Artcampus oder Erfahrungen, Kunstgeschichte online zu lehren

Artcampus or Experiences of Teaching Art History Online

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Since the WCT (World Intellectual Property Organization Copyright Treaty) has been adopted in Geneva on December 20, 1996, the EC and meanwhile a lot of countries have ratified this treaty. But what does this mean for our work ? It seems that the new Copyright Treaty give us more limitations and boundaries than possibilites to use digitized informations. There is a certain ignorance or blindness of the scientists and curators using images in their daily work. Against common opinion, the use of any kind of images for teachings and for research is not free. At the moment, the project ARTCAMPUS (www.artcampus.ch) of the Institute of Art History at the University of Berne is one of just a handful online courses, which are legal in the sense of the new Copyright Treaty. What has happened with the Memorandum of Understanding, the great idea of Multi-Media Access to Europe's Cultural Heritage ? Where are the scientists fighting for their rights and where are the politicians ? In the Goettinger Declaration about Copyright for Education and Science of 5. July 2004 (www.urheberrechtsbuendnis.de) more than 260 scientific organisations and institutions and 3.500 Germanspeaking scientists have undersigned that the approach to informations worldwide for the use in education and research has to be guaranteed for anybody at any time.

Das Projekt Artcampus, welches im Rahmen des Virtuellen Campus Schweiz von den Universitäten Bern, Fribourg und Neuchâtel realisiert wurde, hat im laufenden Jahr eine inhaltliche Erweiterung seines Online-Kurses erfahren. Mit dem bisher realisierten Modul SEHEN lag der Schwerpunkt auf der Bildanalyse. Mit den Oberbegriffen Farbe, Kontrast, Komposition, Ausdruck, Bewegung, Illusion, Motiv, Erzählung und Umgebung standen kunstwissenschaftliche Verfahrensweisen im Umgang mit Bildern im Vordergrund. Nun wird Artcampus um die Module LESEN, SCHREIBEN und DENKEN erweitert. Hierbei wurde verstärkt auf einen eher persönlichen Zugang geachtet, da die meisten E-Lernkurse keinen direkten Zugang zum Benutzer forcieren, sondern austauschbar und somit beliebig bleiben. Um die gestellten Inhalte jedoch bestmöglich zu vermitteln, bedarf es einer direkten Ansprache. Bei LESEN geben DozentInnen videoanimierte Buchempfehlungen ab und begründen diese. Die StudentInnen lernen nicht nur für das Fach relevante Literatur kennen, sondern werden darüber hinaus mit dem Stellenwert wesentlicher Publikationen für den einzelnen Forscher vertraut. Beim Modul SCHREIBEN referieren Schreiber über die unterschiedlichen Formen des Schreibens, also Rezensionen, Drehbücher oder Radio-Features. Und bei DENKEN zeigt sich, inwieweit kunstwissenschaftliche Grundkenntnisse beim Lösen kniffliger Fragestellungen helfen können. Der Umgang mit dem vorhandenen Bildmaterial und der urheberrechtlichen Gesetzeslage in der Schweiz schafft hierbei eine Reihe von Herausforderungen, die es zu lösen gilt. Denn gegenwärtig scheint sich unter dem Deckmantel des neuen Urheberrechts ein System der Begrenzung des Zugangs zu Wissen und Information durch technische Schutzsysteme und restriktive vertragliche Vereinbarungen zu entwickeln, deren Nutzniesser weniger die universitäre Forschung und Lehre als vielmehr die Verwertungsgesellschaften sind. Der Vortrag stellt einerseits die Konzeption und Umsetzung der neuen Module (Dramaturgie, Interface-Design) vor und gibt andererseits Auskunft über die Erfahrungen und die Nutzung des E-Lernkurses im täglichen Einsatz.

