to the necessities of the society and the limitations of archives institutions, there was a change needed to answer the law points.

O'Toole (1993) describe that the public document has the function of collective patrimony of the society, guarding the collective memory. The public archives with their institutional characteristics, which contents historic, administrative and organizational collections, always struggled for an opened and accessible legislation, that gives the institution visibility, promotes public transparency and spread the knowledge stuck in this environment.

The Brazilian Federal Constitution (1988 p. 93) dispose, on article 5th, line 33, the right of access to information

> XXXIII - everyone is entitled to receive from government agencies, information of particular interest, or of collective or general interest, which shall be provided within the law, subject to liability, except those whose secrecy is essential to the security of society and the State.

The Brazilian Constitution, on its fullness highlights the importance of access, since 1988, the country already understood as a social necessity the informational and governmental access. From then, there was a ripening of Brazil's society, leading to its amplitude and responsibility of implementation.

Due to the high pressure of Brazilian National Counsil of Archive (Conselho Nacional de Arquivos) - CONARQ, was sanctioned the law n. 8.159/1991, of national policies for public and private archives, giving directions to the management and documental guard. Also edit and

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publish to improve digital contend to public archives: Carta para a preservação do Patrimônio Arquivístico Digital (2005), Criação e desenvolvimento de arquivos públicos municipais: transparência e acesso à informação para o exercício da cidadania (2014); Diretrizes gerais para a construção de websites de Instituições Arquivísticas (2000), Diretrizes para a Implementação de Repositórios Digitais Confiáveis de Documentos Arquivísticos (2014), Modelo de Requisitos para Sistemas Informatizados de Gestão Arquivística de Documentos - e-ARQ Brasil (2009).

However, the public archives were not able to guarantee, through the law 8.159/91, autonomy to deliberate about the informational divulgation towards the access. Since then, the archivist society has been discussing ways of proportionate bigger access to the documental collection, strongly participating of national organs assemblies, destined to deliberate class matters, CONARQ has worked in plenary sessions, with its members from the technic chamber, sectorial chamber and special commissions, further the working groups, as a way to strength legislative measures.

With researches, discussions and the country ripening, the law n. 12.527/2011, of access to information, created to give more amplitude to information access, destining whom and where have to do. Its creation provided visibility and amplitude to the documental collection, allowing society to access history, which was, before law 12.527/2011, restricted. Fachin (2014, p 37) emphasizes the importance of access to information;

> The public interest information is the basis of issue of access; guided numerous issues widely discussed in society, involving elements of purpose, support, requesting users, informational needs, document profile, information systems, management policies and maintaining the collection, among other elements that fit not explain, it is only to say that the final object of all this is the user society.

Along with the access to information law's parameters, the archives could reorganize themselves, destining its collection to not only management and preservation of memory, also, to the online access, giving the necessary visibility and amplitude of these organs.

The Access to information law stress that every public agency must display public interest information under three precepts, provided in article 3rd:

> I - compliance with publicity as a general precept and secrecy as an exception;
> II - public information sharing, independently of require;
> III - use of media and information technology.

The three shown precepts indicate law's objectivity, aiming transparency, to guarantee the basic right of access to information, which must be available on the internet, using information technology and communication to respond social desires.

The present work used the qualitative documentary research method aiming to comprehend the Brazilian State Archival universe, inside the new informational scenery that the law 12.527 is applied.

2 BRAZILIAN STATE ARCHIVES

The State Archives are agencies under management of the government, have the duty of administer the documental mass made by the government. To Jardim (1986, p. 39), the archives are more than it, having the functions:

- ▪ Support public administration, giving agility and minimizing costs of the process of dissemination of necessary information to decision-making.
- ▪ Support cultural development, promoting the constitution and divulgation of archivist access, important part of documental patrimony, where the nation recognizes herself when realizes the State and Civil Society path in it.
- ▪ Support citizenship exercise, guaranteeing the citizen data access, on behalf their rights face the State, or in scientific investigation.
- ▪ Promote archivist politics in the federal, state or city level, contributing to protection of the national archives collection.

The characteristics pointed by the author reflect how much this environment can help society and how much its collection is important to social history and memory. To Ohira et al. (2000, p. 10), "archives are the keepers of the accumulated experience by the human been, resulting from his walk in an insatiable quest for knowledge".

Brazil, at 2013, have two hundred and six public archives signed on CONARQ and from those, only 26 are state archives. In general, these archives constitute a mixed documental collection, administrative, institutional and historic, with free of charge access.

