Open Heritage? a Musical Case Study
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- The foundation of the French national library as central State (or royal) library dates back to 1368.
- But a major change occurred in 1994 with the creation of a new public entity, Bibliothèque nationale de France (BnF).
- Its legal framework (decree 94-3 dated on January 3 1994) states missions that go well beyond the typical legal deposit responsibility of a national library
- Such as national and international cooperation, research, and outreach (article nr 2).
- Key figures position BnF in the league of « bulge brackets » national libraries, along BoC and BL, although with differences in scope and missions
- The perimeter of the Music department is written material (i.e. scores, books, archives...) and fixed imagery
- As such it is separate from Audiovisual and Performing arts
- ... which are covered by specific departments of BnF
- 2 nice reading rooms in historical sites
- Collections result from the addition of royal + Opera + Paris conservatory collections
- As a result, one of the largest written music collections in the world
- A large part of collection growth comes from archival donations
- Small (overworked) team
- Cultural shift
- OA can be understood as
  - a negotiated framework
  - particularly fit for research purposes
  - and for academic libraries
- But obviously OA is much more and drives an « open science » philosophy
- Heritage should be by definition OA: belongs to us all – BUT what about copyright?
- Likewise, a National library belongs to us all – BUT what about protected legal deposit?
- What’s worse, music has a specific business model where you pay as you play, broadcast etc.
In theory the work falls in the public domain 70 years after the death of the author, with some adjustments (war years).
Here, it should have been 1937 [death of Ravel] + 70 years +120 days [duration of Second world war] = 2016.
But for a ballet there are: composer AND stage designer AND choreographer.
“Boléro” is played every 15 minutes somewhere in the world: a cash machine = 10s of millions of dollars accrued.
The families of rights holders are trying to keep it protected until... 2051.
The case is still in the courthouse.
- Under French law BnF abides to 2 systems
- For copies made with BnF devices, there are some limits (x % per book) AND a fee paid to a national body that pays the authors
- For private copies, no limits but a fee is paid when you by a device e.g. a camera
- In reality, limited usage of BnF devices, and general usage of “uncontrolable” smartphones
- As a result the policy has evolved to:
  - If the document is published you do what you want AND you (not the Library) liaise with the rightholders
  - If the document is unpublished: NO copy, even private
Example: documents related to Pierre Boulez

1. Gallica « fully open » material: a copy by Boulez of a published Jolivet score
2. Gallica « intra muros » material level 1 = on site + general public: images of a published score owned by Boulez
3. Gallica « intra muros » material level 2 = on site + researchers only: unpublished manuscript but Debussy owned and annotated by Boulez

Open to what extent?
- You still have to pay if the images are for commercial purposes
- BUT academic books are excluded from the definition of « commercial »
OA also means documents on hand (versus on request): thousands of items, including « monumental » critical editions.

- A piano-equipped studio where you can bring documents you digitize on a tablet.

- In theory, digitization of old / fragile documents for preservation purposes; in reality unless specific cases, a broader access to old scores and manuscripts.

- In theory, documents communicated in the reading room only; in reality on-demand service in curators office even for non catalogued material.

- « Associated researcher status »: collaborative projects between curators and researchers.
Concerts in BnF premises with exhibition of the related original manuscripts
- Yearly season in partnership with European embassies: off site concerts
- Lectures with documents on site of at the national radio before broadcast concerts
- Exhibitions (several dedicated spaces, including at the Paris Opera) + permanent museum
- Visits and workshops with schools, conservatories, general public
- Back to 2019 level is remarkable because of pandemic + new premises (11 linear-meters of collections moved)
- Outreach activities have an impact on private funds for acquisitions
- Constant dialogue with the research community helps build collection, and in turn helps research
AI is planned at the institutional level and fostered at project level, e.g.
- **BNFDATALAB**
- **REMDM**
  - Scope: identification of writing by musical copists
  - Corpus from the collections
  - Dedicated IT developments
- **COLLABSCORE**
  - Digitization of scores (OMR versus OCR)
  - Crowdsourced corrections
  - OCR to make for instance scrolling scores during music playings

But at a more down-to-Earth level, a business model view
- Big discrepancy between size of collection / staffing / research hunger
- Partnering is both a necessity and solution
- E.g. with jazz: the researcher becomes a curator and vice-versa
Conclusion

1. BnF is no OA champion
2. Music collections are not OA-friendly
3. But is OA a device, or a mind-set?
4. Here, “open music” shows results
5. “See you later, alligator”

- For legal and institutional reasons BnF is not and cannot be an OA champion
- It is even more the case for written music heritage collections, because of the music model of published music
- This doesn’t prevent us from working with an OA-minded approach
- In fact what was an urgency because of the disintermediation of heritage libraries proves a virtue
- Now see you in a moment and let’s see where we are
"Without music, life would be a mistake"

Friedrich Nietzsche
Thank you

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