

Using the Archive. Exclusive Clues about the Past and the Politics of the Archive in Nineteenth-Century Bavaria

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ABSTRACT

In this article, I historicise a particular site of historical research that rose to prominence in the nineteenth century: state archives. In looking into the archive politics surrounding the historical studying of records and files, this examination explores the exchange between petitioners and the authorities, governmental administrative practices and measures of control, and the administrative communications of the Bavarian state relating to “the use of the archive” during the long nineteenth century. In contrast to the widespread assumption that the French Revolution and its European reverberations rendered superfluous the *arcana imperii*, I contend that the early-modern traditions and notions of the *arcana imperii* were key in the administering of access to archival material, and the availability of archival knowledge.

According to the tradition of the *arcana imperii*, the purpose of state archives was first and foremost to safeguard the state and the welfare of the country. State archives were thus an integral part of the secret sphere of the state, and were kept deliberately separate from the public. As a result, historical interest in archival holdings necessitated the establishing of an administrative threshold, as well as the administrative supervision of the studying of records and files, measures aimed at reconciling the interests of the state with this secondary use of the archive. In this administrative context, the directors of state archives held a crucial position, for it was their responsibility to examine a petitioner’s integrity and discern their historical interests. What is more, a growth of interest in the archival holdings of the state created a dynamic that ultimately impacted on the institutional culture of state archives. The increasing political consideration and reflections upon “the use of the archive”, the spatial integration of historical research, as well as internal institutional changes of processes gave way to mellowing of the administration’s tight grip on archival research. Due to the continued interlinking of state archives and their governments throughout the nineteenth century, however, archives – a site of governmental rule – remained a site administered in accordance with the principles and notions of the *arcana imperii*.¹

I. SECRECY, POLITICS, AND HISTORY

IN December 1882, the Bavarian state government found itself in a delicate situation. King Ludwig II (*1845, †1886, 1864-1886) had commissioned a “History of [the] Origins” of the Historische Kommission der Bayerischen Akademie der Wissenschaften.²

¹ I thank the archivists of the *Bayerische Hauptstaatsarchiv München* for their advice and their support of my studies in recent years. I also thank Stefan Berger, Gerhard Fürmetz, and Rebekka Habermas for their helpful and critical comments on an earlier version of my manuscript, and I am very grateful for the valuable advice of the two anonymous reviewers. Finally, I thank the *Deutsche Forschungsgemeinschaft* (DFG) and *University College London* (UCL) for their financial support of my research on state archives in nineteenth-century Central Europe.

² Bayerisches Hauptstaatsarchiv München (BayHStA) MA 71996 Writ 9.12.1882, 1.

Under the pretext of celebrating the 25th anniversary of the *Kommission*, the celebrations and resultant *Festschrift* were designed to display the grandeur of the monarchy and its support of the historical sciences.³ Certainly, this historical investigation could not but take the form of historical scholarship based on the relevant records and files. Heinrich von Sybel (*1817, †1895), former Professor of History at the Universität München (1856-61) and First Secretary of the Historische Kommission, was entrusted with investigating this matter on the basis of the “cabinet file of King Maximilian II [Joseph]” (*1811, †1865, 1848-65), kept in the Geheime Hausarchiv.⁴ Although seemingly innocuous, this latter aspect of the preparations of the Commission’s anniversary – the entangling of the historian and the archive – entailed a serious problem. It was to the knowledge of the King’s secretary, Dr von Ziegler, that the records and files of the “cabinet’s secretariat” (*Sekretariatstab*)⁵ contained the entire battle which the historian and geographer Karl v. Spruner (*1803, †1892) had fought “in such a passionate way against Sybel’s relationship to the commission [in 1858]”.⁶ For the state official, the danger of scandal loomed large and thus the director of the Geheime Hausarchiv, Dr Ludwig von Rockinger (*1824, †1914, 1876-89), thoroughly reviewed the file – finally physically removing the potentially dangerous record, “Fasc.[icle] 24. N.[umber] 9”,⁷ from the assembled writs. In his report, Rockinger assured state counsellor Dr von Rumpler that:

the separating of the pages will not arouse the slightest suspicion, for a defect will not be recognizable. After the use of the [file], reinsertion [of the relevant fascicle] at the same position can be done at any time.⁸

Ultimately, this action rendered feasible the use of the required archival material, and Heinrich Sybel was in the position to inspect the relevant file for his history of the Historische Kommission.⁹

This article examines the archive politics of the Bavarian Kingdom in the nineteenth century. The analysis highlights the interlocking of state power and historical research, as well as its development in a period of enhanced reform and building of the Bavarian state, by examining both the administrative organisation, and conditionality, of “the private use of archive materials for historical purposes”.¹⁰ In contrast

³ BayHStA MA 71996 Confidential Writ 9.12.1882, 2.

⁴ BayHStA MA 71996 Copy of Writ 3.12.1882.

⁵ BayHStA MA 71996 Writ 9.12.1882, 1.

⁶ BayHStA MA 71996 Confidential Writ 9.12.1882, 2.

⁷ BayHStA MA 71996 Draft 12.12.1882, 4f., 5; Draft 14.12.1882, 8.

⁸ BayHStA MA 71996 Draft 14.12.1882, 8.

⁹ Cf. H. Sybel, *Die Historische Kommission bei der königlich bayerischen Akademie der Wissenschaften, 1858-83. Eine Denkschrift* (München: Rieger, 1883); idem, “Die Gründung und die ersten Unternehmungen der Münchner Historischen Kommission”, *Vorträge und Abhandlungen von Heinrich von Sybel*, ed. C. Varrentrapp (München: Oldenbourg, 1897), 336-362.

¹⁰ My investigation considers “the use of the archive” by private persons for historical purposes. Cf. J. Prochno, “Zur Archivgeschichtsschreibung”, *Archiv für Kulturgeschichte*, 32 (1944): 288-293, 289. Cf. L. Bitner, *V. Inventare des Wiener Haus-, Hof- und Staatsarchivs*. 4. *Gesamtinventar des Wiener Haus-, Hof- und Staatsarchivs* (Wien: A. Holzhausens Nachfolger, 1936), 685, 687. However, one must distinguish between the use for historical purposes and the use of the archive in matters of legal conflict or property matters (e.g. BayHStA Mlnn 41287 Request 30.8.1813; Mlnn 41677 Writ 22.6.1857). The latter reaches back a long time in history and was an essential aspect of state archives in their function as keeper of social and legal peace, see *locus classicus* M. Clanchy, *From memory to written record* (Oxford: Blackwell Publishers, 1993); in regard to the modern examination of records and files by members of the public, see B. W. Wegener, *Der geheime*

to the figure of the *Hofhistoriograph* – the official historian commissioned with the writing of the state’s history –, the “opened archives” invited,¹¹ in principle at least, all subjects to explore the archives of the state for “historical” or “literary” purposes.¹² These “opened archives”, as contemporaries referred to them at the beginning of the nineteenth century, did not allow for unlimited and free access to archival material however. Instead, this confined ‘opening’ necessitated control: an administrative threshold had to be established, the monitoring of private users (*Private*) a resultant precaution. Indeed, in order to protect the secrecy of archival knowledge and to safeguard the permanent interests of the state,¹³ a distinct administrative issue and procedure emerged which closely supervised the exchange between the public and the secret sphere of the state (*Arkansphäre*). It is my contention that the archive politics surrounding historical research in state archives was largely informed by the *arcana imperii*. In contrast to the general assumption that the French revolution undermined the significance of the early modern theory and practice of the *arcana imperii*,¹⁴ this analysis shows that its principles, e.g. secrecy, were key in the administering of researchers’ access to state archives and the availability of the records and files held within them. The resultant “opening of the archives”, taking place in a period of time in which “the use of the archive” (*Archivbenützung*) began to rise to prominence and was increasingly deemed to be an essential condition of historical studies, was thus essentially conditioned by governmental notions and concerns.¹⁵

This article focuses on the archive politics of the Bavarian monarchy in the nineteenth century. German archive history in the nineteenth century is often chiefly associated with the Prussian state, serving as a prime example for comparison or reference. This is in part to be explained by the preponderance of Prussia in German affairs at the end of the nineteenth century, as well as the particular role of the Prussian political elite in the “age of extremes” and its subsequent legacy. Given the political and institutional developments in the nineteenth century however, one can not ignore that later political power constellations are read into earlier historic periods and thus slightly distort our understanding of state agency in the German lands with regard to archival history and the development of the (historical) sciences.¹⁶ In

Staat. Akteneinsicht und Informationsfreiheitsrecht (Göttingen: Morango, 2008). For an overview of the current state of art concerning the history of archives: W. Reininghaus, “Archivgeschichte. Umriss einer untergründigen Subdisziplin”, *Archivar*, 61 (2008): 352-360.