Being agencies under the public management, the archives depend on public policies to strengthen its activities. For this motive, a legislation towards the access is important for the archives' management

Not every Brazilian State Archives has a website to spread information and promote a wide access through electronic media, answering the law precepts. With these search, it was possible to verify which of them have an active web page.

Table 1: Brazil's State Public Archives

YEAR	STATE ARCHIVES	URL
1855	Paraná	http://www.arquivopublico.pr.gov.br/
1890	Bahia	http://www.apeb.ba.gov.br http://www.fpc.ba.gov.br/espaco-para-conhecer/arquivo-publico-do-estado-da-bahia/
1892	São Paulo	http://www.arquivoestado.sp.gov.br/
1894	Pará	http://www.apep.pa.gov.br/
1895	Mineiro (Minas Gerais)	http://www.siaapm.cultura.mg.gov.br/
1896	Mato Grosso	http://www.apmt.mt.gov.br/ - Note: under construction.
1897	Amazonas	NO
1906	Rio Grande do Sul	http://www.apers.rs.gov.br/portal/index.php?menu=historico
1908	Espírito Santo	http://www.ape.es.gov.br/

1909	Piauí	NO
1923	Sergipe	NO
1931	Rio de Janeiro	http://www.aperj.rj.gov.br/
1932	Ceará	http://www.secult.ce.gov.br/APEC/Apec.asp/
1945	Pernambuco	http://www.pe.gov.br/orgaos/arquivo-publico-estadual/ http://arquivodoestadodepernambuco.blogspot.com.br/
1960	Santa Catarina	http://www2.sea.sc.gov.br/arquivo_publico/default/default.htm
1961	Alagoas	http://arquivopublico.al.gov.br/
1963	Paraíba	NO
1963	Acre	NO
1974	Goiás	NO
1974	Maranhão	http://www.cultura.ma.gov.br/portal/apem/ Note: Disabled in 2014.
1978	Rio Grande do Norte	http://www.arquivopublico.rn.gov.br/contentproducao/aplicacao/searh_ape/principal/enviados/index.asp
1981	Rondônia	NO
1985	Federal District	http://www.arpdf.df.gov.br/
1989	Mato Grosso do Sul	NO
2010	Amapá	NO
*	Roraima	NO

Source: websites listed above, 2014.
* **Observation**: The State of Roraima Public Archive birth year of wasn´t founded.

From 26 archives, 16 have a webpage, but in August 2014, 14 of them were active, representing 54%. The older Brazilian State Archives institution created in 1855, and the newer, in 2010.

We agree with Almeida (2013, p. 32-35) that emphasizes the influence of Internet as tools of change and essential to transmission and global dissemination of information.

The Brazilian Public Archives must have a website working to fulfil the law criteria, where information must be organized and available on electronic pages, along with specific and general contents, according to what is written on the law's chapter 2, article 8th :

> I - Register of competencies and organizational structure, addresses and telephone numbers of the respective unities and opening hours;
> II - Register of any financial resource transfer;
> III - Outcome register;
> IV - Information concerning bid procedures, including the respective terms and results, as well as every celebrated contract;
> V - general data for programme tracking, actions, projects and works of agencies and entities; and
> VI - answers to most frequent society's questions.
> §2º For accomplishment of what disposed on the caput, public agencies and entities must use all means and legit instruments available, **and the publication on official websites is obligatory**.

The 3rd paragraph of chapter 2 emphasizes that the websites must obey the following elements, as a way to widen the means:

> I - contain **research tool of content**, that allow the access to a objective, transparent, clear and easy comprehending information;
>
> II - **allow the recording of report by diverse electronic formats**, including open and non-proprietary standards, such as spreadsheets and text in order to facilitate the analysis of information;
>
> III - **enable automated access** by external systems in open, structured and machine-readable formats;
>
> IV - **disclose in detail the formats used** for structuring information;
>
> V - **ensure the authenticity and integrity of information** available for access;
>
> VI - **maintain the latest information available for access;**
>
> VII - **indicate location and instructions** to enable the person concerned to communicate by internet or telephone, to the organ or entity owning the site; and
>
> VIII - **adopt the necessary measures to ensure content accessibility** for **people with disabilities**, pursuant to article 17 of the law 10.098, of December 19, 2000, and article 9th of the Convention on Rights of Persons with Disabilities adopted by Legislative Decree No 186 of July 9, 2008.

Pondering about the law precepts, the public agencies' websites becomes a dynamic and objective environment, needing to suit the necessity of different users, and different specificity levels.

3 ACCESS TO INFORMATION LAW ANALYSIS ON PUBLIC ARCHIVES

The Brazilian society is demonstrating a growing interest on the actions of public administration due to Electronic Government Project, strengthen by the Access to Information Law, making possible to know what the government does with public budget, many administrative, budget data is available online.

