Theoretical Principles and Practical Problems of Respect des fonds in Archival Science

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Since the second half of the nineteenth century, respect des fonds has traditionally been considered as the basic principle of archival science. By its practice the archivist is most clearly distinguished from the librarian on the one hand and from the professional researcher or documentalist on the other. Like many principles, however, it is easier to state than to define and easier to define than to put into practice. Although its origins are relatively easy to establish, difficulties arise as soon as an attempt is made to study its theoretical aspects thoroughly and to show its practical applications. Generations of archivists and archival technicians have examined these problems without resolving them.

This article will not attempt to restate the basic ideas of a question to which so many eminent theorists have made noteworthy contributions. Its ambition is at one and the same time more modest and more practical: to try to define the basic elements of the problem and to search out solutions for actual cases without being distracted by considerations which are too theoretical. Difficulties in defining the problem often result from a vocabulary which is poorly translated from one language to another and which, therefore, gives rise to errors and sometimes even misinterpretations.

HISTORICAL DEFINITION OF RESPECT DES FONDS

Leaving aside all the problems of interpretation which we will tackle later on, the simplest definition of *respect des fonds* means to group, without mixing them with others, the archives (documents of every kind) created by or coming from an administration, establishment, person, or corporate body. This grouping is called

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¹ We will return later to the difficulties raised by the notion of "provenance."

the *fonds* of the archives of that administration, establishment or person. Accustomed as we are to consider archives as a natural product of the agency which created them,² justification for such a principle appears clear. For lack of a more precise term, let us take the French word *organisme* as the generic term to indicate the creator of archives: the Italians use *ente*, the Spanish *entidad*. The English *agency* would serve the same use, as does the German *Provenienzstelle*.

This clarity has not always been evident, and it appeared rather late in the history of archives. Until the beginning of the nineteenth century, neither administrators nor archivists felt the slightest scruple, in any country, to separate and dispose of documents of the same origin, or to regroup and mix documents of different origins whenever the need made itself felt for practical or intellectual reasons of convenience. All early classifications of archives that we know of were devised by subject, by topic, by place, and so on, which meant that the order in which the documents were created was broken.

The abuse was only relatively mild when it was a question of arranging the archives of a single agency in this way, that is, archives of a single origin. It was much more serious when, in the main archival depositories established in the eighteenth century, archives of different origins were united. This is what happened, notably in Paris, when the French Revolution brought together into a single depository called the Archives nationales documents as diverse as the Trésor des Chartes royal, archives of the Parlement de Paris, those of abbeys and monasteries of the Paris region, ministries of the Royal government, émigré princes, and so on, to which were soon added papers from the new assemblies and administrations created by the Revolution. The first two directors of this large depository, Armand Camus and Pierre Daunou, conceived the plan of treating this mass of archives as a single documentary whole, divided into five chronologico-méthodiques divisions: a "legislative" division for the revolutionary assemblies, "administrative" for those of the new ministries, "domanial" for the titles of state property, "judicial" for the papers of the tribunals, and finally "historical". This last division took care of documents which were arbitrarily considered as particularly interesting from the point of view of history and which were drawn from other divisions. The documents were sorted, or supposedly sorted, by place, date, reigns of kings, and so on, in such a way that in many cases even the origin of the documents became impossible to establish, everything being inextricably mixed and scattered.³

This "ideological" concept of sorting archives was then in universal use. It was the period of great scientific systems of classification such as Cuvelier's for zoology, Linnaeus' for botany, and Berzélius' for chemistry. In the perspective of early historians, the archival document was considered to possess an interest by itself, independent of its context, in the same way that, in archeological digs at Pompeii, for example, or in Egypt at the time of Bonaparte's expedition, one was interested in

To simplify and clarify, we will use the words "to create" and "creator" to designate the archives created by any organization. In fact, we know that a file will contain some documents created by the organization that keeps the file and others which are received by it. Therefore, the word "created" is, stricto sensu, not exact and sufficient. However, seeking too high a degree of precision in this sense would only complicate the terminology and clutter our style. This would be not only unnecessary, but even harmful.

³ On this subject, see G. Desjardins, Le services des Archives départementales (Paris, 1890), pp. 33-35.

the objects of art as collectors' items, without preserving them in the context of their discovery.

This is why the "structuralist" theory of the French historian, Natalis de Wailly, marks an important turning point in archival history. Natalis de Wailly, then head of the administrative section of the Archives départementales⁴ at the Ministry of the Interior, was the originator of a circular, signed by the minister, Duchâtel, and distributed on 24 April 1841. This circular is the birth certificate of the idea of the fonds d'archives. Here are the terms of it: "to gather together by fonds, that is to unite all the deeds (i.e., all the documents) which come from a body, an establishment, a family, or an individual, and to arrange the different fonds according to a certain order.... The documents which only make reference to an establishment, a body or a family must not be confused with the fonds of that establishment, body, family...."

Several days later, Natalis de Wailly, replying to some criticism provoked by this very new idea, developed his concept further: "General classification by fonds is the only really correct one in assuring the prompt carrying out of a regular and uniform order.... If, instead of this method, which one can say is based on the nature of things, one proposes a theoretical order ... the archives will fall into a disorder which will be difficult to correct.... In any other classification than by fonds, one runs a great risk of not knowing where to find a document." 5

The unmistakable theoretical value of such a principle, no less than its practical interest for the classification of archives, was soon recognized by the archivists and historians of most countries in Europe, but only belatedly reached the United States of America at the beginning of the twentieth century. German archivists adopted it under the name of *Provenienzprinzip*, and pushed its analysis very far. In England, the equivalent of the French *fonds d'archives* is the archive group;⁶ Italy and Spain adopted the terminology of Natalis de Wailly, translating *fonds* by *fondo*.⁷ American archivists prefer the term record group.

Today it may be said that, with few exceptions, the principle of *respect des fonds*, or *principe de provenance*, is universally accepted as the basis of theoretical and practical archival science. Criticisms of the principle bear only, indeed, on its applications and not on the principle itself. It is reasonable to think that it will never again be fundamentally questioned and that it constitutes a definitive fact of archival science.⁸

⁴ The "département" is the French equivalent of province or county. The "Archives départementales" are therefore the equivalents of provincial archives or county archives.