¹¹ So the title of a contemporary journal, which published historical investigations based on archival research, BayHStA MA 72004/6 Writ 19.12.1821.

¹² BayHStA MA 72004/18 Writ 28.5.1810.

¹³ L. Hölscher, *Öffentlichkeit und Geheimnis Eine begriffsgeschichtliche Untersuchung zur Entstehung der Öffentlichkeit in der frühen Neuzeit* (Stuttgart: Klett Cotta, 1979), 130ff.

¹⁴ For example, G. Enders, “Probleme der Archivgeschichte und der Archivgeschichtsschreibung”, *Archivmitteilungen*, 37 (1987): 63-67.

¹⁵ Certainly, the governmental supervision of its archives neither was the only aspect when doing history nor did governmental measures and tools succeed in establishing ‘total control’. In focussing on the administering of state archives, this article seeks to reveal a dimension of archival history that goes beyond the idea of the archive as an established site of scholarly work and thus examines the role and importance of less well known power relationships in the context of archival research. The examination is part of a wider study concerning the changing institutional culture of state archives and its ramifications for historical knowledge in Prussia and Bavaria during the nineteenth century.

¹⁶ S. Paletschek, “Die Erfindung der Humboldtschen Universität. Die Konstruktion der deutschen Universitätsidee in der ersten Hälfte des 20. Jahrhunderts”, *Historische Anthropologie*, 10 (2002): 183-205.

the early nineteenth century, the reform of Prussian state archives was an imminent and urgent matter, yet initial attempts came to an abrupt halt with the death of State Secretary Karl August von Hardenberg (*1750, †1822). As a result, Prussian archival institutions were in disarray and the situation worsened as the lack of governmental coordination and control of significant holdings (e.g. the record and files of the formerly dissolved *Generaldirektorium*) prompted the establishing of extra archival institutions, e.g. the *Geheime Ministerialarchiv*.¹⁷ By contrast, the instigation of reforms by Maximilian von Montgelas (*1759, †1838; 1799-1817) targeted the organisation and coordination of governance in the Bavarian Kingdom and resulted in the institution of the newly reformed state 'New Bavaria'. Through these reforms the first modern administration state in the German lands was established, the redesigned organisation of Bavarian state archives emerging in tandem.¹⁸ Bavarian archive politics is therefore something of a case in point. More importantly, paying too much attention to the Prussian Kingdom as an alleged primary model, at the expense of other German states and their history in the nineteenth century, appears to be a continuing effect of "the Prussian usurpation of German history",¹⁹ subsequent to Prussia's victory in civil war and the German unification.

My examination into the administration of archival knowledge unfolds along three analytical steps. Firstly, I introduce the political context of its emergence in the early nineteenth century, and analyse the interdependent interlocking relationships between political change and the organisation of state archives in Bavaria in the reformative period between 1799 and 1813. "The use of the archive", emerging in this span of time, was a salient facet of the politics of the archive, weaved into the reformed monarchic state, and gained a new political significance in the context of 'New Bavaria'. Supplicating for access to state archives was a subservient gesture with the aim to unearth the past of the country; granting requests to use the archive was a merciful gesture of the sovereign, meant to foster the loyalty of Bavaria's former and new subjects. Secondly, I examine "the use of the archive" in its administrative respects, in order to answer the question as to how the administrative 'threshold', distinguishing the state's sphere of secrecy from the public, was organised. By examining various requests and their evaluations by the state administration, I ascertain the administrative examination of incoming requests, the rules and tacit assumptions that were partially manifested in administrative instructions in the early 1870s. The analysis reveals that particularly the directors of state archives played a pivotal role in the decision making process, commissioned as they were with the examination of petitioners and their requests. Thirdly, I account for the change and the continuity in the administering of the "the use of the archive" in the nineteenth century. The inspection of archival material in state archives, as much as its increased political consideration, underpinned the notion of state archive as a site of historical research, albeit

¹⁷ J. Weiser, *Geschichte der Preussischen Archivverwaltung und ihrer Leiter. Von den Anfängen unter Staatskanzler von Hardenberg bis zur Auflösung im Jahre 1945* (Böhlau: Köln, 2000), 5-20; J. R. Aberle, "Geschichte des Geheimen Ministerialarchivs in Berlin (1838-1874). Zum Schicksal der Registraturen des Generaldirektoriums in Preußen nach 1806" (Humboldt Universität Berlin, Ph. D. dissertation, 2000); S. Haas, *Die Kultur der Verwaltung. Die Umsetzung der preussischen Reformen 1800-1848* (Frankfurt a.M.: Campus, 2005).

¹⁸ For an overview, see E. Weis, "Die Begründung des modernern bayerischen Staates unter König Max I. (1799-1825)", *Handbuch der bayerischen Geschichte*, vols.4 (München: Beck, 1974), vol. 4/1, 3-86.

¹⁹ H.-M. Körner, *Staat und Geschichte im Königreich Bayern. 1806-1918* (München: Beck, 1982), 277.

conditioned by the administrative practice and its principles. Whilst a more liberal handling of the use of the archive emerged, the principles and criteria of the *arcana imperii* remained in place.

II. STATE REFORM: 'NEW BAVARIA', NEW ARCHIVES

The institutional history of Bavarian archives is closely entwined with the political changes of Bavarian governance in the period from 1799 to 1813. In this span of time, which coincided with the early reign of elector Max IV Joseph (*1756, †1825; 1799-1825, by 1806 King Max I of Bavaria), the reform of state archives echoed attempts to establish a modern Bavarian state.

It was "the chaotic situation of our archives and records and files" that first prompted Maximilian von Montgelas, State Secretary and architect of the Bavarian modern state, to instigate a reform of the Bavarian archives.²⁰ Borrowing in part from reforms instituted in France under both Revolutionary and Napoleonic governments, as well as Prussian efforts under Hardenberg, Bavarian archives were to be centralised and the amount of records and files controlled.²¹ As a result, the former central archives of the Wittelsbach Dynasty gave way to new central archives, the *Geheime Landesarchiv*, the *Geheime Staatsarchiv*, and the *Geheime Hausarchiv*.²² This was not simply an exercise in placing new labels for the old institutions however: the reforms of 1799 and the subsequent years affected the organisation of the central archives, their relationship and the structure of their holdings. Besides the institutional transformation of the former archives, the material and its order were to be rearranged along political and institutional lines: the *Geheime Hausarchiv* was supposed to keep all records concerning matters of the dynastic family; the *Geheime Staatsarchiv* received the records of the Secret State Records and Files (*Geheime Staatsregistratur*) whilst retaining all archival documents about the external affairs of *Kurpfalzbayern*; finally, the *Geheime Landesarchiv* was to keep all archival material concerning the internal administration of Bavaria and its relations to the Imperial Estates of the German Empire. Furthermore, the internal filing of documents in these archives was restructured across institutional borders and historic traditions. By implementing a new systemic order, based on the principle of matter and pertinence, the traditional order of the holdings – the principle of origin and provenance – was dissolved.²³ As much as the *ancien régime* in Bavaria gave way to a rationalised differentiation of state gov-

²⁰ "Decree of 26.6.1799, die Einrichtung der Archive und Registraturen betr.," *Neue Gesetz- und Verordnungen-Sammlung für das Königreich Bayern*, ed. K. Weber, vols. 42 (München: Beck, 1885), vol. 1, 42-43.

²¹ E. Weis, *Montgelas. Erster Band 1759-1799* (München: Beck, 1971), 155, 272-273; E. Weis, *Montgelas. Zweiter Band 1799-1838* (München: Beck, 2005), 621-622; cf. Weiser, *Preußische Archivverwaltung*, 5-20.

²² F. Zimmermann, "Die strukturellen Grundlagen der bayerischen Zentralarchive bis zum Ausgang des 18. Jahrhunderts", *Archivalische Zeitschrift*, 58 (1962): 44-94; R. Heydenreuter, "Archive zwischen Staatsräson und Geschichtswissenschaft. Zur bayerischen Archivgeschichte zwischen 1799 und 1824", *Mitteilungen für die Archivpflege in Bayern*, Special Issue 9 (1992): 20-54, 24ff.