The impact caused by the law on public archives with the website constitute the restructuration of collections, directing documental management to electronic access. The website in its just informational function, happens to have another look, of a digital archive, separating its collection by subject and social interest, sharing it printed or online.

From the 14 archives that own a website, 6 of them indicate the Access to Information Law, however, not all of them have an online collection. The others state archives do not mention the law on their pages.

Table 2: Brazilian State Archives that indicate the Access Information Law.

STATE ARCHIVES	OBSERVATIONS
Alagoas	Informative website containing information about the opening hours and the staff. Indicates the provision of access to public information, link takes to a state comptroller. http://www.controladoria.al.gov.br/acesso-a-informacao Use social network to communicate with its users: Facebook, Twitter.

	Provide a few accessibility tools, as font size.
Federal District	Indicates AIL, at the homepage there is the Law logo, links to its own page with information about the Law and access to information.
	Use accessibility and networking tools, such as: Facebook, Twitter, YouTube and RSS, with news feed.
Espírito Santo	Indicates all refer to its own page with information of access, programmes and actions.
	Some information about expends, bids, works and covenants, links to State Transparency Portal.
	Uses social network: Facebook.
Paraná	Yes, indicates AIL, although links to State Transparency Portal. http://www.portaldatransparencia.pr.gov.br/ Offers various collections and information about the archive.
Rio Grande do Sul	Indicates AIL, but refers to State Transparency Portal. http://www.informacao.rs.gov.br/
	Use social networks such as Twitter and blog. There is virtual service to respond document solicitation.
São Paulo	Indicates AIL, links a own page with information about the law, expenses, legislation and staff and the archive itself.
	Indicates use of Customer Service and adds an Information System: http://www.sic.sp.gov.br/
	Uses social network: Facebook and Twitter.

Source: Adapted table from Fachin (2014, p. 94)

To understand how these states archives are used to communication tools, was analysed the usage of interactive means, such as social networks and other that help the divulgation and communication of the agency and its users.

It was observed that: from 15 archives, 5 of them used some kind of alternative media to interact with users. State of Paraná indicate the Access to Information Law, but there was no use of alternative social medias. Archer (2011) report the growing use of Web 2.0 medias (social and interactive networks) by the archives, revealing an adaptation of them, joining the new, to improve the archival work.

3.1 Delimiting the mission and use of public policies in the archives

The activities of an agency are impelled by the mission that it designates as objective, due to this important statement that companies, private or public, show what their mission is, their goal, so is easy to understand what it is intended.

According to the dictionary of Portuguese Michaelis (2013), mission means Act of sending; commission, charge, charge [...] commitment. Also at Merrian Webster Dictionary (2014)

mission stand for a body of persons sent to perform a service or carry on an activity;   a specific task with which a person or a group is charged

Can be said that the archives have an official statement to managing a document collection, and it gives them a breadth user oriented, since he is the object of the archive activities, and to him the agency works, designating its mission as management and dissemination of the collection, that is, thinking about the user needs.

To understand Brazilian State Archives mission were visited the all websites (total 15) and analysing what they intended mission and goal. It was found that the management and access terms are used by these archives, featuring a pattern of concern, or search the archival work.

> - Management is related to the act of coordinating, collecting, collect, organize, evaluate, classify, select, preserve, ensure protection, store, transfer, drop, hold.
> - Access is to make the collection available, spread the collection, disseminate, provide consultation to provide access, disseminate knowledge, access to information. (Fachin, 2014, p. 106)

The archives preserve the memory of the collection for the social and research interests, as a cycle, of interest management and access to divulgation of the collection is something of importance to these institutions, reporting the care service delivery focused on the use of their object of work: document information and the collection. The public policies are important elements because they regulate the archival work, as it is a public agency and works with government documents, there are always many restrictions on the treatment and disposal of collection, due to secrecy or limitations of the collection.

Fachin (2014) research reports the importance of public policies of Brazilian state archives. From 15 archives analysed, 10 indicate on their website the use of public policies for managing, and it´s suggesting that there is a mutual concern about the political issue of public policy between them.

3.2 Surveys analysis

Fachin (2014) obtained with her research opinions on the implementation of the Brazilian Information Access Law, with the interview it´s possible to see know the archive´s managers. From 16 states archives searched, nine managers answer the survey, involving three basic questions: *Archival Scenery, Public Policies* and *Information Access.* With the data, highlighted characteristics of the managers, such as the time worked, academic achievement and a report of the archives about the situation of the access to information.