⁵ Desjardins, Le Service des Archives départementales, p. 30.

⁶ The Americans prefer the word "record group."

⁷ The nuance in the meaning of these terms will be examined later.

⁸ For reasons of *force majeure*, a serious exception to the principle of "respect des fonds" is accepted by certain archival theorists and occurs when archives are transferred from state to state, when territory changes hands, or when new states gain their independence. For lack of a better one, the excuse is that of a so-called "principle of territoriality," by which the fate of the archives is

THEORETICAL JUSTIFICATION AND PRACTICAL INTEREST OF RESPECT DES FONDS

On the theoretical level, the reasons which justify the principle of respect des fonds are numerous and indisputable. Archives by their very definition are "the whole of the documents of any nature that every administrative body, every physical or corporate body, automatically and organically collects by reason of its function or of its activity," and let us add, "and which are kept for reference." The archival document, contrary to the object for collection or the file for documentation made up of heterogeneous pieces of diverse origins, has therefore a raison d'être only to the extent that it belongs to a whole.

The archival document is present in the heart of a functional process, of which it constitutes an element, however small it may be. It is never conceived, in the beginning, as an isolated element. It always has a utilitarian character, which may only appear clearly if it has kept its place in the whole of the other documents which accompany it. Theodore R. Schellenberg cites an excellent example of the case of a geographic map existing in the archives of an exploring expedition. The fact that the map is there constitutes, in itself, an important historical particular about the expedition; the same map, taken from these archives and placed in a collection of maps, would lose a great deal of its interest. In the same way, in an example given by Sir Hilary Jenkinson, a newspaper cutting kept in a file of the archives of the Ministry of Foreign Affairs takes on a significant historical meaning according to the nature of the file where it is kept.

Consequently, to appreciate a document, it is essential to know exactly where it was created, in the framework of what process, to what end, for whom, when and how it was received by the addressee, and how it came into our hands. Such knowledge is possible only to the degree to which the whole of the documents which accompany it have been kept intact, quite separate from and without confusion with documents of different origins, even if the latter are related to the same subject.

dependent on the fate of the territory in which they are found. In fact, it is only another aspect of the nefarious and condemnable "organization by subject," the theoretical and practical inconvenience of which we have discussed earlier. When entire "fonds d'archives" are transferred from state to state in this fashion, the principle of "respect des fonds" is obviously not violated, but such is not the case when only certain parts of a "fonds" or certain documents are transferred. Most of the time, archivists cannot prevent these break-ups decided between governments for reasons of internal politics. This, however, is no reason for inventing justifications which go against any healthy archival doctrine. On this subject, see J. Papritz, "Neuzeitliche Methoden der Archivischen Ordnung," a report to the fifth International Congress of Archives, Brussels, 1964, Archivum 14 (1964): 32-34.

⁹ Manuel d'archivistique (Paris: Direction des Archives de France, 1970), p. 22.

Definition completed by borrowing from Sir Hilary Jenkinson, A Manual of Archive Administration, 2nd edition (London, 1937), p. 4.

¹¹ T.R. Schellenberg, "Archival Principles of Arrangement," American Archivist 24, no. 1 (January 1961): 11-24.

The practical interest of such a method seems evident, for it offers the archivist a sure base for his work of classification and description. Other than by applying respect des fonds, all archival work must be arbitrary, subjective, and inexact, simply because almost all the documents could be classified by subject in two or three different ways. For example, the plan established by an architect to construct a building in a city could be classified by subject either by the name of the architect or by the name of the building. This type of question does not present itself if the document has been kept in the administrative file of the construction of the building, and this file in the fonds of the city archives.

THEORETICAL PROBLEMS, PRACTICAL DIFFICULTIES, AND PROPOSED SOLUTIONS

Without going so far as to say, with the American archivist Mario D. Fenyo, that "no one knows what the word *fonds* means, not even the French who invented it," which is manifestly exaggerated and unfair, we must recognize that the definition of *fonds* as given by Natalis de Wailly leaves us with several theoretical and practical uncertainties and difficulties. The time has come for us to examine them, paying homage to numerous archival theorists who have studied and scrutinized them for over a century, not always agreeing with their conclusions.

These problems and difficulties bear essentially on five points: the definition of fonds according to the hierarchy of creating agencies; the repercussions of administrative change on the composition of fonds; the definition of the notion of "provenance" of fonds; the definition of the idea of "closed fonds" and "open fonds," with, as corollary, the problems posed by the arrangement of "open" fonds; and, finally, the extension of "external" respect des fonds (respect for the integrity of fonds) to respect for "internal" integrity (respect for the arrangement given by the creating agency and respect for the internal divisions of fonds). For each of these five points, we shall suggest answers for questions posed and solutions to problems raised.

1. Definition of fonds according to the hierarchy of creating agencies

The difficulty of defining fonds according to the hierarchy of the creating agencies has been felt almost from the beginning and is fundamental. Let us take an example. It is easy to define the fonds of an abbey, a hospital, or a tribunal: it is (to take the terms of Elsevier's Lexicon of Archive Terminology¹³ "the totality of the documents accumulated in the exercise of the activities" of the abbey, the hospital, or the tribunal. There is no difficulty of interpretation because the abbey, the hospital, or the tribunal, which are well-defined agencies, possess a precise and stable legal nature.

But, besides simple cases like these, there exist numerous varieties of cases where the complexity of the functional organizations makes the definition of *fonds* difficult: a) Every ministry, every large judicial or administrative body, is divided into two main sectors of activity, themselves subdivided into secondary sectors, each

¹² Mario D. Fenyo, "The Record Group Concept: A Critique," *American Archivist* 29, no. 2 (April 1966): 229-39.

^{13 (}Amsterdam-London-New York, 1964).

of which has its own jurisdiction to which correspond totalities of documents more or less separated. For example, a ministry is divided into directorates and then into offices. Can we, in this case, speak of fonds of the ministry's, of the directorates', or of the offices' archives? b) Central or federal administrations, in most countries, have local branches outside the capital of the country. Ought we to consider that each of these local branches creates its own fonds, or that the fonds is the whole of the documents created by all the local branches of a single administration? For example, do the different fiscal services depending on the Ministry of Finance at the provincial, regional, and district level form with the Ministry of Finance itself a single fonds, or separate and distinct fonds? c) Do establishments or agencies dependent on a higher administration form their own fonds, or are their archives a part of the fonds of the higher administration? For example, are the archives of a research institute associated with a university part of the fonds of the university, or ought they to be considered as separate? d) Even for private archives, problems of the same order arise, as in the case of industrial or banking conglomerates, or in that of several real estate properties belonging to a single proprietor. We could think of many other examples in this complex domain of functional hierarchies whose variations in the past have been numerous and frequent, but we will return to them later.

