

intentional shaping of phone culture is abundantly documented as well, in news sources, correspondence, and policy statements.

All these texts had a good deal to say explicitly on the gender-specific features of phone voices, manners and uses. Quite common were assertions such as “The woman’s voice carries better over short-distance connections, the man’s over long-distance” (p. 96). The surface content of Martin’s archival sources readily supports her argument that the development of the phone system depended on gender hierarchy. The technically imperfect system needed operators who could handle the frustrated business customers in ways that allowed the customers, while vulnerable to the system, to feel superior to it and blameless for the troubles it sometimes caused them. Martin quotes numerous descriptions of women operators as particularly able to soothe the irate customer.

But Martin also interprets her sources more penetratingly, allowing us to see, for example, that the construction of the perfect operator was not just any female figure, but often specifically the image of a genteel household maid, an image particularly useful for maintaining impersonality and hierarchy in a service relationship. Such sophisticated interpretation of her material could perhaps have been more developed in some areas, where multilayered figurative language was common. For example, there is room for further comment on the tensions among the many and various metaphors used to describe women operators — familial, military, meteorological. Relations among these metaphorical systems undoubtedly structured the space for and character of operators’ resistance in more ways than Martin already notes.

Meaty as the Bell Canada archives material is for Martin’s purposes, the collection, like any other, has its limits. Most notable is its central-Canadian focus, which Martin duly remarks upon. One wonders whether research drawing on the Maritime Telegraph and Telephone archives would sustain identical conclusions, or whether, for example, the opposition between the privacy-loving urban businessman and the happily communal rural party-line user holds up in light of more evidence about rural businesspeople’s use of the telephone system. Certainly, rural business users of telegraphy were as privacy-hungry as their urban counterparts.

Whatever the limits of the Bell Canada collection, we are lucky to have it. Some other sources for our communications history have been lost to presentist housekeeping. Canadian Pacific, for example, has not kept its telegraph division records. With such losses, we let slip the record of roads not taken. And as “*Hello, Central?*” so clearly shows, that record is our only means to understand the historical politics of technological change.

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Without Consent: The Ethics of Disclosing Personal Information in Public Archives. HEATHER MACNEIL. Metuchen, N.J.: Society of American Archivists and Scarecrow Press, Inc., 1992. 230 p. ISBN 0-8108-2581-3.

You have just completed the annual ritual of filing your income tax return. It’s in the mail and your only thought is, “When will I see that refund cheque?” Did you ever stop and think that one day that form you submitted in confidence to the government could be examined by some researcher interested in the economic profile of the Canadian

archival profession during the latter part of the twentieth century?

If you have not thought about this possibility, you should and you should begin by reading this book. Records created about individuals by government bodies cover almost every aspect of your life. There are records on where you live, what car you drive, how much electricity you consume. Every action you take that involves a government institution, from paying a water bill to getting a permit to carrying a weapon, ends up generating a record with your name on it. On a daily basis archivists are making decisions on the permanent retention of such sensitive personal information as income tax forms, harassment case files and the like. This activity is always with the view that such information will be used for a purpose other than that for which it was collected, namely, research. This book will help you focus on one of the complex issues surrounding the disclosure of personal information for archival research without the informed consent of the data subject — you.

The book is the product of MacNeil's 1987 master's thesis in archival studies at the University of British Columbia; portions have also appeared recently in *Archivaria* 32 (Summer 1991). The book's appearance under the banner of the Society of American Archivists is yet another milestone for the UBC programme.

The transition from weighty academic musing found in theses to something more approachable for the general or, albeit as in this case, specialized audience is always a challenge. Because of the importance of the topic handled by MacNeil, it is unfortunate that the transition was not more successful and the gentle hand of an editor not more in evidence.

In addressing the subject of personal information in archival research, the author begins by reviewing the concept of privacy. While not explicitly stated by MacNeil, privacy is very much a concern in western cultures. The Japanese, for example, have no equivalent word in their vocabulary for privacy and so have had to adopt ours. They are now struggling to incorporate into their society not only the word but all that comes with it. Privacy is a social invention which varies according to cultural context and historical experience.