²³ «Decree of 26.6.1799, die Einrichtung der Archive und Registraturen betr.», *Neue Gesetz- und Verordnungen-Sammlung*, vol. 1, 42-43; G. v. Böhm, "Das k. Bayerische Geheime Staatsarchiv", *Archivalische Zeitschrift* N.F., 12 (1905): 79-106; W. Jaroschka, "Von Montgelas' Archivreform zum modernen Zentralarchiv", *Mitteilungen für die Archivpflege in Bayern*, 31 (1989): 5-8; H. Rumschöttel, "Die Generaldirektion der Staatlichen Archive Bayerns", *Archivalische Zeitschrift*, 80 (1997): 1-36, 3; A. Lies, "History of Reorganisation and Rearrangement of the Holdings of the State Archives in Bavaria", *Archivalische Zeitschrift*, 84 (2001): 123-153.

ernance,²⁴ the principle of pertinence installed a ‘rational’ system of its records and files: arranging all material in regard to its matter promised immediate access to the government’s documents across the former historical structures of the archives’ holdings. The reform of state archives was an essential component of state reform, reflecting the overall efforts in rationalising and centralising the administration and government of the Bavarian state.

Further attempts to centralise Bavarian archives followed several years later. In order to prevent the danger of “dispersal”,²⁵ the *Geheime Landesarchiv* was transformed in 1812 into a universal archive of the Bavarian Kingdom, the *Allgemeine Reichsarchiv*; as a result, all other *Landesarchive* of the Kingdom’s nine districts were subordinated to the encompassing *Reichsarchiv*.

The foundation of the *Allgemeine Reichsarchiv* reflects both the political developments within the Bavarian state in the previous decade, and also the various challenges to it as an entity. Napoleon’s recasting of the political map in Central Europe had prompted the Bavarian state, as much as other German states, to indemnify itself for its territorial losses, largely by incorporating various political entities of the Holy Roman Empire (the formal dissolution of which finally coming in 1806). In September 1802, Bavarian troops marched into the territories of neighbouring Imperial churches, convents and cloisters, occupied the buildings, and appropriated soil, tithe and due as well. In 1803, the dissolution of further Imperial entities such as cities and convents followed.²⁶ Finally, during a series of wars, the monarchy lost and regained diverse stretches of lands, incorporated and lost other parts again; this process would not come to a halt before the conclusion of the Congress of Vienna in 1815. In the end though, a large enclosed territorial state had been carved out: ‘New Bavaria’. As a consequence, the Bavarian state had not only amassed numerous piles of records and files, but also new territories and, concomitantly, a vast number of new subjects, rights, obligations, as well as material and financial resources. ‘New Bavaria’ was, at this stage, realistically little more than an abstract idea on the political map however. Given the incoherent political organisation and administration of the incorporated territories, the varied regional legal traditions and indeed the manifold historically grounded loyalties of its new subjects: ‘New Bavaria’ lacked much political substance. It was this lack of political cohesion of ‘New Bavaria’, which prompted the state government to undertake efforts in centralising and reforming the organisation of state archives, e.g. the foundation of the *Allgemeine Reichsarchiv*.

III. ‘LIBERALITY’ IN ARCHIVAL MATTERS: THE SOVEREIGN, ARCHIVES, AND THE PUBLIC

The emerging “use of the archive” and the social and political significance that it gained was determined by the reformative era between 1799 and 1813. Long before any Historical Societies had been founded under the auspices of the Bavarian govern-

²⁴ Weis, *Montgelas*, vol. 1, 272ff., 289ff.; idem, *Montgelas*, vol. 2, 242ff., 507ff.

²⁵ «Decree of 21.4.1812, das allgemeine Reichs-Archiv», *Neue Gesetz- und Verordnungen-Sammlung für das Königreich Bayern*, vol. 1, 391-392.

²⁶ Cf. A. Schmid (ed.), *Die Säkularisation in Bayern 1803. Kulturbruch oder Modernisierung* (München: Beck, 2003).

ment,²⁷ a first request for the historical use of the archive had materialised: in 1804, the priest Hellerberg supplicated to inspect the original writing of a medieval document.²⁸ More requests followed in the proceeding years; in response to the incoming request, in 1812, King Max I finally urged his archivists to support “the interest in the history of the fatherland and scientific research”.²⁹

The ‘opening’ of state archives established an exchange between the sovereign and his subjects, which did not lack a political-symbolic dimension. To begin with, whether one asked for a copy, an excerpt of the originals, the delivery of originals manuscripts, or the inspection of material *in loco archivi*, any private user was obliged to ask for permission.³⁰ A pertinent example of this can be seen in the case of the librarian Karl August Muffat (*1804, †1878).³¹ The “petitioner” (*Bittsteller*) wanted to further his insight into the history of the institution for which he was working, the *Hof- und Staatsbibliothek* in Munich. To achieve his goal, he asked for the use of materials kept in the *Reichs-Archiv Consistorium* (by 1814 affiliated with the *Allgemeine Reichsarchiv*) and appealed to his “Most Serene Highness. Great Powerful King. Most Merciful King and Master” to use the relevant archival material. In his request Muffat explained his historical interest, revealed his intention of research and referred to the materials which he had collected so far; finally articulating his hope for the King’s “very merciful granting” of his “most obedient request”.³²

Granting permission, King Ludwig I (*1786, †1868; 1825-1848) proved indeed to be merciful and “liberal” – in the literal sense of the word –, breaking with the strict principle of the *arcana imperii*, i.e. secrecy.³³ In accordance with the early modern theory of the *arcana imperii*, archives were at the centre of the secret sphere of the state (*Arkansphäre*). State archives were meant to serve the current state government in the short term and also guarantee for the persistent existence of the state per se.³⁴

²⁷ G. Kunz, *Verortete Geschichte. Regionales Geschichtsbewußtsein in den deutschen Historischen Vereinen des 19. Jahrhunderts* (Göttingen: Vandenhoeck&Ruprecht, 2000), 58, 65, 66-66, 78; G. Clemens, *Sanctus Amor Patriae. Eine vergleichende Studie zu deutschen und italienischen Geschichtsvereinen im 19. Jahrhundert* (Tübingen: Niemeyer, 2004), 307.

²⁸ BayHStA MA 72004 / 41 Request 15.8.1804.

²⁹ References to the King’s instruction of 21.4.1812 in BayHStA Mlnn 41361 Writ 15.5.1826; GDion 1204 Writ 19.9.1873, 30.

³⁰ BayHStA GDion 1204 Writ 19.9.1873, 30. A particular material characteristic of the supplications was the blue or white colour of the paper and its mark of a fee stamp. Using the archive was not free of charge: each request had to be stamped by a “Drei Kreuzer Stempel”, cf. G. Dolezalek, Art. “Suppliken”, HRG, vol. 5. 1998, 94-97, 95; e.g. BayHStA Mlnn 41403, 19.2.1832. In 1873, requests to use the archive for scientific purposes were freed of tax and stamp, BayHStA GDion 1204 Copy 13.3.1873, 3; MA 71935 Darstellung des k. b. Archivwesens (Denkschrift) 1873, 37. In regard to the *Geheime Staatsarchiv*, «Decree of 22.5.1861, die Gebühren für Benützung der Archive», *Neue Gesetz- und Verordnungen-Sammlung für das Königreich Bayern, Vol. 5*, ed. K. Weber (München: Beck, 1885), 240ff.

³¹ BayHStA Mlnn 41403 Request 19.2.1832.

³² BayHStA Mlnn 41403 Request 19.2.1832.

³³ Hölscher, *Geheimnis*, 124-127; Wegener, *Der geheime Staat*, 32.

³⁴ For example, the archivist Bachmann was commissioned with copying and delivering of diplomas kept in the *Zweibrückischen Archive*, cf. “Nr. 9 Protokoll der Geheimen Staatskonferenz vom 9. Mai 1799”, *Die Protokolle des Bayerischen Staatsrats 1799-1917, Vol. I (1799-1801)*, eds. E. Weis and H. Rumschöttel (Historische Kommission bei der Bayerischen Akademie der Wissenschaften: München 2006), 85ff., 86 (§9); Heydenreuter, *Archive*, 21, 28-29; M. Stolleis, *Staat und Staatsräson in der frühen Neuzeit. Studien zur Geschichte des öffentlichen Rechts* (Frankfurt a.M.: Suhrkamp, 1990), 37; H. Münckler, *Die Begründung der Staatsräson in der frühen Neuzeit* (Frankfurt a.M.: Fischer, 1987), 198. In regard to the conceptual origins of the *arcana imperii*: E. H. Kantorowicz, “Mysteries of the State. An absolutist concept and its late mediaeval origins”, *Selected Studies*, ed. E. H. Kantorowicz (New York: Locust Valey, 1965), 381-399.