Confronted by this difficulty, we can adopt two different intellectual positions, which we shall qualify respectively as "maximalist" and as "minimalist." The former position consists in defining fonds at the highest level, by considering that the true unity of function (to which is closely linked, let us not forget, that of archival fonds) is situated at the top. We will admit, in this case, that the whole of archives coming from all the agencies and establishments dependent on a single ministry form a single fonds. The socialist countries of Eastern Europe push to its ultimate consequence this absolutist concept of archives, since they admit that all documents belonging to the state form a single and gigantic fonds of state archives, the basis of all their archival organization. By contrast, the minimalist position consists in reducing the fonds to the level of the smallest possible functional cell, by considering that the true organic "whole" of archives results from the work of this small cell.

Contrary to what certain overly abstract and overly theoretical studies would sometimes make us believe, the problem has a very direct and immediate practical bearing on the work of archivists. Indeed, once the principle of respect des fonds is admitted, that is to say the maintenance of the integrity of fonds, we must know exactly what must be kept intact. Now, it is necessary to note that no very clear solution has ever been found for this question. Sir Hilary Jenkinson considered that fonds may be defined as being "the totality of archives resulting from the work of one administration — whatever the size of the latter — constituting an organic whole, complete by itself, capable of dealing in an independent way, without the intervention of an exterior or higher authority, with all aspects of business which are within its jurisdiction." This formula is elegant and seductive but, in fact, doesn't resolve much, for no administration possesses, stricto sensu, an absolute power to regulate its affairs "without the intervention of an outside or higher authority." As

¹⁴ Jenkinson, Manual of Archive Administration, p. 100 ff.

for the capacity to "treat in an independent fashion all aspects of business which are within its jurisdiction," we may say that no administration answers to this definition, for the nature of all administrative procedure involves actions taken successively at several levels which are interdependent.

In the United States, when the record group system of classification was initiated at the National Archives, this question of definition of the limits of record groups was fully discussed by the Finding Mediums Committee (1940-41), which Mario D. Fenyo brought to our attention. In a very pragmatic fashion, the committee defined the record group as "an archival unity established in a somewhat arbitrary fashion in sympathy with the origin of the documents and of the need to end up with a whole of a size and nature suitable to facilitate the work of classification and of listing." In practice, this definition meant that the record group was most often at the level of the basic administrative cell, while it admitted that several identical administrations could be (always for reasons of convenience) regrouped into "collective record groups." It is understandable that so vague a formulation could arouse criticisms, 15 however, American archivists have committed no fault other than openly admitting in the definition of fonds d'archives to a lack of strictness which though almost universal was carefully hidden elsewhere.

In fact, if the functional level of competence to which the fonds d'archives corresponds is too low — a position which we have called "minimalist" — we run the risk of depriving the notion of fonds of any real meaning. Any ministry or institute office certainly creates archives which are, at the time of creation, distinct from those of other offices of the same ministry or of the same institute, but the various archives are closely interdependent and can no more be considered autonomous than can the office itself. This is why we shall propose, in defining the creating agency of fonds d'archives, retaining the following criteria. 16 a) To create a fonds d'archives in the sense the archivist gives this term, an infrangible whole, an agency, public or private, must possess its own name and judicial existence proclaimed in a dated act (law, edict, decree, or other instrument).¹⁷ b) It must possess precise and stable powers defined by a text having legal or regulatory status. c) Its position in the line of authority of the administrative hierarchy must be exactly defined by the act which brought it into being; in particular, its subordination to an agency at a higher level must be clearly stated. d) It must have a responsible head, possessing the power of decision to his hierarchal level. In other words, the head must be able to treat the affairs within his jurisdiction without having to submit them automatically to a higher authority for decision. Obviously, this does not mean that he must possess the power of decision for all matters; certain important things may be submitted to a higher level of the administrative hierarchy. But in order to create a fonds d'archives which is its own, an agency must possess the power of decision at least for certain things. e) Its internal organization must as far as possible be known and regulated by an organizational chart.

¹⁵ See, for example, Peter J. Scott's very harsh criticism in "The Record Group Concept: The Case for Abandonment," *American Archivist* 29, no. 4 (October 1966): 493-504.

¹⁶ As can be seen, our definition is close in spirit to that of Sir Hilary Jenkinson, but it is more precise, and we believe it is less likely to give rise to subjective interpretations.

¹⁷ When dealing with an organization created a very long time ago, it is sometimes impossible to get precise dates, but this detail does not weaken the definition of the whole.

The application of these five principles produces the following results: a) The divisions of internal sections of an agency do not correspond to the conditions required to create a fonds d'archives. b) On the other hand, every agency possessing its own legal existence and level of jurisdiction creates a fonds d'archives, even if it is subordinate to another agency of a higher level. c) Local branches dependent on a central agency create fonds d'archives which are their own. d) Finally, it appears inevitable to introduce into archival science a new notion: that of a hierarchy of fonds corresponding to the hierarchy of creating agencies, involving the subordination of certain fonds in relation to others.

Changes of jurisdiction of archival creating agencies and their repercussions on archival science

Closely linked with the preceding problems are those which are brought about by changes of jurisdiction in the archival creating agencies. The main situations are as follows: a) The case of abolition of jurisdiction. Every archival creating agency may, in the course of its existence, see one of its powers suppressed because this power no longer corresponds to a need: for example, the powers related to the enforcement of an abolished law. b) The case of creation of jurisdiction. On the contrary, new powers may be assigned to an agency, powers corresponding to new needs, notably for the enforcement of new legislation. c) Mixed cases involving transfer of jurisdiction. It often happens that powers are transferred from one agency to another. Such transfers are equal to a discontinuance of jurisdiction for one agency and to the creation of jurisdiction for the other. But transfers may also be internal, that is to say that the power, as frequently happens, passes from one division to another within the agency. On the occasion of such transfers, jurisdictions may be modified, reduced, or increased. d) The case of temporary jurisdiction. Certain powers, which correspond to temporary needs, for example in time of war, are sometimes given, in addition to their usual powers, to existing agencies; they are discontinued once the need which produced them has disappeared.

