

Transparency, Access, and History in the 21st Century

The Office of the Information Commissioner of Canada hosted a three-day conference on “Transparency in the 21st Century” in March 2017 to explore and compare access to information regimes in Canada and around the world. The conference brought together those from both sides of access-to-information fence: requesters, like journalists, community organizers, and scholars; and gatekeepers, including analysts and managers. In addition, there were the Information Commissioners who work to manage the balance between transparency and secrecy.

The conference was well attended, with one notable exception. The President of the Treasury Board, Scott Brison, was scheduled to participate but cancelled at the last moment. With his cancellation came indication the Government would delay promised reforms to the Canadian federal access regime. The conference continued, but Brison’s absence had a noticeable effect on the atmosphere; there was no longer a light at the end of the tunnel. In the months since, new changes to the *Access to Information Act* have been proposed, but they are limited, unimpressive, and uninspiring. They provide no real change to a system that, while a beacon of openness in 1982, is now a rather dim bulb.

Surprisingly, for a conference held at the Library and Archives of Canada (LAC), historians and history played a relatively small part in the proceedings. Overall, Canada’s current access to information regime is not a good one for historians. While the legislation privileges (even if it sometime frustrates) users requesting contemporary material, the release of historical material has been stunted. That said, the access to regime information is the one we have, and now seems likely the one we will have for a long time. While historians should never cease advocating for improvement to the law – including, for instance, the letters sent by the Canadian Historical Association – we should not wait for the gatekeepers to open their doors or tear down the walls. There and things we can and should do to improve access from our side of the fence.

In a sense, the *Access to Information Act* obliterates the idea of a “historical document” that should be made accessible because of its age. With no “thirty-year rule” or similar rolling date at which documents are likely to be automatically declassified, the default state of much postwar Canadian archival material is now “restricted” – that is, unavailable to researchers without an Access to Information request and subsequent processing. Currently, any Canadian working in the history of Canada’s engagement with the postwar world should assume that many of the relevant files are closed – even if they were created in the late 1940s, ‘50s, or ‘60s. Once a request is made to LAC, the results are often very good and the likelihood documents will be released has improved noticeably. Still, LAC resembles a python that swallowed a very large meal: much of Canada’s cold war history is sitting in LAC’s depositories, still closed to the public. It is only digested request by request, and with enormous resource implications.

What can historians do to shape access to documentary records? We should accept that in Canada, as in many other countries, declassification in archives runs, for the most part, on a “requester driven” basis. Rather than be discouraged that a file reads as “restricted by law” on the Library and Archives website, we should see an opportunity. Even if the process of declassification does not fit within our research schedule, a successful request will open the documents for other scholars. The fee per request is \$5.00 and the Government of Canada no longer charges any extraneous fees. For those with means, a request is a good investment in our discipline; a better investment is to fund these requests on behalf of graduate students or others in a precarious situation. Request, request, request.

Filing requests is necessary but not sufficient. Historians need to cooperate and marshal the information that they have successfully declassified: access breeds access. Once information has been released, future requests for similar information are more likely to be granted, too (upon request). If access analysts had a tool that better explained what had been released, the process would speed up. If one analyst has released a diplomatic cable from Department of External Affairs records, why should another analyst have to later evaluate, line-by-line, a carbon duplicate of the same cable in a Department of National Defence file folder?

It would be dangerous to hold your breath until the Government of Canada creates a searchable index of declassified documents. But this is something historians can do. Indeed, there are good models for this type of resource, including the National Security Archive hosted at George Washington University, or the History Lab at Columbia University. The Bill Graham Centre for Contemporary International History at the University of Toronto, along with a growing number of partners, is preparing to build a web portal to make available declassified documents related to Canada’s engagement in the world. The goal is to build a resource with contributors from all over Canada and users from all over the world. Similarly, the Canadian Foreign Intelligence History Project, hosted by the Centre for Security and Defence Studies at Carleton University, brings together students and scholars to coordinate access requests and make the results available to all who are interested. Other countries have such tools, and they are rarely the product of government efforts. They were the work of citizens and scholars first. It is not unreasonable and indeed obvious that if Canadian historians want such a resource, we need to play a role in building it.

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