Thus, archival knowledge furnished both ambassadors abroad and officials at home with archival knowledge, e.g. current affairs of foreign states and their history.³⁵ In parallel to this, state archives also served to conceal governmental actions from public eyes, protecting the “highly guarded state secrets”.³⁶ Above all, archives were instrumental in safekeeping the political and social status quo, providing information in case of legal conflict and contributing, therefore, to legal peace and the welfare of society.³⁷ Finally, state archives contained more than information only; the archive’s holdings, their design and repositories, were as valuable as the information they contained – the former allowing the retrieval of the latter.³⁸ As a result of this, the actual physical design of the state archives had to be kept just as much a secret as the material within.

As Bavarian sovereigns began to share archival knowledge with their subjects, and thus with the wider public, they discarded the traditional views and mellowed the strict practice of secrecy which had been set in stone with such great effort centuries ago.³⁹ The ‘liberal’ handling of archival materials was a symbolic political gesture tied into the reform of the Bavarian state. As a result, “using the archive” began to change the archive in institutional terms. Already in the 16th century, the archive of Wilhelm Palatine of the Rhine was considered “the most valuable treasure of this country” (*den furnembsten schatz dises lands*).⁴⁰ Indeed, the political and social importance of the “charter’s camera” (*briefgewelb*) was grounded in its chief motivation for safekeeping documents: the “care for property and rights”, the safeguarding of the state’s status quo, its legal peace and hence the country’s order and ‘welfare’.⁴¹ As mentioned above, though, historical research began to alter the archive as institution, and a new dimension of monarchic wealth came to the fore. The “treasures of royal archives” developed into “treasures” of historical knowledge and scientific studies.⁴² In former times, the “Bavarian treasures of documents” safeguarded the status quo; now, these “treasures” also began to provide new and exclusive clues about the past.⁴³

Moreover, “the opened archives” began to affect the public image of the monarch, for the ‘opening’ shifted the relationship between *arcana* and the public, as reflected

³⁵ Weis, *Montgelas*, vol. 1, 272-273.

³⁶ Münckler, *Staatsräson*, 239.

³⁷ Clanchy, *Written Record*, 34; Y. Potin, “L’État et son Trésor. La science des archives à la fin du Moyen Âge”, *Actes de la recherche en sciences sociales*, 133 (2000): 48-52, 52; M. Hohkamp, *Herrschaft in der Herrschaft. Die vorderösterreichische Obervogtei Triberg von 1736 bis 1780* (Göttingen: Vandenhoeck&Ruprecht, 1998), 79-81. Derrida’s concept of “the archons” is ignorant of this long lasting tradition and essential function of archives, J. Derrida, “Archive Fever. A Freudian Impression”, *Diacritics*, 25 (1995): 9-63, 9-10.; cf. C. Steedman, *Dust* (Manchester University Press: Manchester, 2001), 38-65, 40, 44, 45; for a deconstructionist critique of Steedman, see E. Kleinberg, “Haunting History. Deconstruction and the Spirit of Revision”, *History and Theory*, 46 (2007): 113-143, 136-141.

³⁸ It was not by incidence that archives sometimes served as a training site for state officials, Münckler, *Staatsräson*, 211; Weis, *Montgelas*, vol. 1, 272f.; cf. Potin, *L’État*, 48.

³⁹ “Bayerische Archivinstruktionen aus dem 16. und 17. Jahrhundert”. (16.3.1586), *Archivalische Zeitschrift*, 9 (1884): 90-98.

⁴⁰ BayHStA MA 71935 Darstellung des k.b. Archivwesens (Denkschrift) 1873, 1; cf. Zimmermann, *Zentralarchive*, 46ff.

⁴¹ BayHStA MA 71935 Darstellung des k.b. Archivwesens (Denkschrift) 1873, 1.

⁴² BayHStA GDion 1205 Draft 4.4.1854; MA 71931 Writ 16.3.1852; MA 71935 Darstellung des k.b. Archivwesens (Denkschrift) 1873, 2, 5.

⁴³ BayHStA Minn 4137 Request 1.3.1827; MA 72004/49 Request 16.3.1818; Minn 41370 Request 1.3.1827.

in the metaphoric language of the requests and internal writs. In accordance with the early modern theory of the *arcana imperii*, state archives were an integral part of the secret sphere of the state kept deliberately apart from the public. Hence, “memoirs and document records lay [literally] in the dark of state and especially family archives”.⁴⁴ The essential characteristic of the state’s sphere of secrecy, its inaccessibility, metaphorically its darkness, became a metonym for the past itself. Whether the “dark times of the 10th to the 12th century”, or the life of Baron von Ickstadt (*1702, †1776), the past lay in the dark.⁴⁵ Only “the careful use of all existing sources” rendered it possible to “illuminate” the past, “to put a man’s life in its true light”, and to “bring to light” the “historical facts disguised by darkness”.⁴⁶ The nascent shifting of darkness and light was not without effect on the image of the monarch and his reign. The “light”, emanating from archival material rendered newly available by the interplay of both the sovereign and the petitioners, could be seen to ‘shine’ favourably upon the incumbent sovereign. Whereas the *arcana imperii* were an essential symbolic facet of monarchic rule in the eighteenth century, contributing to the legitimacy of unconditional rule of the sovereign,⁴⁷ the “outstanding liberality” in archival matters developed into an essential attribute for Bavarian sovereigns in the first half of the nineteenth century, displaying a characteristic of their reign and reputation whilst competing against other German lands: the Director of the *Allgemeine Reichsarchiv*, Georg T. Rudhart (*1792, †1860), asserted that, in 1854, “neither in Vienna nor in Berlin, neither in Dresden nor in Hanover, neither in Darmstadt nor in Karlsruhe such huge amount of users have been allowed” to use the archive.⁴⁸

To fully unfold the social and political potential of ‘New Bavaria’, historical studies based on archival research were deemed instrumental in the production of a new ‘Bavarian’ identikit. Given the political and social disorder at the turn of the century, the “history of the fatherland” was considered a stabilizing force; such a history producing insights about the past of ‘New Bavaria’, and helping to further the integration of the diverse stretches of the newly established political entity.⁴⁹ As history was put into service, so was “the use of the archive”. The ‘opening’ of the archives would forge a bond between the ‘New Bavaria’ and her new subjects, but only if the will of the sovereign and the interest of his subjects allowed this political calculus to come fully to fruition.

The “opened archives” undoubtedly affected the relationship between the sovereign and his subjects. Although performing “liberality” remained at the discretion of the sovereign’s will and his state government, “using the archive” relied upon the interest and efforts of his subjects. In regard to power relationships, this newly es-

⁴⁴ BayHStA MInn 41370 Request 1.3.1827.

⁴⁵ BayHStA MA 72004/49 Request 16.3.1818; MInn 42480 Writ 23.6.1868; MA 72004/46 17.12.1817.

⁴⁶ Cf. BayHStA G Berlin 1286 Writ 27.3.1871; cf. Hölscher, *Geheimnis*, 124; Wegener, *Der geheime Staat*, 128–130.

⁴⁷ A. Gestrich, *Absolutismus und Öffentlichkeit. Politische Kommunikation in Deutschland zu Beginn des 18. Jahrhunderts* (Göttingen: Vandenhoeck&Ruprecht, 1994), 59, 60. In regard to the opening of the public sphere in Bavaria at the end of the eighteenth century, see M. Schaich, *Staat und Öffentlichkeit im Kurfürstentum Bayern der Spätaufklärung* (München: Beck, 2001), 461, 462, 464.

⁴⁸ BayHStA GDion 1205 Draft 4.4.1854.

⁴⁹ Hence the King’s support of the “beautiful purposes” of history societies, see BayHStA GDion 1210; cf. Kunz, *Verortete Geschichte*, 65ff.; Clemens, *Geschichtsvereine*, 306.

established connection between sovereign and subject was, albeit unevenly so, interdependent.⁵⁰ The construction of the modern state of ‘New Bavaria’ required the agency of both the sovereign and his subjects. Additionally, they had also to assume particular roles. Performing liberality in archival matters, the sovereign acted as ‘the first servant of his country’ as he rendered the royal treasures available to the public, echoing the recent political transformation of the Kingdom and the political differentiation between dynasty and state; supplicating for access to archives, subjects actively engaged with the building of the new Bavarian nation by unearthing its past. The interplay of both parties was meant to intensify the emotional ties towards the recently established political artefact and to enhance social cohesion within it.