These changes in jurisdiction, generally result in all kinds of structural modifications: creation or abolition of offices or divisions, creation of new agencies attached to or subordinate to existing agencies, transfer of offices from one agency to another. Consequently, since the *fonds* is made up of the whole of the documents created by the work of any agency, the *fonds* of an agency which has undergone successive additions, abolitions, and transfers of powers will be found to contain documents reflecting all these changes, making it difficult for researchers to reconstitute the administrative continuity or even, quite simply, the chronological continuity and logic of transactions.

Certain theorists have proposed remedying this difficulty by substituting for the notion of *fonds*, or of the *record group*, that of the *record series*. These record series would be "sequences of documents independent of administrative context," in other words collections of documents forming a chronological and logical set, whatever their origin. ¹⁸ In this apparently attractive system, we recognize very quickly the

¹⁸ Scott, "The Record Group Concept." According to this article, the "record series" system has been used by the Commonwealth Archives Office in Canberra, where it is considered flexible and

scarcely touched-up face of the old system used before Natalis de Wailly: the classification by topic or *Pertinenzprinzip*, as the Germans say. Whatever the sincerity and good faith of those who propose such a deliberate violation of fonds, they are wrong, and we ought not to have any leniency for an error so serious and so fraught with consequences. As Sir Hilary Jenkinson has so vigorously expressed it, "...whatever else we do, we ought not to destroy the unity of fonds." We fully share, on this point, the opinion of Sir Hilary, which is compatible with the principle of respect des fonds. Indeed, in the fonds, the internal changes of content are of little importance. The fonds is made up of all the papers created by an agency in the course of its activities, whatever their object. From the point of view of an archivist, a change of jurisdiction simply brings a change in the content of the fonds and is therefore not a problem. When any power whatever of an agency is abolished without being transferred to another agency, the growth of the fonds d'archives of that agency is simply reduced by the documents corresponding to that jurisdiction, but the nature of the fonds is not modified. The same is true when a new jurisdiction is added to an agency.

A very real difficulty exists, however, when the transfer of power involves the transfer of records between agencies. In principle, the documents corresponding to the jurisdiction transferred should belong, up to the date of transfer, to the fonds of the agency which exercised jurisdiction before the transfer and, from this latter date, to the fonds of the agency which exercises jurisdiction by virtue of the transfer. Unfortunately, it is rare that things are so clear in practice, for in order to exercise the new jurisdiction entrusted to it, the second agency is almost always obliged to take at least part of the documents of the first agency concerning the transferred function or jurisdiction. These documents, which logically belong to the fonds of the first agency, are in fact incorporated in that of the second agency. It is with this fonds that they will subsequently come to the depository of historical archives.

The solutions which we propose for this problems are as follows: a) As a general rule, documents which have been transferred from one active agency to another active agency and have been integrated into it must be considered as belonging to the fonds of the second agency which received them. Thus, if jurisdiction was transferred in 1960 from agency A to agency B, and agency B received the documents that agency A had corresponding to the jurisdiction going back to 1950, these documents will be considered as being part of the fonds of agency B, even though the transfer of jurisdiction was, in fact, ten years later than the date of the oldest document in question. ¹⁹ b) When an active agency receives powers transferred from an abolished agency, the documents of the abolished agency must be considered as forming a separate fonds. Thus, let us imagine that a jurisdiction was exercised up to 1965 by agency C, and that in 1965 this agency C was abolished and the jurisdiction was transferred to agency D; the documents prior to 1965 form the

non-rigid. In this report to the International Congress of Archives in Brussels in 1964 ("Neuzeitliche Methoden," p. 18), Dr. Papritz alludes to a similar practice: "when work is begun on a 'record series' by one administration, the work being completed by another administration ... there is no doubt as to the technical unity of the documentary series." While we agree on the "technical unity," the fact remains that these documents belong to two distinct collections.

¹⁹ Later in this article, we will see how the inconvenience of such a transfer can be remedied in the finding aid of the collections.

fonds of agency C, separate from that of agency D; on the other hand, the documents concerning the transferred jurisdiction from 1965 are clearly part of the fonds of agency D. c) However, when the documents from agency C are completely, inextricably, and irremediably mixed with those from agency D, we must stop considering the fonds from agency C as separate fonds. In this case we will note at the head of the finding aid for agency D that the fonds of agency C is included.

In a general way, these rules apply to all the cases where the archives of abolished agencies have been taken over by other agencies. Let us remember that this situation exists in the domain of private archives as well as in public ones: for example, the fonds of feudal domains united by marriage or by sale, and so on. To sum up, the fonds of an abolished agency must always be considered as separate from that of an agency which received it, except when the mixture of the two fonds is so complete that the distinction of one from the other is impossible.²⁰

3. What exactly is meant by the term "provenance" of a fonds?

What we have just said about the archives of abolished agencies, attached to or integrated with other agencies, leads us to attack another problem linked with the principle of respect des fonds, that of the notion of provenance. The majority of definitions of respect des fonds rest upon this notion to the point that the equivalent of the term in countries of Germanic language and, indeed, in some others is Provenienzprinzip (principe de provenance). The fonds is here defined as the whole of the archives having the same provenance; however, this expression is ambiguous as soon as we try to state its precise meaning. Let us take some examples to illustrate this ambiguity. There is no difficulty of interpretation when the fonds d'archives created by an agency has been kept by the agency without addition or reduction until it is placed in an archival depository directly by the creating agency. But this simple process is not always realized. We know that the fonds d'archives of any agency may have been transferred for functional reasons to another agency and that there it may have either remained intact, continuing to form a separate whole, or been dispersed and mixed with the archives which received it. In the first case, the identification of the original fonds remains relatively easy. At the moment of placing the fonds in an archival depository, what will its provenance be considered? Will it be the agency which created the records, or the one which transferred them to the archival repository?²¹ The first reply seems more logical, and is Dr. Aurelio Tanodi's formula of entidad productora, but in practice, if the creating agency has changed its name, structure or jurisdiction as a result of historical-administrative difficulties, there may be almost insurmountable difficulties. The second reply is certainly simpler and raises fewer practical problems. It is to link provenance with the agency which transfers the records to the archives. However, it runs the risk of ending in

It is with strong reservations that we accept the formula *quieta non movere* by which some archivists express their preference for keeping collections in the state in which they are deposited in the archives. See Papritz, "Neuzeitliche Methoden," pp. 30-37.

