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March 8, 2012

Respect des fonds d'archives: Theory and Application

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8 March 2012.

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In order to examine the principle of *respect des fonds d'archive* (henceforth referred to as *respect des fonds*) and its application, this paper will examine the principle, its history and reason for becoming a dominant principle, and what its aspects mean: interpreting original order as an internal arrangement, and discussing external arrangement in the principle of provenance. Case studies (both real world examples and hypothetical examples based on real *fonds* and archives) will be used to discuss how the twin principles of *respect des fonds*, original order and provenance can be put into practice. The case studies will also be used to discuss what problems can arise in the application of *respect des fonds*.

The French Ministry of the Interior passed the decree of *respect des fonds* in 1841, and created a commission of administrative historians to oversee their departmental archivists (Bartlett 110). The men of the commission explained their reasoning for the implementation of *respect des fonds* as “*le classement par fonds n'empêche pas d'obtenir tous les résultats qu'on espère d'un ordre plus élevé*” (Bartlett 111). This sentiment translates roughly as “the classification by *fonds* does not impede the results hoped for in a higher order,” meaning that the application of *respect des fonds* would make it possible to preserve evidence, even in the face of novice archivists. The disorder for the archivists in that period of France was that they were attempting to make connections between the contemporaneous records and those

records of the *Ancien Regime* before the Revolution (Bartlett 111). 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. (Duchemin 65)

Additional accessions were anticipated as well, and coming in all the time to the Archives nationales. Nancy Bartlett suggests that for these early archivists in France, the principle of *respect des fonds* was meant as a measure to simplify archiving, and to prevent novice archivists from destroying anything important before someone else could go in and organize things properly (Bartlett 111). The principle of *respect des fonds* has grown more important since that time, and come to mean a way of preserving records' meaning.

The archival principle of *respect des fonds* focuses on the twin ideals of “the sanctity of original order and provenance” (Zelenyj 130). Original order ““focuses upon the maintenance of the internal arrangement of...records”” in other words, arrangement of the records based on the relationships within the records, while provenance concerns itself “with maintaining the integrity of records creators and the contextual evidence associated” with the records (Zelenyj 130). In order to preserve “the external integrity of the *fonds*” the provenance must be considered, putting the record into its external context, where was it created and for what purpose, “more specifically, the functions, activities and transactions that give shape to it” (MacNeil “Weaving” 193). In

order to take into account the original order of the *fonds*, and maintain its internal integrity, one has to consider

documentary relationships: the genesis, forms and transmission of the documents within a *fonds*, the procedural relationships among those documents and the purposes they serve in a given administrative environment. (MacNeil "Weaving" 193).

The reason why the original order, and provenance and the principle of *respect des fonds* is so important in archival practice as well as theory is because preserving the context of records makes them more useful as evidence (MacNeil "Archival Theory" 9).

Heather MacNeil argues that

In asserting the principle of *respect des fonds* as the only sound basis for archival arrangement, early archival theorists were asserting the primary nature of archives as evidence and, by extension, the archivist's primary obligation to protect the integrity of evidence in the methods used to treat archival *fonds*. (MacNeil "Archival Theory" 9).

An example to demonstrate the idea of preserving the evidential nature of archival records is scribal poetry. Scribal poetry in England in the 17th century was handwritten and distributed through either a scrivener or an aristocrat with an interest copying down by hand their favourite poems. What this meant for archives which then came into possession of these manuscripts (for example the Victoria and Albert Museum) was that a sheaf of papers may arrive together, all by the same hand, but contain poems by different authors. Not all authors' handwriting is known, so if the pages were separated because of their content, someone may come to the erroneous conclusion

that the handwritten poem by John Wilmot, Earl of Rochester is the original, rather than a copy that came with poems by Dryden and Seville. It would change the entire context because the record would be read as something created rather than as something enjoyed. Some debate may occur over whether such records would be seen as a personal fonds or a collection, since the author of the record is “copying” but often embellishing, however the manuscripts often had the personal budgets, or other commentary of the creator between copied poems. This incorporation of the copied poems into the daily activities of the record creator is the reason that I believe these records should be considered part of a *fonds* rather than a collection. Regardless of the status within the archives, these hypothetical records would be most useful as evidence of their creator’s activities when *respect des fonds* is applied.