To conclude, “using the archive” became a salient feature of state governance, emerging during the era of reforms in the early nineteenth century. Whilst the wider political reforms of this period sought to centralise and coordinate the administration and governance of the state, the admittedly minor issue of “using the archive” was nevertheless employed as a way to enhance the social cohesion of the recently acquired areas of ‘New Bavaria’. The “opening of the archives” also allegedly allowed sovereign and subject to ‘directly’ interact, although only through a form of political communication rooted in the tradition of supplications.⁵¹ This exchange was, on a symbolic level at least, characterised by a mutual independence of both parties: petitioners relied on the sovereign’s mercy and liberality, while the monarch depended on the performance of his subjects. Provided the sovereign granted the requests of his subjects, the interaction of both supposedly contributed to the political stability, cultural wealth and the general modern design of monarchic rule in ‘New Bavaria’.

IV. THE ADMINISTRATIVE THRESHOLD AND ITS ORGANISATION

Despite the symbolic dimension of “using the archive”, requests and their approvals were not simply exchanged between the sovereign and his subjects; these dialogues were interposed by the state administration. Although the “performance of liberality” by the monarchic ruler may have been cast in metaphors of light, the administrative decision-making process behind any such performance remained quite literally ‘in the dark’. Using the case of Heinrich von Sybel as example, the ‘petitioner’ was deliberately excluded from the considerations and subsequent actions of the state officials, considerations and actions that would ultimately facilitate his examination of the slightly ‘modified’ file. Regulating access to the state’s secret sphere was a persistent element of the politics of the archive: necessarily this politics were also a matter of secrecy. Thus, the questions arises as to how the state administration dealt with the incoming request.

⁵⁰ Dolezalek, *Suppliken*, 94; cf. J. H. Kumpf, Art. “Petition”, HRG, vol. 4, 1639-1646, 1639.

⁵¹ Cf. Kumpf, *Petition*, 1639; Dolezalek, *Suppliken*, 94; G. Schwerhoff, “Das Kölner Supplikenwesen in der frühen Neuzeit. Annäherungen an ein Kommunikationsmedium zwischen Untertanen und Obrigkeit”, *Köln als Kommunikationszentrum*, eds. G. Mölich and G. Schwerhoff (Köln: Du Mont, 2000), 473-496, 490; A. Holenstein, ‘Gute Policy’ und lokale Gesellschaft im Staat des Ancien Régime. Das Fallbeispiel der Margrafenschaft Baden(-Durlach). 2 vols (Ettenheim: Bibliotheca Academica, 2003), vol. 2, 282-304, 300; M. Stolleis, “Die Idee des souveränen Staates, in Entstehung und Wandel verfassungsrechtlichen Denkens”, *Der Staat*, 11 (1996): 63-85, 83.

The “request for using the archive” (*Archivbenützungsgesuch*) was a request in the very sense of the word: a humble and immediate request to the authority, and thus directly addressed to the sovereign. As early as 1799, an instruction was issued to manage the numerous supplications submitted to the sovereign: instead of delivering all kinds of requests to the monarch himself, any requests were to be recorded by the Cabinet’s secretary and submitted to the relevant ministries, before any further action was taken.⁵² Following due deliberation by the state administration, the sovereign opted either for approval, confined permission, or rejection respectively⁵³ – decisions arrived at by either refuting or accepting the requests of his administration. The “use of the archive” was thus a governmental affair, requiring both the expertise of state officials and the approval of the sovereign: an issue that reflected the enhanced significance of the Bavarian state administration as well as the persistent ideal of the overall responsibility and immediate competence of the sovereign in all matters.⁵⁴

Despite their subordinate position, the directors of state archives held a crucial position in the decision making process. The failed request of the writer Alessandro Volpi is a pertinent example to this. Whilst being received in audience by King Max II in autumn 1859, the writer directly asked the King to use the archives who subsequently passed down the request to his state government. The initial sympathy with writer’s matter notwithstanding, the King ultimately rejected Volpi’s request, a move that was essentially prepared by the director of the *Reichsarchiv* and grounded in his expert opinion.⁵⁵ Interestingly, Rudhart insisted on highlighting the problems posed by Volpi’s oral presentation of his plea and thus he defied the petitioner’s procedurally illegitimate access to the King, and implicitly alluded to the ordinary course of business.⁵⁶ The competence of directors, their encompassing administrative performance and the far-reaching consequences thereof afforded them a strategic position in the administrative procedure.

The entering of subjects into the state’s *secrete* sphere was a precarious act, one that threatened the integrity of the *arcana*. The transgression of this line by subjects necessitated the supervision of access to, and the use of, archival knowledge. Thus,

⁵² Cf. “Nr. 8 Protokoll der Geheimen Staatskonferenz vom 4. Mai 1799”, *Die Protokolle des Bayerischen Staatsrates 1799-1817, Vol I. 1799-1801*, eds. E. Weis and H. Rumschöttel (München: Historische Kommission bei der Bayerischen Akademie der Wissenschaften, 2006), 82ff., 83 (§3); R. Stauber, “Verwaltung im Übergang. Die Protokolle der Geheimen Staatskonferenz, des Staatsrats und des Geheimen Rats in der Ära Montgelas 1799-1817”, *Grundlagenreihe der modernen bayerischen Geschichte. Staat und Politik im Spiegel der Regierungsprotokolle des 19. und 20. Jahrhunderts*, ed. D. Willoweit (Göttingen: Vandenhoeck&Ruprecht, 2007), 15-45, 44.

⁵³ Cf. BayHStA GDion 1204 Writ 19.9.1873, 30; Writ 5.4.1887, 73; GDion 1204 Copy 30.11.1875, 63.

⁵⁴ See also the signature of the King, approving the request prepared by his government, BayHStA MA 72103 Request 22.3.1862; cf. Stauber, *Verwaltung im Übergang*, 41, 43; B. Grau, “Archivalische Quellen. Monarch und Kabinett – Protokollserien zum Regierungshandeln in Bayern 1817-1919”, *Grundlagenreihe der modernen bayerischen Geschichte. Staat und Politik im Spiegel der Regierungsprotokolle des 19. und 20. Jahrhunderts*, ed. D. Willoweit (Göttingen: Vandenhoeck&Ruprecht, 2007), 46-69, 57-58.

⁵⁵ BayHStA MA 72203 Writ 16.12.1857; MInn 41944 Writ 4.12.1857.

⁵⁶ In regard to the particularly strong position of Bavarian state officials and the *Staatsdienerpragmatik*, see Weis, *Montgelas*, vol. 1, 183; Weis, *Montgelas*, vol. 2, 254-256; D. Götschmann, *Das bayerische Innenministerium 1825-1864* (Göttingen: Vandenhoeck&Ruprecht, 1993); M. Krauss, *Herrschaftspraxis in Bayern und Preußen im 19. Jahrhundert* (Frankfurt a.M.: Campus, 1997), 189ff.; Münckler, *Staatsräson*, 168, 242; Stolleis, *Staat*, 82.

directors of state archives examined each request, an undertaking comprising a tacitly defined set of concerns and a series of administrative acts that, after several decades, partially manifested themselves in written regulations. In following the inherent order of this administrative procedure, archivists reconsidered and reinterpreted the standardised set of concerns, judging their validity against their current context: supported by very few collaborators,⁵⁷ they checked the accuracy of the request; ascertained any potential for conflict with immediate state interests; assessed the content and the quality of the material; evaluated the “personality” of the petitioner;⁵⁸ and, finally, considered any links between the historical period of interest and the present political affairs.

A first concern of the directors’ scrutiny was the request itself, highlighting again their particular competence. All petitioners were obliged to “confine and precise their wishes”; their requests were supposed to provide accurate information about “the period of time, the topic, the person and the place”, as well as possibly details about any files of particular interest.⁵⁹ The ultimate aim of such comprehensive declarations was to help exactly define the petitioner’s desired scope of insight into the state’s archives. If projects were considered too broad, petitioners were urged to “determine the particular object of [their] investigation” and to provide a “detailed plan” of the project in question.⁶⁰ The required details helped to limit the work effort and, at the same time, they enabled the monitoring of the petitioner’s true “intentions”, i.e. the lack of any political motifs.⁶¹ However, the directors’ performance and the requirements of request coalesced *in actu*. In examining requests, directors of state archives assumed the role of gatekeepers: in their hands the petitioner’s requests transformed into a medium of administrative control.