²¹ Collections consisting of documents from diverse origins (i.e. created by several diverse organizations) are called "Mischfonds" or "Mischbestande" (mixed collections) in German archival terminology. It is a practical expression, but since it is unusual in the French terminology we prefer not to use it here. On this subject, see Papritz, "Neuzeitliche Methoden," pp. 27-32.

theoretical absurdities. Fonds of very different origins may be transferred by an agency. Should the archival repository apply literally the formula of principe de provenance, the mixtures of fonds would be considered as having the same provenance simply because they had been transferred together. The difficulties of the two formulae are very different. It seems fairly obvious that the difficulties of the second are more serious and more dangerous.

We shall, therefore, propose the following solution which is connected to the one which we proposed for the problem of changes in jurisdiction of agencies creating archives. When a fonds has kept its identity and individuality, it must be considered as provenant from the agency which created it, even if, before being turned over to an archival depository, it has been received by one or more intermediary agencies. In this situation, the notion of provenance is linked to that of creation and not to that of transfer. On the contrary, when a fonds has been, in the course of its history, dismembered and/or integrated into the fonds of an agency other than the one which created it, to the extent of having lost its identity and individuality, it must be considered as provenant from the agency which received it and integrated it into its own fonds. In this situation, the notion of provenance is linked to that of transfer and not to that of creation.

4. Fonds "open" and fonds "closed"

When an agency is abolished, the *fonds* of archives created by the agency are automatically "closed" or "shut". This is evident when it is a question of agencies, establishments, or administrations of the Middle Ages or prior to the revolutions of the nineteenth century; thus, for Europe, the different institutions of the Feudal Age or for America, those of the colonial era. It may still be evident in the case of institutions which changed both name and jurisdiction at an exact date: for example, on the occasion of administrative or legal reform. But these affairs become much less clear when one enters the flux of modern administration where it is often difficult to say exactly when an agency stops existing or when it simply changes its name or place in the administrative system. On the other hand, it is clear that a fonds is not complete except when it is closed. It is by virtue of this fact that Italian archivists deny the name of archives to the documents of modern administrations, refusing them the character of universitas rerum or, in other words, of a "closed whole," which is, in their eyes, a necessary characteristic of any archival fonds.²² Such strictness is, in our opinion, totally unjustified, for any document created by an agency and kept by it belongs, from the time of its creation, to the archival fonds of this agency which proves that this fonds exists, even if it is not complete and closed. This is why French archivists, following Natalis de Wailly's ideas, refuse to separate, in theory as well as in practice, the "current archives" (current records in American terminology) from "historical archives" (archives in American terms). Both belong to the same fonds and, as a result, cannot be separated. Here is the basic difference between records management according to the Americans and pré-archivage according to the French.²³

²² See for example, Elio Lodolini, "Identificazione dell'archivio," Rassegna degli Archivi de Stato XVIII-3, (Sett.-Dic. 1950): 306-21.

²³ See G. Duboscq and A.W. Mabbs, Organisation du préarchivage (Paris, 1974), p. 78; et M. Duchein, "Le pré-archivage: quelques clarifications nécessaires," Gazette des Archives 71, 4^e trimestre (1971): 226-36.

It is necessary to recognize that, from the practical point of view, archival treatment²⁴ of open fonds often raises difficult questions if we wish to preserve the essential integrity of fonds. With regard to the definition of open and closed fonds in those cases where there may be doubt about the continuation or abolition of an agency, that is to say, when we hesitate to decide whether an agency has ceased existing or if it is perpetuated under another name, we propose the following solutions: a) If there is an evident and complete continuity in jurisdiction between the abolished agency A and the new agency B which succeeds it, we may conclude that it is a simple name change and/or a simple modification of agency A and that the archival fonds of agency A is not closed, but has only changed name. The decision to maintain an open fonds, that is, to consider as forming a single fonds the papers of an abolished agency and a new agency, ought only to be taken when there is no doubt or uncertainty about the continuity of the two agencies. If there is hesitation about the advisability of such a decision, the question should be decided in the negative. The fonds of the abolished agency should be considered closed, and a new fonds opened for the newly created agency. b) If an abolished agency C transfers its jurisdiction to agency D which existed before the abolition of agency C, the fonds of agency C is closed; the fonds of agency D carries on, but remains distinct from agency C. c) Finally, if a new agency E is created to exercise the iurisdiction of several abolished agencies, agencies F. G. and H. the fonds of agency E succeeds them but remains separate. d) In the case of fonds of abolished agencies which have been integrated and mixed with the fonds of agencies which have succeeded them, we return to what was said above concerning the notion of provenance of fonds. They are clearly closed fonds but, to the degree to which they have lost their individuality by reason of their integration into open fonds, they may no longer be treated, from the archival point of view, as autonomous fonds. For them the problem is more theoretical than practical. On the other hand, we must remember that a fonds remains open as long as the agency which creates it remains active, and that may last several centuries; for example, the fonds of the British Parliament or the great Roman Catholic communities. It is evident that archivists cannot wait to deal with these fonds until they are closed. It is necessary to apply to them a dynamic treatment, which preserves the notion of the unity of fonds while at the same time dividing it in order to allow its use. We shall see later how it is advisable to proceed in this case.