Archives are important because they can provide evidence of their creators. The archives’ “organic and natural character,” preserved by *respect des fonds* act as “impartial evidence” for the “actions and transactions...and by extension, as evidence of the programs, activities and functions of record creators” (Zelenyj 130). For example, in my hypothetical *fonds* in the Victoria and Albert Museum, if it were the *fonds* of Barbara Castlemaine, the Duchess of Cleveland — she was the mistress of King Charles II — imagine the value of evidence of the poets who influenced her, who she deemed worthy of recording. Imagine what it would mean if one of the poems in her possession was a Satire on Charles II. It does not have to be a historically significant individual in order for the *fonds* to have evidential value which is solidified by its preservation through the application of *respect des fonds*. Castlemaine’s creation of the record would be a documentary of her functions as the record-creator (Cook 27). It

is that status as record-creator that is “central to the definition of the fonds,” and Terry Cook argues, the creation as internal original order should be accorded primacy over the “physical order, filing and sequencing” (27). I agree that the creation and function of the creating agent of records is essential in understanding the original order of a *fonds*. In order to completely understand 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 (Duchemin 67).

Such knowledge is only possible with the preservation of all information surrounding a document as well as the document itself (Duchemin 67).

The following series of case studies can show the ways in which the application of *respect des fonds* within different types of *fonds d'archive*, and different types of format can be difficult. *Fonds*, as defined by Natalis de Wailly after the French revolution, has “several theoretical and practical uncertainties and difficulties” (Duchemin 68). Types of archival problems with the application of *respect des fonds* can include missing or unclear original order, problems with establishing provenance, personal records, mislabelling of series, transfer of jurisdiction within administrations, and the question of how to treat electronic records.

A complicated custodial history that prevents the archivist from seeing the original order of records, such as in the case study of Valance House' Fanshawe papers, can make *respect des fonds* difficult to apply. The papers of Sir Richard Fanshawe were separated among different family members, and interested parties in the centuries after his death before the papers were acquired by Valance House in separate accessions

(Yeo 52-53). In addition, papers that were not created in the course of Fanshawe's life became entangled with his papers during the custodial history (Yeo 52-53). Yeo argues that the lack of original order and the confused entanglement of papers makes the distinction of the *fonds* very difficult: "Should the archivist seek to identify and delimit the personal fonds of Sir Richard Fanshawe, the diplomat, or the wider *fonds* of the whole Fanshawe family?" (54). The problem of the Fanshawe *fonds* illustrates the problem in clarifying what is meant by the "provenance" of a *fonds*. *Fonds* that have transferred hands, and in the case of the Fanshawe records been added to, annotated and continued create difficulties in determining provenance. The question becomes whether the provenance is Sir Richard Fanshawe, the original agent of creation, or any number of the members of his family or people dealing with his family who subsequently added to his records (Duchemin 73). This would be even more complicated in an administrative or government records fonds which have transferred records (Duchemin 73).

Another case study for complications making *respect des fonds* difficult to put into practice is the situation in American archives after the Second World War: "the lack of a centralized registry system for the control of current records, and the sheer volume of materials coming into American archives [due to the war]" discouraged the application of *respect des fonds* (Sweeney 202). It is in direct contrast to the French application of *respect des fonds* after the Revolution, which was in part for the same reasons that the Americans turned away from the principle. An encouragement for considering *respect des fonds*, and describing and arranging with provenance and original order in mind is that when archivists have used

subject classification for records...it is impossible to maintain a consistent classification system for any length of time when records are added....If archivists misclassified a document employing subject classification it could be effectively lost. Or, if archivists were inconsistent in their analysis, documents with a common subject could be dispersed within a repository. (Sweeney 197)

Rejecting subject classification, and embracing *respect des fonds* allows the archivist to prevent the function and meaning of the records from being obscured.