The western concept of privacy, in terms of being a civil right for individuals, emerged only in the last several hundred years. Before that, the idea of a person's privacy as something that could be "violated" simply did not exist. MacNeil, in taking us through the literature on the definition of privacy and its moral value, exposes the reader to the views of the likes of the great liberal thinker John Stuart Mill and the existentialist Jean-Paul Sartre, as well as matters surrounding "private fact torts" and the constitutional protection of privacy.

It is clear from the discussion on privacy that it is difficult to define. This is so, in part, because we use the term to describe a whole host of situations or conditions, the sense altering with the context in which it is used. Missing from the review is any reference to international obligations Canada and other countries are party to, including the following: the *Universal Declaration of Human Rights*, the *International Covenant on Civil and Political Rights*, and the *OECD Guidelines for the Protection of Privacy and Transborder Flows of Personal Information*.

Nevertheless, captured in the author's discussion are the three types of privacy that have emerged over time: territorial privacy; privacy of the person; and informational privacy. For archivists, it is this latter concept, the right to control one's personal information, that is the most relevant and it is well handled by MacNeil.

The next chapter deals with what in the author's words are "the bureaucratic and technological imperatives that have created the demand for data protection and its codification in American and Canadian federal privacy laws." In order to function, bureaucracies have always collected personal information. By way of illustration, one need only recall the biblical story of Mary and Joseph's journey to Bethlehem and the reason that gave rise to it. But it is the advance in technology which allows the maintenance of large databases with the possibility of aggregation and cross-matching that have heightened privacy concerns. This, in turn, has given rise to the passage of data protection statutes at the national level in both the United States (1974) and Canada (1982).

While there is a great deal of interesting material covered in this chapter, there are a few areas with which I take issue. The first is the extended discussion of political thought from Genesis through the Renaissance to Jeremy Bentham's Panopticon. Really now, was all that necessary? While this may be grist for an academic treatise, I found myself screaming out for release. Simply put, these mental gymnastics, interesting though they may be, added nothing to the discussion and would have been better placed in the chapter's footnotes. The author is also clearly not up-to-date with developments at the federal level in Canada. As a result, she leaves the impression that the advisory role of the Privacy Commissioner has been undermined because of the failure of government institutions to notify the Commissioner of proposed changes to administration, draft legislation and regulations with privacy implications (p. 49). A reading of recent Commissioner's reports will show that this has not been the case for a number of years. Indeed, representatives of the Commissioner's Office now sit on a number of interdepartmental committees and working groups dealing with emerging technologies such as the smart card, which is well in advance of policy formulation. A similar comment could be made on the discussion concerning data matching (p.53). Here again the information is stale. Whereas the Commissioner expressed concerns on the subject in 1985-86, he subsequently applauded the government for its data matching policy when it was issued in 1989.

The next two chapters discuss the sometimes competing principles of freedom of information and the protection of personal privacy and the trends in historical research that have caused this balancing act to take place increasingly within archives. The reader is provided with a comparative study in the different legislative approaches taken to address the balance. As well, the major interpretative issues are brought forward including those surrounding the disclosure of personal information when such disclosure would not constitute an unwarranted invasion of privacy. Instead of relying on observations made when the Canadian legislation was first introduced, this portion of the book should have reviewed its actual application over the last number of years. For example, is the 1984 criticism still valid that the Canadian approach to balancing public and private interests is resolved "by simply suppressing it into the level of administrative discretion" (p.81)? We have had years of experience and thousands of requests have been made. We are left wondering if the criticism has passed the test of time.

The final portion of the book takes the reader from the general arena of access, privacy and research to their application within archives. According to the author, it is not

surprising that archivists are reluctant to make decisions on the release of personal information given the record-keeping environment in which they must work. For those archivists brave enough to enter the decision-making process, various approaches are identified such as anonymizing data, screening researchers on the basis of their research credentials, and contractual agreements.

Underpinning all these approaches are the ethical issues of disclosing personal information for archival research purposes. One must pose the question: Is academic research a strong enough justification to override a fundamental value of our society? This is a critical question for archivists to ask themselves and that is why this is the most valuable section of the entire book. As an archivist, if you have time to read but one chapter of this book let it be "Research Uses of Personal Information: Some Ethical Considerations." My only reservation, however, is that the author did not draw upon actual cases of disclosure of personal information for research purposes. I am aware of material being made available for the study of the economic losses of Japanese Canadians after 1941, the history of Canadian immigration policy and the Jehovah's Witnesses and their fight for civil rights. None of these is mentioned.