5. Does respect des fonds involve respect for their original internal arrangement?

Here perhaps we are touching on the most delicate point in the difficulties linked with the principle of respect des fonds. Let us remember that respect des fonds is most simply defined as the non-separation of documents coming from a given agency and as the non-mixture of documents coming from several different agencies, but it says nothing, at least in its original version, about the internal arrangement of documents in the fonds. In fact, the logic of the principle stated by Natalis de Wailly implied that sooner or later we would come to respect not only the external integrity of the fonds but, at least in theory, the internal integrity of its different parts. German archival science baptized this idea Strükturprinzip, a

²⁴ In French archival terminology, "treating" a collection means sorting, organizing, numbering, and describing it, that is, the group of operations by which the archivist makes the collection available for historical research.

natural complement of *Provenienzprinzip*, and the famous Dutch manual for the arrangement and the description of archives of S. Muller, J.A. Feith, and R. Fruin in 1898 also stated it. The result is that today the notion of internal integrity of *fonds* has become an integral part of the principle of *respect des fonds*.

The statement of Muller, Feith, and Fruin is as follows: "The system of internal arrangement within fonds must be founded on the original organization of the archival fonds, which corresponds in its main outline with the organization from which it comes." As this affirmation risks being judged overly optimistic, the Dutch authors add: "It is advisable to restore at first as much as possible to the original order; only later, will we be able to judge if and to what extent it is desirable to diverge from this order."25 This last sentence, which pushes the principle of respect for the structure of fonds to the rebuilding or the structure when it no longer exists, is somewhat related to the practices of architects of the time of Viollet-le-Duc, who also "would rebuild as much as possible" (and even beyond the possible) "the original state" of buildings which were entrusted to them for restoration. Such a policy, with the best intentions in the world, opens the door to all the abuses of a despot. Neither historian nor archaeologist nor archivist has to "rebuild" what time has destroyed, except in the rare cases when a strictly exact and sure reconstruction is possible and with proof for support. We ought, therefore, to reject this method of "restoration" (Restauratiebeginsel) which constitutes an unjustified extension of the respect des fonds. However, the value, at one and the same time theoretical and practical, of the respect of the structure of fonds nonetheless holds. For simplicity's sake, let us call it the "principle of structure." We can easily understand that the application of this principle is bristling with difficulties. Some flow directly or indirectly from what we have seen above concerning changes in jurisdiction of archival creating agencies. The internal structure of fonds reflects clearly these changes of jurisdiction. But other difficulties, still more frequent, occur because the creating agencies themselves very often have no respect for the "principle of structure" in arranging their current archives.

We can admit that, in general, the archives of the main internal divisions of a given agency remain almost individualized and independent, if only for reasons of functional convenience. Yet this argument ceases having any value when the main internal sections change structure and/or jurisdiction. In any case, within a single division, the current records are arranged in a hundred different ways according to the situation following a purely organizational plan, called a cadre or plan de classement, which closely reflects the organization of the offices, or a purely systematic one reflecting categories of business dealt with. In such a case, the frame of classification is often of the decimal type, or mixed, that is to say, half organizational, half systematic, or even, which is more frequent than we believe, there is no framework at all for the arrangement of current records, the agency keeping its papers in disorder, each employee or department head having his own "method of filing," usually incomprehensible to any other person. Of course, all these systems may exist at the same time, or follow each other within an agency, a situation from which all imaginable disorders flow. Let us add that as a result of

²⁵ S. Muller, J.A. Freith and R. Fruin, Manuel pour le classement et la description des archives, French translation, (La Haye, 1910), p. 32. The English translation was published by Wilson Publishers, New York, 1968.

abolitions and transfers of jurisdiction, records of different origins are more or less integrated with records which already had their own arrangement: all this gives us a succinct idea of the disorders that a *fonds* presents at the moment it is placed in an archival depository and the archivist is called upon to arrange and preserve it. The very operation of transference frequently exacerbates these disorders because of the brutal manipulations to which the documents are submitted.

Under these circumstances, what happens to the "respect for the internal structure" of fonds? We might be tempted, faced by so complex a situation, to declare it insoluble and to stop making the principle of structure an archival rule of the same importance as the principle of provenance. But we would be wrong to do this, for in reality these two principles flow from the organic concept of archives, which is, as we have seen, fundamental. They are joined to each other and cannot logically be separated. Let us state here, before continuing, a very important point. In the countries of Germanic administrative tradition, and, to a much lesser degree, in the countries of Anglo-Saxon tradition, there exist in the administrative agencies special offices, called *Registratur* (in English: registry) whose role is to register all the documents received or created by the agency and to provide them with the means of reference (letters, numbers, and so on) corresponding to a framework or established classification plan. These registry offices have, in fact, a real function of arrangement of current administrative archives. We understand that, in these conditions, the archivists of the countries of Germanic tradition have a tendency to insist on the respect for the arrangement given by the Registry. It is the simplest and clearest form of the "principle of structure." Unfortunately, in countries of Latin administrative tradition — Spanish, French, Italian — there exists in general nothing which resembles the Registratur. The arrangement of current administrative records, if it exists, is carried out by the administrative services themselves.²⁶ This is why many theories formulated by archivists of the Germanic tradition on the "principle of structure" are not applicable to the countries of Latin tradition or, more exactly, do not correspond to any reality. This is certainly one of the principal reasons why the archival science of the countries of central Europe cannot be transplanted as it is into the countries of Latin culture and vice versa. We shall take the position, in the rest of this article, of the archivists of the Latin countries, that is to say, of the countries of the Registratur.

To determine the possibility of applying to the arrangement of *fonds* the principle of internal structure, it is necessary for us to distinguish several different cases, which call for different solutions.

a) Case of agencies with a simple structure. By "agencies with a simple structure," we mean agencies which employ few persons and where the tasks are not functionally divided among several divisions or departments each possessing exact and stable powers. In such a case, if the agency imposes any arrangement

²⁶ In the past, some large organizations had "registration offices" which registered the incoming and outgoing mail. In the latin countries, however, they seldom play a real organizing role. In France, the closest equivalent of a German Registratur would be "les greffes des tribunaux." The offices for "organization and methods" which have become more and more common in recent years develop organization guidelines and rules for current archives. Their role is not to implement these guidelines, however, and their influence on the organization of current archives is generally quite limited.

whatsoever on its current records, be it alphabetic, systematic, and so on, the archivist has an interest in respecting this arrangement, and improving it if need be. This respect does not, however, constitute an obligation if the arrangement practised by the agency is overly defective or inconvenient for research. If the agency does not practise any systematic arrangement of its current records, the archivist with may, greater reason, give the *fonds* the internal arrangement he judges best. In these circumstances, there is not any "respect for the structure" of the *fonds*.