V. THE INSPECTION OF ARCHIVAL MATERIAL: ALLOCATING AND SILENCING

In their search for material, archivists were faced by no means with a static and complete archival order. Instead, the continuing processing of records and files was underway and a large extent of the archives’ items were in use by various other offices of the state administration. Provided the incoming supplication letters contained concrete details about files or documents, the small group of staff sought to locate the desired material. Depending on the request’s origin however, archivists also broadened their investigations, furthering their search for materials in diverse directions. In this way, requests often induced additional efforts in filing the government’s documents and stimulated the development of the archivists’ expertise in archival mat-

⁵⁷ In 1828, the director of the *Reichsarchiv* relied on two officials, four trainees and one secretary. While the latter were usually busy with deskwork, the official archivists were in charge of the appropriation and integration of further material kept in other archives or collections; in 1876, the director was supported by three assessors, two officials, two servants, and three secretaries; W. Volkert, “Zur Geschichte des Bayerischen Hauptstaatsarchivs 1843-1944”, *Archivalische Zeitschrift*, 73 (1977): 131-148, 133; F. Löher, “Das bayerische Archivwesen”, *Archivalische Zeitschrift*, 1 (1876): 170-180, 171, 172.

⁵⁸ BayHStA Minn 41944 Writ 4.12.1857; GDion 1204 Writ 19.9.1873, 39ff. (§4); Writ 5.4.1887, 73, 74.

⁵⁹ BayHStA GDion 1204 Writ 26.5.1869, 13; MA 72234 Bestimmungen für die Benützer des kgl. Bayer. Geheimen Staatsarchives 1900, §1; MA 41426 Writ 30.11.1834.

⁶⁰ BayHStA Minn 41384 Writ 15.12.1847; MA 72004/44 Writ 4.6.1816.

⁶¹ BayHStA MA 72004/47 Request 9.1.1828.

ters.⁶² Additionally, the search for a particular document occasionally corrected false assumptions about the location of required materials.⁶³ The medical doctor Ernst Solger, for instance, was looking for a certain document for his biography on Konrad von Boyneburg (*1494, †1567); the director of the *Geheime Staatsarchiv* ultimately disappointing him, citing the lack of any such document.⁶⁴ Instances of absent material were not necessarily rooted in a deficiency of documentation however. Often archivists neglected the documents amassed during the course of the secularisation and mediatisation of the Bavarian state, their archival processing remaining halfway; and, in 1873, it was stated that the existing inventories were “of highly variable quality”.⁶⁵ Moreover, the governmental affiliation of state archives also thwarted efforts to obtain a complete overview of an archive’s holdings – only a limited range of material was ever available, the “ongoing course of administrative business”⁶⁶ keeping a certain proportion of it in constant circulation between various offices. Records and files had to be, at least “to some degree[,] mastered”⁶⁷ by the government before they were completely dispensable for historical studies.

In principle, the search for archival material entailed the reading of that very same material: “piece by piece the archival documents are carefully inspected”.⁶⁸ Examining the material had its historical effects as the officials learned about the past.⁶⁹ More importantly, scrutinising requests as they were, directors were prone to judge the historical studies according to their own understanding of ‘science’, ‘research’ and ‘history’. For these state officials, the “correction of the chronology of the Fatherland’s history”⁷⁰ or the revision of badly edited copies of medieval documents were valuable investigations; studies of seemingly exhaustingly explored historical topics or the use of published manuscripts, however, were deemed superfluous.⁷¹ Certainly, any study of the history of the fatherland was generally appreciated, particularly given the rationale of the ‘liberal’ archive policy in ‘New Bavaria’. Investigations into the “History of the Directority [of] Passau”, the “History of Commerce and Trade in the Middle Ages”, or the History “[of] the Jews in the town [of] Bamberg”⁷² were examples of studies that matched with the political agenda of ‘opening the archive’.

A further aspect of the directors’ practice was the allocation of material. The directors generally gauged the relevance of materials they located in regard to the petitioner’s historical study. Perusing through their holdings, the director and his few

⁶² BayHStA MA 72003 Writ 18.9.1908.

⁶³ BayHStA MA 72004/47 Writ 25.7.1820.

⁶⁴ BayHStA MA 72482 Writ 16.5.1867.

⁶⁵ BayHStA MA 71935 Darstellung des k.b. Archivwesens (Denkschrift) 1873, 26; Weis, *Montgelas*, vol. 2, 621; R. Heydenreuter, “Maximilian Prokop Freiherr von Freyberg-Eisenberg (1789-1851). Ein Archivarsleben zwischen Poesie und Wissenschaft”, *Archivalische Zeitschrift*, 80 (1997): 156-180, 167.

⁶⁶ K. Zeiss, “Repertorisierung der Akten des dreissigjährigen Kriegs im Reichsarchiv zu München”, *Archivalische Zeitschrift*, 11 (1886): 259-272, 260; cf. BayHStA MInn 41429, 20.10.1834, 5.11.1834.

⁶⁷ Zeiss, *Repertorisierung*, 260.

⁶⁸ BayHStA GDion 1204 Writ 18.12.1880, 71; cf. Writ 27.10.1831, 1; BayHStA MA 71935 Darstellung des k. b. Archivwesens (Denkschrift) 1873, 34.

⁶⁹ BayHStA MA 72004/47 Writ 25.7.1820.

⁷⁰ BayHStA MInn 41361 Writ 15.5.1826; MInn 41364 Writ 11.4.1826;

⁷¹ BayHStA MA 72004/49 Writ 28.3.1818.

⁷² BayHStA MA 72004/6 Request 24.2.1816; Request 15.2.1818; Request 2.4.1819; MA 72004/42 30.5.1807, MA 72004/47 8.10.1820, 17.12.1817; cf. MInn 41375 Request 11.6.1829; GDion 1204 Writ 31.3.1869, 11; MInn 41364 Writ 11.4.1826.

collaborators occasionally came across this or that document, record or file, not always considering the pieces essential for the “purpose” of the petitioner’s historical project.⁷³ By defining the “purpose” of petitioners’ studies, archivists made decisions on what information was required or appropriate; they allocated and silenced archival material, defining the material order and thus the scope of archival research.

Unsurprisingly, directors generally reserved all materials interfering with potential state interests. Any material referring to contested borders, territorial questions, fiscal rights, or scandalous information about the sovereign’s dynasty (or relatives) was not rendered accessible. The “usual caution”⁷⁴ guided the directors’ scrutiny, serving to prevent any harm to Bavarian state interests; if any doubt arose, the directors were compelled to ask the superior authority for advice on the individual matter. A generally sensitive issue, for example, was the former secularisation of Imperial convents and cloisters, undertaken at the beginning of the nineteenth century.⁷⁵ This sensitivity affected the request of Baron Emil Marschalk, who busied himself with a biography about Bishop Johann Philipp von Bamberg (*1555, †1609): any documents about the supervision of cultural affairs (*Cultusaufsicht*) at the Dominican’s cloister, or with any reference to the forest laws of the former convent, were considered delicate and withheld from use.⁷⁶ The silencing of such ‘sensitive’ archival material by the Bavarian state was common throughout the nineteenth century, where information on the violent acts of appropriation that had marked the beginning of ‘New Bavaria’ was deliberately kept from entering the public sphere.⁷⁷

To conclude, the directors of state archives held a significant strategic position due to their role as examiners in the administrative procedure, and their immediate and unlimited access to files and records. They were in a position to select material prior to any external access to it and, as a consequence, to define the purpose of a project; searching and inspecting, they determined the ‘opening’ of the archive and the extension of it, i.e. the part of the archive that was rendered accessible. At this particular stage, administrative production of “epistemic things”⁷⁸ for historical studies was to a large extent at their discretion.

VI. THE EXAMINATION OF THE PETITIONER: CHARACTER AND CREDIBILITY

A further source of “objections” was the petitioner’s personality. Each petitioner had to “legitimize” his personal identity.⁷⁹ Petitioners such as the priest Dr Geiss of Munich, the lawyer Dr Daxenberger (*1809, †1878), or the priest Heyd of Markgröning⁸⁰ were deemed reliable due to their relationship to the Bavarian monarchy; the credentials of these petitioners rooted apparently in their affiliation with the state.

⁷³ BayHStA MA 72004/16 Writ 7.9.1847; see also MA 72004/47 Writ 9.1.1828.

⁷⁴ BayHStA GDion 1204 17.2.1854, 8; Cf. Minn 41429 20.10.1834; Minn 41400 Writ 12.3.1832.