I. The daily work with IPR

Since the WCT (World Intellectual Property Organization Copyright Treaty) has been adopted in Geneva on December 20, 1996, the EC and meanwhile a lot of countries have ratified this treaty. But what does this mean for our work ? At the moment, the project ARTCAMPUS of the Institute of Art History at the University of Berne is one of just a handful online courses like the Schule des Sehens (www.schule-des-sehens.de), which are legal in the sense of the new Copyright Treaty. ARTCAMPUS is supported by the Swiss Virtual Campus and realized in cooperation with the universities of Neuchâtel and Fribourg. On one side ARTCAMPUS has a forum with a lot of helpful informations for the students about national and international associations, with practical advices for their study and a helpful research tool for literature, lexica, bibliographies and images. This part is open to everybody. On the other side ARTCAMPUS is an online learning course, which gives an introduction in the methodology of art history. The aim is to explain the basics of the work of an art historian like how to use different methods of analysis, how to read technical literature and how to argue and think in a scientific way.

This course is divided into the four modules:

SEEING. In this module the students will find explications about colour, expression, motive, contrast, movement, narration, composition, illusion and context. And some answers to the questions: How can we describe and analyse a work of art ? What is the difference between seeing in our days and in earlier days ? All in all the members of the ARTCAMPUS team have produced 600 pages of text and used ca. 500 images of works of art to explain the different ways of seeing.

READING. In this module some of the assistents of our institute are explaining in short video cuts their way to read technical literature and refer some of their favourite books. It's more an appetizer to show the students that reading technical literature and learn to understand the difference between different opinions will be one of the challenges in their own scienctific work.

THINKING. In this module there are some tricky games to train your memory and a image album with images of works of art of three different Swiss museum collections, which are choosen at random.

WRITING. In this module some professionell writers explain the different ways of writing (articles for an encyclopaedia, art reviews, film storyboards, radio features).

At the moment all these modules of the ARTCAMPUS online course are not open for the public. The collecting societies allows us to use their protected images, if it will be shown in an online course limited for one semester and only for the students in our seminary. You only can reach ARTCAMPUS by immatriculating at the university of Berne for one semester and visiting my class.

II. The influence of IPR

It seems that the new Copyright Treaty give us more limitations and boundaries than possibilites to use digitized informations. There is a certain ignorance or blindness of the scientists and curators using images in their daily work. We have digital collections in the museums and digitized slide archives in the departments of art history. And the web allows us to bring all these mini-archives together. But the websites created by museums are rarely for the researchers or the students; the websites created by the academic world are mostly boneyards of linklists or pdf encyclopaedias and less helpful for the museum visitors. Often both sides are ignoring the Intellectual Property Rights (IPR). After asking the Legal Service of the University of Berne, I've got the plain truth, that against common opinion in our scientific community, the use of any kind of images for teachings and for research is not free. So there are a lot of time bombs ticking in the image databases and slide libraries of the institutes, archives and museums. The nearly 50 Institutes of Art History in the germanspeaking countries and a lot of the museums are operating in a grey and semi-criminal area. For the IPR we are operating in the same class as these download-junkies known as "MP3 pirates" and "DVD desperados".

III. Influences on the content of teaching

If you get a look at the website of the VG Bildkunst (www.bildkunst.de) you will find the information, that after § 53 par. 3 num. 2 of the German Copyright Treaty Right, the use of any kind of images

of protected works of art is only free for schools. Docents of universities have to asked the VG Bildkunst for the permission to use protected images in their seminaries. After § 52a (German Copyright Treaty Right) the right to communicate to the public is allowed but the use is not free of charge. At the moment the situation of an all inclusive payment for using images is so unclear, that the § 52a has been undermined by the VG Bildkunst. The images are only free of charge, if the docents have got the permission given by the VG Bildkunst. That means that IPR will have an influence on the contents of our teaching.

And the § 25 of the Swiss Copyright Act, handling the use of citations, is even not an esacpe for us. «Paintings, cartoons, grafics and other illustrations have not been duplicated, nor as citations.» (Barrelet; Egloff, 26 et seq. / 149).

So it seems that the only way out of this dilemma is to wait that the 70 years retention period or the term of a copyright has been over (§ 29 Swiss URG, Barrelet; Egloff, 165 et seq.).