It is difficult to apply *respect des fonds* and delineate fonds where the “complexity of the functional organizations makes the definition of fonds difficult” (Duchemin 68). Examples of complex functional organizations include government bodies with multiple divisions, and administrative bodies with similarly subdivided activities (Duchemin 68). The Hudson’s Bay Company *fonds* is a case study of a geographically subdivided administrative body which has been divided into *fonds*.

Laura Millar argues that the application of *respect des fonds* cannot capture provenance in the way that the theoretical principles suggest it should. "The intellectual reality of provenance and the physical reality of the records are not equal. Provenance and the *fonds* are not the same, nor do they represent a constant, one-to-one relationship." According to Laura Millar the "logic of the *fonds* fails with the application of RAD Rule 1.1A1 [requiring a title]...fonds don't have titles." Titles are constructs outside the *fonds* itself (5). Millar uses as an example of the problem of title subverting *respect des fonds* the ten separate *fonds d'archives* and collections of the Hudson's Bay Company. Millar suggests:

If the fonds is an organic whole, then one archives should not identify the waste book as a *fonds*, and another should not identify the correspondence, day book or journal as a *fonds*. Instead they should both seek out the virtual fonds to which those records belong, in this case the Hudson's Bay Company Archives in Winnipeg. The records would find a place in the existing arrangement for that *fonds*, as a series or sub series, a file or an item. By physically or virtually incorporating these fragments of records into the larger Hudson's Bay Company *fonds*, archivists could recreate an original order based on the functions and activities of the creating agency.

(6)

In other words, given the virtual nature of today's world, archives should be able to work together and align their respective records into the overarching fonds d'archives that ultimately exist. It is "unreasonable, impractical, and unrealistic" to put all records from the same creator into one physical location but "a virtual body of records scattered over space" can be defined by fonds (Millar 6). The problem with a scenario of implied completeness, Millar argues, is that an archive, or even multiple archives will not ever have "'the whole of the records' of any creating agency" due to loss, destruction, and even selection on the part of the archivist (6). If archivists consider provenance in the archaeological sense, it would suggest to us that it may be important that the records of the Hudson's Bay Company are located in Winnipeg or Nanaimo, it may tell a part of its story (Millar 9).

Another problem with adhering to *respect des fonds* within *fonds d'archives* of organizational records such as the Hudson's Bay Company or other organizational

records is that as Debra Barr argues “it is...common for archivists to reorganize and describe material according to form, e.g. separating bound registers, certificates, and maps, even when media storage requirements are not a concern” (qtd. in Zelenyj 128). This mislabelling of series is a substantial factor in poor practical application of *respect des fonds*. The series should be “interpreted adequately in light of its functional links to the archival fonds..in terms of its property as a natural and organic end-product of organizational function or broad personal activity” (Zelenyj 126-7). For example, the Fort Nanaimo Hudson’s Bay *fonds* at the Nanaimo Community Archives contains correspondence, a day book, and a fort journal (Millar 6). Supposing, hypothetically, that the correspondence consisted of 60% letters to and from ships’ captains in their daily business of trade within the Hudson’s Bay Company, and the fort journal was maintained by those ships captains sending the bulk of the correspondence, those items should be together in intellectual order rather than separating according to format. The creation of the items should also create original order, rather than one being imposed upon the *fonds* through series at a later date. In order to be true to the principle of *respect des fonds*, series should:

derive their substance and meaning from their status as natural and organic end-products of the broad functions of their creators, with activities, and in turn actions and transactions flowing naturally from these functions. (Zelenyj 127).

Imposing series distinctions within a *fonds* that do not reflect the creation, original order and provenance is superficial, and obfuscates the significance of the

relationships between the records as archival evidence of the record creator (Zelenyj 130).

In contrast to the Hudson's Bay Company Records, personal records also display problems with the application of *respect des fonds*, specifically with the principle of original order: "The archival concept of original order does not address what to do with, or even how to think about, records that lack a consistent, discernible order, which is the case more often than not with personal records" (Meehan 31). A solution to the lack of order in personal records, is arrangement and description by "analogy, working to understand the ways in which personal records are like organizational records" which obscures the meaning within the order of personal records which could be found through working with them "on their own terms" (Meehan 32). The fact that the order is not easily discernible does not mean that there is no order or structure in the records as they were created, intellectual original order could still exist (Meehan 32).