⁷⁵ BayHStA GDion 1204 Writ 7.12.1867, 10.

⁷⁶ BayHStA GDion 1204 Copy 30.11.1875, 63.

⁷⁷ BayHStA GDion 1204 Writ 19.9.1873, 39ff.

⁷⁸ H. J. Rheinberger, “Experiment and orientation. Early systems of in vitro protein synthesis”, *Journal of the History of Biology*, 26 (1993): 443-471, 470.

⁷⁹ BayHStA GDion 1204 Writ 5.4.1887, 73; MA 72234 Bestimmungen für die Benützer 1900, §6.

⁸⁰ BayHStA Minn 41426 Request 21.6.1834; Minn 41438 Request 30.3.1834; Minn 41439 Request 23.4.1836; Minn 41413 Request 13.6.1833; Minn 41417 Request 17.8.1833.

Petitioners were almost exclusively male. For women, asking for the use of the archive for historical purposes was not explicitly prohibited.⁸¹ Rather, in consideration of gendered roles, spheres and locations in the nineteenth century, female petitioners asked in significant different manner. The very few women who submitted a request lacked either historical interest or they did not use the material *in loco archivi*;⁸² an implicit rule guided the practices of women and men. The affiliation of state archives with the state government, and so with high politics, effectively excluded women from studying the exclusive clues kept within them, but this obstacle did not hinder some women from asking for the delivery of an excerpt or a copy.

Men could help to further the official's trust in the petitioner's "character" by previous investigations *in loco archivi*.⁸³ Insight into a petitioner's personality could also be gained from examining their publications on the fatherland's history; these manifestations allowing the political tendencies and character of the petitioner's archival work to be traced. If trust had been established once (and not disappointed), it would serve again to pave the way to the archives. In 1829, Georg T. Rudhart, by then professor at a Gymnasium in Bamberg, asked for the use of materials kept in the *Landesarchiv*. Rudhart's "thorough research about the origins of Bavaria" and "about Thomas Morus" underpinned his scholarly interest and so he enjoyed the support of the authorities.⁸⁴

Georg T. Rudhart was a member of a particular milieu of petitioners. Like the librarian Karl August Muffat, the archivist Johann Nepomuk Buchinger (*1781, †1870; 1821-52), or the historian August Kluckhohn (*1832, †1893), Rudhart was not only a subject of the Bavarian Crown but also in the pay of the Bavarian King. His personal "integrity"⁸⁵ was assumed in view of his status as servant of the Bavarian state. In this respect, the examination of the request of the historian August Kluckhohn is quite revealing. The archivist supported Kluckhohn's use of several "very useful files" regarding Baron von Ickstedt's past, "even if the items allow [the conclusion of] anything embarrassing"; he assured himself that the university professor would surely "use" the files "with the due discretion of a royal Bavarian state servant".⁸⁶ There is no doubt, however, that Kluckhohn's local scholarly reputation was of help, too. Prior to his research about Baron von Ickstedt, Kluckhohn had investigated the life of the Bavarian Duke Ludwig the Rich (*1417, †1479); his work based on material in the *Geheime Hausarchiv* and *Geheime Staatsarchiv* earning him academic distinction, royal acknowledgement and a prize from the *Historische Kommission*.⁸⁷ A denial of his request was unlikely, for he was a historian known well among the scholarly circles in Munich.

Researchers from abroad faced less favourable circumstances.⁸⁸ The lack of a pub-

⁸¹ Cf. B. G. Smith, "Gender and the practices of scientific history. The seminar and archival research in the nineteenth century", *American Historical Research*, 100 (1995): 1150-1176, 1174.

⁸² For example, Johanna Streber asked for a copy of a document related to property matters, BayHStA MInn 41677 Request 22.6.1857; Writ 24.3.1857; Alexandra Braunschild asked for a facsimile of a letter by Richard Wagner for a book publication, MA 72094 Request 3.9.1910; Writ 10.9.1910.

⁸³ BayHStA GDion 1204 Writ 19.9.1873, 39ff. (§4).

⁸⁴ BayHStA MInn 41384 Writ 2.8.1829; MInn 41384 Writ 15.12.1847; MInn 41439 Writ 29.9.1851.

⁸⁵ BayHStA GDion 1204 Writ 19.9.1873, 39ff.

⁸⁶ BayHStA MInn 42480 Writ 23.6.1868.

⁸⁷ BayHStA MA 72103 Writ 22.3.1862.

⁸⁸ At least for the inspection of material kept in the *Reichsarchiv* this requirement was rendered super-

licly approved and legitimized personal identity – a public face – was an obstacle that had to be overcome. Usually, the legations of other European states in Munich provided their scholars with reference letters,⁸⁹ guaranteeing for the petitioner's genuine professional interest. Similarly, legations in other German cities mediated requests, institutions such as the *Akademie der Wissenschaften* also exchanging personal data in order to support investigations of foreign researchers.⁹⁰ The historian Philipp Jaffé (*1819, †1870), for example, was in a very good position when asking for access to the *Reichsarchiv*: he possessed both a recommendation by the Prussian Legation and a "certificate"⁹¹ from the *Gesellschaft für ältere deutsche Geschichtskunde*. Doing archival research on behalf of a Historical Society, or an institution such as the *Germanische National Museum*, underpinned the genuine historical interest in archival knowledge.

An established personal identity did not always necessitate the approval of a request to use the archive however. To state officials, foreign researchers were delegates of their state of origin; petitioners represented the state government of their country and its policy in the past and the present. For instance, in 1834, Anders Fryxell (*1795, †1881) asked for access to the collection of the Thirty Years War kept at the *Geheime Staatsarchiv*. Since the material about the Thirty Years War was very popular among foreign scholars, initially neither the Foreign Secretary nor the Secretary of the Interior voiced any "particular objection" against the Swedish historian's request.⁹² The Director of the *Hof- und Staatsbibliothek*, too, approved the request "without concern"; he did, however, remind the State Secretary Ludwig von Oettingen-Wallerstein (*1791, †1870; 1832-37) that, very recently, the *Reichsarchiv* had delivered a collection of documents about Swedish History to the Swedish Government without subsequently receiving the agreed "reciprocum".⁹³ The Director concluded that Fryxell's interest possibly contained similar intentions, and may prompt further demands on the part of the Swedish government. The danger of the loss of other archival possessions loomed large, and thus permission was only granted in a limited way whilst the aforementioned "reciprocum" was still not evident.⁹⁴

VII. THE PRESENCE OF POLITICS: THE ADMINISTERING OF TIME

A third dimension in the examining of petitioners' request was time. In 1827, Joseph Hormayr⁹⁵ manifested his awareness of the temporal dimension when supplicating for the use of archival sources in Munich:

The epoch of the Babenbergs, coming already to an end in the middle of the thirteenth century, lacks any connection with any, nowadays present internal or external state interest [...].

fluous in the 1870s, BayHStA MA 71935 Darstellung des k. b. Archivwesens (Denkschrift) 1873, 36. Compare differently for the *Geheime Staatsarchiv* BayHStA MA 71935 Darstellung des k. b. Archivwesens (Denkschrift) 1873, 10; cf. MA 72234 Bestimmungen für die Benützer 1900, §6.

⁸⁹ Cf. BayHStA MA 50930 Writ 16.7.1862; cf. MA 72004 Writ 6.7.1847.

⁹⁰ BayHStA MA 72004/47 Writ 9.1.1828.

⁹¹ BayHStA MInn 41941 Writ 23.9.1857.

⁹² BayHStA MInn 41429 Writ 1.10.1834; Writ 15.10.1834; GDion 1204 Writ, 27.10.1831, 1; cf. Zeiss, *Repertorium*, 259.

⁹³ BayHStA MInn 41429 Writ 19.10.1834.

⁹⁴ BayHStA MInn 41429 Writ 22.11.1834.

⁹⁵ J. Hemmerle, "Hormayr und Bayern (1826-1832)", *Archivalische Zeitschrift*, 73 (1977): 112-130.

– Since 1792 and again since 1815 the shaping of an entirely new world has occurred, so that the treaties of the 17th and 18th century are antiquities as much as those of the fifteenth and sixteenth century.⁹⁶

By pointing out the temporal difference between the past and the present, Hormayr was able to presume a difference in political relevance between the antiquities of foregone ages and potential contemporary state interests. However, “the usual caution”⁹⁷ made Bavarian archivists to consider time differently. In practise, Bavarian officials differentiated between three notions of time: besides the taboo of current ongoing administrative affairs (the present), there was the modern period beginning around 1500, and before that the ‘past’.