IV. Online and at the same time off the records

The digital slide libraries of some departments in Swiss universities are based on the same data base technology and since a few months there is a plan to bring them all together in one distributed digital image archive. This fusion would have a benefit for the costs of the universities and a high synergy for the research. The individual departments have different topics in their research work and to bring all their images together will create a meta image archive like the project Prometheus in Germany. The initiative Prometheus, a distributed digital image archive, is fighting daily against the limitations and boundaries of the collecting societies. (www.prometheus-bildarchiv.de) On their website you will find a lot of legal advices which gives you an overviwe of the difficulties we have. To return to the charge of the Swiss distributed digital image archive, it is to say that the project has been stopped by the defaults of the Swiss Multimedia Copyright Clearing Center. Meanwhile they have informed, that the use of images for different departments is not for personal use (§ par. 19 Swiss URG). All the rights have to be cleared, if different departments with different archives, located on different servers, bring their images together. Even if the retrieval of the datas can be done from every account worldwide, but the location of the server is regional and so the payment. Facing to the high amount of twofold and threefold copies of the images in the different departments, the separate payment is more lucrative for the collecting society.

V. Perspectives and Requirements

What a phantastic 'orwellesque' world for the freedom of sciences. Students who have undersign contracts to look at images in the classroom and docents who become desperados by showing images of IPR protected works of art. What has happened with the Memorandum of Understanding, the great idea of Multi-Media Access to Europe's Cultural Hertiage ? Museums, archives and libraries have a high economic importance, because their material has a long-term value. Scientific products are trading goods in great demand, but the humanities are rarely owner of the rights of the material they have used for their research work. In the circle of supply and demand the humanities are important, relevant and significant provider of content. To develop this market and to become a key player we need clear legal rules and investment. Only the investment into the creation of content and the development will lead us to a economic viable and lasting market. The government is committed to invest into the digital knowledge bases and to make allowance for the producer and the beneficiaries. A possible solution for the conflict can be the use of the Creative-Commons-Licencing model (http://creativecommons.org). It will give us a lot of legal possibilities between strict copyright and open public domain.

Where are the scientists fighting for their rights and where are the politicians fighting for our rights? In the Goettinger Declaration about Copyright for Education and Science of July 5, 2004 (http://www.urheberrechtsbuendnis.de) more than 260 scientific organisations and institutions and 3.500 Germanspeaking scientists have undersigned that the approach to informations worldwide for the use in education and research has to be guaranteed for anybody at any time. At the moment the representatives and lawyers of the collecting societies are dominating the whole discussion. So it is inevitable that universities, museums, archives and libraries confederate and

start to fight for their interests and rights. In April 2005, the Swiss Academy for humanities and social science (SAGW) has organised a conference in Berne, in which more than 200 colleagues have undersigned a declaration of intent against the New Copyright Treaty to the Swiss government.

1. Open content or the use of reproduced data in research and education
Scientists of all faculties are relevant provider, broker and mediator of content and knowledge. They all are responsible for the authenticity of their results and exert the function of a controller in the information society. The pure copy of images, text, audio, film and hypermedia-applications with the aim to use them in research and education have not been constricted by the restrictions of the IPR. This concerns readings, term papers, tryouts, examinatons, as well as lectures on conferences, e-learning-courses, websites and databases.

2. Citations
We need open access to support the knowledge transfer. So it's necessary to get the right to cite works of art as well as clips of films, stills or clips of hypermedia-applications and short cuts of audio in scientific, uncommercial publications as a citation without paying duties to the collecting societies.

3. Data and Knowledge Transfer
The recent Copyright Law admit password-secured image archives of individual departments, but restrict the construction of distributed digital image archives. Scientific research is not bound to territories, and more than ever in the age of WWW. So it is essential to get rights which support interdisciplinary cooperation and economic senseful operation methods of the universities.

4. E-Learning
The perspectives of teaching and learning are interfered by the recent Copyright Law. We need legal certainity for our docents and tutors in order that the material (text, image, audio, film) can be developed for webbased and hypermedial e-learning courses now and in the future.

We all know that we have to pay for the freedom of education and research, but let's hope that the price will not paralyse the future of our sciences or with the words of the British museologist Suzanne Keene: «No investment – no content; no content – no superhighway users – no Information Society!»

Part of this lecture had been given in September 2005 at the ICHIM conference at the Bibliothèque nationale de France in Paris. I would like to thank Christian Bracht (Bildarchiv Foto Marburg) and Holger Simon (Prometheus) for their critical input.

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