A change in the "jurisdiction of archival creating agencies," as when an agency takes on new functions, or transfers functions to an alternative agency can also present a problem in the application of *respect des fonds* (Duchemin 71). This kind of jurisdiction transfer would largely occur among government agencies. For example, if the federal government were to take over a function that was previously the domain of the provincial governments, it would cause complications in the archiving of federal and provincial government *fonds*. Such changes would be found within the records of the agencies, but it would be "difficult for researchers to reconstitute the administrative continuity or even, quite simply, the chronological continuity and logic of transactions" (Duchemin 71).

Terry Cook suggests that the Canadian Rules for Archival Description (RAD) may create difficulties in the application of *respect des fonds* in a multilevel description of a large creator “comprising perhaps 200 series” (29). The problem would be that the *fonds* must reflect all of its series, and the concern that Cook has is that the *fonds* level description may have to be changed each time “a new accretion of records comes into any one of those series” (29).

Electronic records have to be treated differently when applying the principle of *respect des fonds*. “Preserving original order has always meant preserving the records’ documentary relations” but with electronic records, the information about relations between documents is in the metadata and data directories, therefore in order to preserve the original order of the electronic record, it is necessary to preserve the data surrounding it (MacNeil “Archival Theory” 10). For example, if the Library of Congress adhered to *respect des fonds* then when they are applying it to Twitter records, they need to preserve the metadata about the records rather than arranging and storing just the tweets because the individual tweets would be without context. In the electronic records of tweets it is important to the internal intellectual order of the tweets that you know which tweets are replying to other tweets (and what those other tweets are) as well as which tweets are “retweets” (copies, sometimes with annotation) of other tweets. Without this metadata structure, the context and meaning of the tweets is lost. An additional problem amongst social media records is the question of whom the records would actually be considered to belong to. They could be considered part of the Social Media company fonds, but that could also be their format: Twitter, Tumblr,

Facebook and etc. Delineating the provenance of fonds amongst the electronic records of an individual or organization would also be very difficult.

In spite of the intended simplicity of the principle of *respect des fonds d'archives* as it was originally intended and described after the French Revolution, the principle has become more complicated by the various types of fonds and formats that it has been applied to over the years. In addition to being more complex to apply to modern archival practices, *respect des fonds* has come to mean the preservation of meaning and context rather than simply preserving records until they can be 'properly' classified. The context and relationships between the internal original order, and the external provenance give meaning and evidentiary value to the records so that they can convey impartial evidence about their creator (MacNeil "Archival Theory" 9; Zelenyj 130). In practice, *respect des fonds* can be complicated by a number of issues. One complication for both original order and provenance is a custodial history that is long and convoluted, and includes both additions and subtractions from the fonds. Another complication for provenance is the requirement within the Rules for Archival Description for a title of the fonds. With a *fonds* that is created by an administration that is separated geographically, it can be very difficult to delineate what constitutes the fonds, the entire administration or geographic components therein. Mislabeling series according to what they 'should be' rather than what the series relationship and function is within the *fonds* is another problem in the application of *respect des fonds*. The problem of mislabeled series can be avoided by considering the natural and organic functions within the *fonds*. Personal records frequently lack a discernible order, making it difficult to respect the sanctity of the original order, but this can be addressed

by careful scrutiny of what structure may exist, rather than comparing them to administrative records. The transfer of jurisdiction within administrations becomes a problem when attempting to show provenance within a fonds, but this forces the archivist to make a decision about whether the provenance is with the creator or the administration to whom the responsibility for the records have been transferred. Lastly, electronic records need to have their structure preserved in order to preserve the context of original order and provenance. All of these issues are not insurmountable and can be solved with careful planning, consideration and understanding of the issues. *Respect des fonds* is still the most reasonable and respectful principle by which to preserve meaning within archives.

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