- b) Case of agencies with a complex structure. The agencies which possess numerous personnel and multiple powers are, in general, divided into areas called divisions, directorates, branches, sub-branches, departments, and so on, each of which exercises a definite part of the powers of the agency. It is clear that the records created by these divisions to use a general term to avoid repetition, although not distinct archival fonds, constitute organic wholes that the "respect of structure" demands be left together. There is, therefore, every interest in taking these divisions as the basis of internal arrangement of the fonds of the agency, each of the primary divisions of the fonds corresponding to one of the structural divisions of the agency. Unfortunately, these structural divisions are rarely stable; they are modified and their respective powers change with a frequency which tends to increase in the modern world. Confronted with this difficulty, two solutions are possible. First, if we insist on keeping functional divisions of the agency as the basis for the arrangement of fonds, we must divide the fonds into chronological units, or periods limited by the change of structure of these divisions and arrange the documents of each of these periods as a whole. This solution is acceptable and even to be recommended, if the changes in question are not too frequent, and if the periods they define are sufficiently long — at least ten years — with reasonable stability of powers within the period. On the other hand, if the changes of structure and powers of the internal divisions of the agency are too frequent, it is necessary to stop using these divisions as the basis for the arrangement of fonds and from the point of view of archival treatment consider it as the fonds of a simple agency without internal division.27
- c) Is it necessary to respect the arrangement given fonds by the agency which creates them? If it is tempting for the archivist to keep whatever arrangement was given to the documents by the agency which created the fonds, this temptation comes up against numerous difficulties which ought not to be underestimated. One of these difficulties is basic: the arrangement given the documents by the creating agencies is never an arrangement conceived over a long period of time. Its usefulness is essentially functional, pragmatic, and not historic. It corresponds, therefore, only rarely with the methods of archival arrangement which bear in general on fairly long chronological periods. While admitting that this difficulty may be avoided if an arrangement of the creating agency is stable over a fairly long period, other difficulties remain. On the one hand, the arrangement given by the creating agency may bear only on certain parts of divisions of the documents created. On the other hand, the arrangement may be carried out according to principles foreign to

²⁷ Cf. Schellenberg, Archivos Modernos, Spanish translation, (La Havane, 1958), p. 93: "Generalmente es inconveniente la subdividion en clases o clasificaciones organicas en un esquema de clasificacion, pues la estructura organica de las dependencias gubernamentales modernas es demasiado fluida para proporcionar una base segura en la clasificacion de sus registros."

archival methods and closer to the arrangment of libraries or research centres (decimal classification, classification by subject, and so on) and sometimes even contrary to the principles of respect des fonds, especially when there is a mixture of documents from different provenances. Let us add that these methods of arrangement are applied by the creating agencies, with more or less strictness and continuity, and that too often the adoption of a new system of arrangement by an agency brings about the dismemberment of the preceding system with a retroactive effect carrying over sometimes for several years. In these circumstances, it would be deceptive and dangerous to try to adopt systematically the arrangement given by the creating agency as the archival arrangement. Before adopting this solution, the archivist must assure himself that the arrangement given by the creating agency has been effectively realized, continued, and maintained, and has not remained only an intent or vain wish; that the arrangement has been continued over a fairly long period; that it is not incompatible with the principle of respect des fonds; and that it encompasses all the documents making up the fonds or section of fonds that is being handled. If all these conditions are not fulfilled, we consider it necessary to stop following the arrangement given by the creating agency, and proceed as if the fonds had not been arranged before coming into the care of the archivist.²⁸

To sum up, the question of "respect for internal structure" of fonds calls for the following considerations: first, when a fonds includes divisions corresponding to functional divisions of the creating agency, these divisions ought, as far as possible, to be used as the basis for archival arrangement, but we can be obliged to give them up if the functional divisions of the creating agency changes structure and jurisdiction too often; second, when a fonds or a division of a fonds possesses an arrangement given by the creating agency, that arrangement must be retained as the basis of the archival arrangement provided it is stable, continues over a fairly long period, is compatible with respect des fonds, and has been carried out in the contrary case, the archivist may take his inspiration from that arrangement for his own work, but now follow it blindly; and third, in all other cases, the archivist may legitimately give the fonds or the division of fonds the arrangement he judges best, basing himself, as far as possible, on the internal structure of the creating agency, but without reflecting all its details and changes of structure in his arrangement.

d) Arrangement of fonds by chronological sections. On several occasions in this article we have referred to the classification of fonds by chronological sections or periods. Is such a method legitimate and compatible with the respect of internal unity of fonds? We could discuss it on the theoretical level, and it is certainly better to avoid using it when possible, that is to say, when we have to handle a closed fonds coming from an agency of which the internal structure and powers have not undergone deep-seated changes in the course of its history. But, for open fonds, the archival treatment of which is perforce divided up, as well as for closed fonds of which the composition reflects the changes of structure and powers undergone by

As we can see, this opinion differs quite strongly from that of most German archival theorists, but we should remember that they rely on the *Registratur* system, which we deliberately keep away from in this article. This system is based on the experience of organization or pseudo-organization "realised" (or supposedly realised) by French administrations, the results of which six out of ten times are not of significant value and three out of ten times are catastrophic from an archives point of view.

the creating agency, arrangement by chronological sections is a practical necessity so evident that it is imposed on all archivists in spite of the reservations of theorists. Three rules must be observed, however, if we wish to prevent a real dismemberment of fonds: the chronological sections chosen must be sufficiently long, at least ten years, to constitute a coherent archival whole; the sections must correspond to well-defined periods in the life of the creating agency — their limits, therefore, not being chosen arbitrarily; and finally, in order that the archival treatment of a chronological secion of a fonds may be undertaken, all documents corresponding to the chronological section must be assembled in such a way that the whole of the section can be dealt with at the same time. Once these three conditions are fulfilled, we may handle each chronological section as if it were a closed fonds. Since we are then dealing only with a chronological section of a fonds, we must treat each section exactly the same as the preceding ones in order to facilitate research work. We see, from what precedes, that treatment by chronological sections is not really at odds with respect of internal structure of fonds. The respect applies to the interior of each chronological section more easily when sections are limited so as to correspond precisely with the main changes of internal structure and jurisdiction of the creating agency. We are particularly insisting that we are speaking here of the archival handling of chronological sections. This implies that the treatment only be undertaken a sufficiently long time after the closure of the envisaged chronological section to ensure that no document corresponding to the section remains with the creating agency. In France, for example, the archival treatment of documents does not at present go beyond 10 July 1940, the date of the end of the Third Republic. All documents later than 10 July 1940 receive only provisional treatment. As a general rule, we may admit that a chronological section can receive archival treatment when all the documents which compose it have reached the public domain and are no longer likely to receive additions or suffer withdrawals or eliminations.