In Brazil, public agencies are free to indicate positions of trust; it tends to change frequently due to the change of governors, almost every four years are some change. Almost each change means a new management team. This political issue influence the choice of the managers of these agencies, which in most cases represents a heterogeneity in the academic achievement of these professionals.

The indication of positions remain linked to the interest of professionals who aspire to manage specific public sectors, in the case the state archives (institutions with little funding and freedom

of action). The management position is not as sought by professionals of other areas, what leads managers to stay more time on the same position.

According to Fachin (2014) managers, which answered the survey from 16 public archives, 78% (9 respondents of the questionnaire) stayed over 3 years of experience in the same location; as to their academic formation, most are historians, business administrators and librarians, and other areas but not archivist.

This scenery must change over a few years, since the creation of several graduation courses in Archiving. At Brazilian Education Ministry – Ministério da Educação – (2014) are listed 16 Science Archives undergraduate courses in Brazil and they might promote a new organizational culture for private and public archives.

The question that aimed to identify the *Archival scenery*, emphasize the importance of public management, in the archival work, influencing decision making on the applying of the information access law, perform a management focused on the in electronic format access to the archives collection. The archive needs more than a specialized team and motivation, is important reduce obstacles like infrastructure, equipment and archive materials. We agree with the notes of Indolfo (2013, p 18) when mentions that:

> Only well-structured, equipped and endowed with qualified human resources to develop and implement management activities of public documents archival services, may face some of these challenges and to ensure access to public information.

These are plausible questions to stimulate an improvement in service delivery by electronic means, which has approached by Information Access Law discussions to applicability on archival environment.

The Archives Public Policy regards are responsible for implementing the legislation, public actions that define the characteristic, government introducing new rules, changing concepts, redefining the way of doing things guiding the government's management and promote the country documental memory.

The infrastructure highlighted indicates a disappointment by half the managers, because of a major hindrance on the execution of the Access Law. The Archives which already had a good infrastructure, managed to apply or start a management focused on the divulgation of the documents electronically.

Mariz (2011, p. 108) indicate that the archives have a new challenge "the era of electronic archives networks", which will add to their previous activities and is imperative to question their assumptions of management and dissemination of documents by providing its collection on the Internet.

However, they cannot meet this need without strong support from the government, to which the archives are subordinate, budget issues and autonomy can help these agencies to solve a good part of its structural and administrative problems.

The Information Access involves the questioning related to financial resources, in which half the managers report the initiatives and projects focused on the implementation of access, and the other half, indicate the absence of infrastructure, physical or digital, preventing the realization of an electronic collection to provide access to users.

This issue highlighted by other researchers such as Bacellar (2013, p. 266), indicating that the archive cease to be awarded physical facilities, financial and human resources, equipment, finally, all the conditions to carry out their duties. Undermining the applicability of the information access law to develop an information environment that is highlighted by the law.

The Comptroller General of Brazil – Controladoria Geral da União - CGU (2011, p. 9), reported the infrastructure deficiency in public administration or human resources are cited as causes of delays or difficulties in servicing information requests.

According to Rover (2013), there is a necessity of advances and upgrades on the infrastructure of the government pages, used to promote access, investment in projects of webpages that dispose relevant contents, focused on the destined public, with clear and cohesive information. Its interface must be user friendly, created for the diverse type of users and their limitations in use of social media and electronic devices, as an alternative form of communication.

Despite some negative aspects about the Brazilian Information Access Law on state archives, it can be underline how much help to increase public information access, also demonstrating that these law is necessary to create a culture of transparency in the country public administration.

4 CONCLUSION

The Brazilian Information Access Law, 12.527 from November 2011, support archival managers to increase and facilitate information access. The Brazilian State Archives mission is destined to offer public services with quality.

Changes of governmental culture are focus on public documents access was exclusive to government use, restricted to the society, directing new functions to the places that own these collections of using the electronic media to propagate the digital content access and improve governmental transparency.

Treating documents with good archival management policies promote transparency and access to information of public interest. Conditions for transparency and information access must propitiate to public organs basic conditions to apply laws sanctioned by the government, giving conditions to the archives implement these laws applicability.

Brazilian State Archives make effort to transform their universe in something better, using the available means, struggling and demanding better conditions. The use of websites is growing, as the use of interactive tools of communication, the social networks and blogs, showing a new way of accessing the collection, obtaining more visibility and divulgation but a lot of work needs to be done at public archives.

The anthropology, sociology and history point of view, archives necessarily have to go through an exercise of epistemological reflection, able to solve problems in a common sense and uncritical empiricism, thus making effective the paradigm shift that appears in the archival environment.

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