The final chapter contains a proposal for archives to establish an ethical review board to allow access to archival records restricted for reasons of personal privacy. While boards similar to the one proposed already exist in some Canadian government departments at the federal level, I am not aware of any including citizen advocates or members of an identifiable collectivity (e.g., a particular social, racial or ethnic group) or an advocate for that collectivity, as the author suggests there should be. In keeping with the view that privacy is a central value to our society, such empowerment should be fostered.

We have become an information society; information has become the basis of our economy. It is not surprising that privacy, including informational privacy, is an international human rights issue, not a local concern.

Governments are not alone in collecting and they store vast amounts of personal information. Also involved are the banks and private corporations operating outside the scope of most privacy legislation. The database maintained by Information America of Atlanta, Georgia, now has 111 million adults' records that can be accessed by a remote modem. In 1991 Lotus Development Corporation and Equifax were forced to halt shipment of a CD-ROM with demographic data on 80 million households and 120 million consumers after complaints of privacy intrusions. The database also included names, addresses, estimated incomes, and propensity to buy from more than 100 consumer product categories. What are archivists to do about such "private" collections of personal information which rival anything governments collect and maintain?

Canadians demonstrate a high level of concern over potential and ongoing invasions of their privacy. A national survey in 1984 found 88 per cent of respondents considered protecting personal privacy "very important." Respondents rated privacy third in importance after preventing street crime and providing jobs to the unemployed. During the recent round of constitutional discussions there was even a call that privacy be explicitly recognized in the Canadian Constitution.

In 1988 in *The Queen v. Dymont*, Supreme Court of Canada Justice La Forest stated:

In modern society, especially, retention of information about oneself is extremely important. We may, for one reason or another, wish or be compelled to reveal such information, but situations abound where the reasonable expectations of the individual that the information shall remain confidential to the persons to whom, and restricted to the purposes for which it is divulged, must be protected.... Invasions of privacy must be prevented, where privacy is outweighed by other societal claims, there must be clear rules setting forth the conditions in which it can be violated.

As archivists we must be sensitive to developments within the society of which we are a part. This timely book focuses our attention on a very topical and important issue in our society and our profession. What would happen if this book were to be read by the various privacy commissioners who have jurisdiction in Canada? What would their investigations reveal of the practices of the archival institutions covered by their respective mandates? How would these archives measure up to protecting the privacy of individuals not from some ethical perspective but against a legal standard? It makes one wonder....

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Privacy versus Access: Papers from a Seminar on the Issues of the Right to Privacy, the Right of Access to Information, and the Dilemma of the Records Custodian. STEVEN STUCKEY and KATHRYN DAN, eds. Dickson, Australia: Australian Society of Archivists Inc., ACT Branch, 1991. 124 p. ISBN 0947219 04 8.

The subject of access and privacy has been a matter of much discussion and debate among the users and custodians of records in recent years, as freedom of information and privacy legislation spreads from one regional and national jurisdiction to the next. In April of 1991, the Australian Society of Archivists, ACT Branch, convened a seminar on the subject. *Privacy versus Access* is the published proceedings of that seminar. The papers represent a range of opinion, observation and reflection from the various perspectives of the users, purveyors and subjects of information, as well as those of its watchdogs, creators and custodians.

The interests and concerns of the users and purveyors of information are represented in contributions from a genealogist, a biographer, a biomedical researcher and a journalist, each of whom explores his particular research domain and the privacy issues endemic to it. Also explored are the ambiguities and tensions associated with self-regulation. Both the biomedical research community, through the National Health and Medical Research Council's Medical Ethics Research Committee, and the journalism community, through the Australian Journalists' Association and the Australian Press Council, have introduced self-regulation measures in an effort to determine the circumstances under which the desire for access should override the obligation to protect information of a personal nature. The Medical Ethics Research Committee, for example, has developed ethical guidelines and discussion papers of relevance to the medical research community and recommended the establishment of institutional review boards. The Australian Journalists' Association, for its part, has enshrined the obligation to "respect private grief and personal privacy" in its code of ethics and defined "topics of public interest," that is, those of legitimate concern to the general public or to any section of