e) Note on the terminology of arrangement and description of fonds. It seems useful to give exact information about vocabulary and terms used in archival science for the different notions associated with the arrangement and description of fonds. These terms often have different meanings in different countries and may lead to fairly serious misunderstandings if they are not understood by translators. In French, the word *classement* is applied as the Spanish word *clasificación*, to every operation of arrangement, mise en ordre, or ordenación of elements according to a preestablished scheme, plan, or framework. In the area of archives, it applies to several successive levels: arrangement of fonds within an archival depository; arrangement of units, files, packets, volumes, and so on within a fonds; and arrangement of separate documents, items, or groups of items within a unit. The internal divisions of fonds are often called in English series, or sometimes, which is much clearer, subgroups. The English term series causes confusion in translation, for in French archival science the word série designates the main alphabetic division in which fonds are placed within an archival depository. For example, série U of French Departmental archives receives all the fonds coming from the law courts and judicial institutions; série T receives all the fonds from teaching and educational agencies, and so on. The primary divisions of séries are called sous-séries and each sous-série corresponds generally to a fonds. In certain cases, when a série is composed of a single fonds, the sous-séries correspond to the divisions of the fonds as in the English "series" or "subgroups." As a general rule, all the work of archival classification results in an identification of the units classified. This identification,

sometimes incorrectly called *numérotation*, in English *numbering*, bears in French the name cotation; the cote usually being made up of a group of letters and numbers according to a certain order.²⁹ Once the units have received their definitive numbering, the archivist proceeds to edit the *instrument de recherche* — in English, the finding aid or research aid, corresponding to the fonds or division of the fonds treated. According to whether they are more or less detailed, the finding aid for archives is called in French, guide, état sommaire, répertoire or répertoire numérique, inventaire sommaire, or inventaire analytique. Each of these terms is difficult to translate: thus, and inventory in English has nothing to do with an inventaire in French. The English equivalent of inventaire analytique would be, approximately, calendar. Moreover, catalogue or catalogo is used as the equivalent of the French term répertoire, while in French catalogue is in principle reserved for documents not forming fonds but rather heterogeneous collections. The whole of the editing operations of finding aids is called in English description, a convenient term which has no exact equivalent in French. We see from these few examples the very real need for precise definitions of archival terms in different languages if we wish to avoid misunderstandings and errors in interpretation. A good part of international discussion and divergences of opinion about respect des fonds results from such misunderstanding.

THE ARCHIVAL FINDING AID AS A MEANS OF REMEDYING THE DIFFICULTIES OF RESPECT DES FONDS

From what has been said up to now, it follows that most difficulties with the application of the principle of respect des fonds flow from the contradiction which exists between the nature of the fonds, which is a living creation of the activity of the agency which creates it, and the needs of research, which are methodical and systematic. In reality there is a solution for these difficulties, although it is only rarely admitted by theorists of respect des fonds. The solution consists of reconstituting, thanks to finding aids, the continuity of suites of documentation which were disturbed in the arrangement of fonds because of changes of structure and jurisdiction relating to the agencies. The reconstitution of continuity may be carried out in several ways according to the circumstances.

If we simply wish to clarify for researchers the succession of agencies which exercised a given power, we prepare a table showing the name of the agency which exercised the power during each period, with an indication of the numbering of the documents corresponding to the *fonds* of the agency. It is a question of a *guide* which directs the researcher to the *fonds* which interest him. If we wish, on the contrary, to make available to researchers at one time the whole of the documents corresponding to a given power, we prepare a *catalogue*, or an *interfonds calendar* which is the equivalent, but within the finding aid only, of the "record series" proposed by Peter J. Scott, respecting at the same time the integrity of the *fonds*. We may still limit ourselves in the finding aid of a *fonds* or chronological unit of a *fonds*, by indicating with footnotes the *fonds* where the documents preceding or following those described in the finding aid are to be found. Finally, alphabetical indexes or systematic tables allow, without interfering with the arrangement of the documents

On this question of numbering and the difficulties it poses, see Papritz, "Neuzeitliche Methoden," pp. 17-18. This is only briefly mentioned here because it is only marginally related to our study.

themselves, the regrouping for researchers of all the documents scattered among several *fonds* or several divisions of a *fonds* relating to a single subject, a single person, a single place, and so on. Of course, computerization is now a privileged means to carry out the need for all kinds of indexes and systematic tabulations of archival finding aids, while respecting the archival arrangement of documents.

By the same token, the finding aid may very well group together several related fonds: a fonds principal and the fonds subordonnés, or the fonds of several small agencies of closely related or similar jurisdiction, for example. It is thus that we can show clearly, without disturbing the integrity of the fonds, the parallelismus membrorum, the similarity of parallel files, existing in several agencies of closely related powers.³⁰ In any case, the analysis of the jurisdiction of agencies creating archival fonds and of their changes constitutes an essential and basic part of archival work. No treatment of fonds can be validly conceived without this preliminary analysis. As Dr. J. Papritz so correctly notes "under the heading of séries (or chronological sequence of documents), it is necessary to relate the history of iurisdictions accurately: it is an archivist's task which is all too often forgotten."31 An archival finding aid cannot, indeed, limit itself to "describing" baldly the documents which make up a fonds. An introduction to the agency from which the fonds comes, about its history, about its jurisdiction and its changes, about the history of the fonds itself, of its formation and arrangement, must precede every finding aid of a fonds. If the study is carried out correctly, all the difficulties associated with the application of respect des fonds are resolved. It is in this direction that it is necessary, in our opinion, to advance the research and work of archivists.

³⁰ On this subject, see *tbid.*, p. 51.

³¹ Ibid., p. 48.