The ‘past’ was a period of time which “lacked any link” to the present.⁹⁸ Due to this temporal gap, officials considered there to be only one final relevance for information that belonged in this category: “historical”, or, as it was also dubbed by contemporaries, “literary interest”.⁹⁹ This notion of time, applied to all material of the medieval period, was the main reason for the unhesitant approval of requests that related to records of this period. Whether codex, bull, or chronicle, historical research about the middle ages was, from a governmental point of view, a very convenient matter.

In contrast, the modern period was considered critical for the present and its political formation. Due to its persistent connection to present affairs, the end of this period of time was never determined. The notion of this span of time was unstable and lacked any clear fixation; political occurrences, shifting alliances and the unanticipated dangers of the present could directly influence the political potential, and thus transform the quality, of recent archival material. The conception of the modern period was, as a result, highly subject to the dynamics of current political affairs. Consequently, redefining the modern span of time, archivists realigned the access to archival material with the current state of affairs and thus administered the essential object of historical research, i.e. time.

The weight of political affairs and their presence in archival matters becomes plain in the rejection of the request by Leopold von Ranke in 1867. The historian wanted to investigate a territorial exchange between the Netherlands and Bavaria at the end of the eighteenth century.¹⁰⁰ However, the director of the *Geheime Staatsarchiv*, Baron von Aretin, could not conceal that “at the present moment, [he] considered the delivery of a copy of material concerning the territorial exchange to a Prussian historian very precarious”.¹⁰¹ Consequently, a writ from the Ministry of external affairs informed Ranke of the rejection of his request and also instructed the historian about the political nature of the *Geheime Staatsarchiv*, which “is secret in accordance with its definition” and thus necessarily “prohibits any alien use” (*fremde Benützung*).¹⁰²

At first glance the decision about Ranke’s request seems to be surprising. In 1831, Ranke had been a welcomed visitor of the houses of knowledge in Munich.¹⁰³ More importantly, he was an influential figure in scientific affairs during the 1850s: he had

⁹⁶ BayHStA MInn 41370 Request 1.3.1827.

⁹⁸ BayHStA MInn 41370 Request 1.3.1827.

¹⁰⁰ BayHStA MA 72432 Request 1.10.1867.

¹⁰² BayHStA MA 72432 Draft 8.10.1867.

¹⁰³ BayHStA MInn 42431 Request 10.2.1831, Draft 16.2.1831.

⁹⁷ BayHStA GDion 1204 Writ 17.2.1854, 8.

⁹⁹ BayHStA MA 72004/18 Writ 28.5.1810.

¹⁰¹ BayHStA MA 72432 Copy of Writ 25.7.1867.

been offered a professorship at the University of Munich in 1853 and had played a pivotal role in the foundation of the *Historische Kommission* of the *Akademie der Wissenschaften* of which he was a member of the commission's directorial board for several years.¹⁰⁴ However, such facts came to count for nothing in 1867. Ranke's request had come, after all, not very long since King Ludwig II had given the mobilization order against separatist Prussia; the latter defeating Austria and members of the German Confederation, including the Bavarian Kingdom. The humiliation suffered by the Bavarian monarchy at the hands of Prussia would be further exacerbated in both monetary and political terms. Compelled to pay reparations, Bavaria was also forced to agree to a defensive and offensive alliance that provisioned Prussia's superiority in all military affairs in the event of war. In other words, in 1866, the monarchy had failed in securing its chief political goal, pursued throughout the nineteenth century: to guarantee the political independence and sovereignty of the Bavarian state, whilst also maintaining parity with those states that strove for hegemonic power in Central Europe. Bavaria was now at her nadir due to Prussian superiority. In accordance with the *arcana imperii*, the politics of the archives was to be realigned with the current political situation and thus, for a Prussian scholar, the doors to the Bavarian *arcana* remained closed.

To conclude, directors applied a standardised performance to examine three essential criteria, the petitioner, the material and the risk to any immediate state interests. In examining the petitioner's personality, his character, social and political status, or professional standing could come into play. Reference letters by state officials, professional bodies or private persons accredited the petitioner's profound historical interest in archival knowledge; former historical studies proved his reliability and loyalty. In the end though, it was the request as a whole that mattered. The diverse "relevant requirement[s]"¹⁰⁵ were regarded as individual aspects that had to be separately evaluated and, at the same time, gauged in regard to their interrelations. Thus the examination was itself a highly standardised form, notwithstanding matters of interpretation in a particular political and administrative context. Whether the ongoing business of the state administration, the state of archival processing, or current political affairs on a domestic or international level, the presence of political affairs made itself felt on the decisions suggested by state officials.

VIII. CHANGE AND CONTINUITY

"Using the archive" changed during the nineteenth century; this distinct administrative procedure was subject to change as much as the state administration and society surrounding this administrative matter. But, due to its close institutional affiliation with the state government, "using the archive" was persistently informed by notions and principles of *arcana imperii*. Though their strict application gave way to a somewhat more liberal handling, these principles did not dissolve.

Especially after the 1870s, notions and principle of archive policy affected by politi-

¹⁰⁴ BayHStA MA 26260 Writ 31.3.1853. Cf. F. Schnabel, "Die Idee und die Erscheinung", *Die Historische Kommission bei der Akademie der Wissenschaften* (Göttingen: Vandenhoeck&Ruprecht, 1958); L. Gall (ed.), "... für deutsche Geschichte und Quellenforschung". *150 Jahre Historische Kommission bei der Bayerischen Akademie der Wissenschaften* (München: Oldenbourg, 2008).

¹⁰⁵ BayHStA MA 72004/16 Writ 7.9.1847.

cal and administrative developments were subject to change. Above all, in line with the transformation and differentiation of state government and its administration,¹⁰⁶ particularly during the reign of Max II and Ludwig II, the director of the *Allgemeine Reichsarchiv* was bestowed with the granting of permission in the early 1870s; certainly, not without asking for the approval of the government in sensitive cases.¹⁰⁷ What is more, the political calculus of liberality in archival matters persisted, but the circumstances of Bavaria's archive policy changed, e.g. after the revolution of 1848 and the "Prussian usurpation of German history" after the foundation of the German Empire.¹⁰⁸ Pursuant to this, considering state interests and protecting the secrecy of the *arcana* changed, and measures taken by the government such as large scale editing projects, or the professional training of archivists, including history,¹⁰⁹ enhanced the idea of studying archival material. Generally speaking, some of the harsh and restrictive policies mellowed and the firm grip on historical research in state archives weakened while the implicit principles and tacit notions of administering archival knowledge still remained intact.

It was particularly the *Allgemeine Reichsarchiv* which proved to be more prone to a slightly more 'liberal' practice of administrative principles and notions, whereas the other central Bavarian state archives, the archive of the Wittelsbach dynasty, the *Geheime Hausarchiv*, and the central archive of the state government, the *Geheime Staatsarchiv*, continued to retain an air of secrecy in the nineteenth century. As the *Allgemeine Reichsarchiv* was considered less instrumental in pursuing governmental business, this state archive did not longer demand of foreign scholar prove of their identity, or it could afford to provide researchers with "complete parcels of archival material".¹¹⁰

A particular historical force in this process was the physical examination of records and files by researchers. The effect of the concrete use of documents *in loco archivi* made itself felt in several ways. In the *Reichsarchiv* this took on a physical form, with the dual governmental and 'literary' uses of the archive both requiring time and space. As early as the 1820s, the spatial conditions became apparently rather 'crowded'. Not helping this problem was the housing of the *Reichsarchiv* in the so-called Wilhelmine building, a complex that the archive had to share with other academic institutions. In addition to this, the process of the secularisation and mediatisation undertaken at the beginning of the nineteenth century had added vast amounts of archival material to the new universal archive of the Bavarian Kingdom; the subsequent 'opening of the archive' further complicating matters due to the need to provide the necessary space and time for initiated petitioners. The limited space soon began to lead the archive's personnel to become "annoy[ed]" at the presence of only very few petitioners, the confines also soon jeopardising the efficient supervision of visitors by the director.¹¹¹

¹⁰⁶ Stauber, *Verwaltung im Übergang*, 44.

¹⁰⁷ BayHStA GDion 1204 Writ 25.9.1873, 30; Writ 19.9.1873, 39ff; cf. BayHStA MA 71935 Darstellung des k. b. Archivwesens (Denkschrift) 1873, 34f.

¹⁰⁸ Körner, *Staat und Geschichte*, 197-202, 277, 278.

¹⁰⁹ In this line, the historical requirements of the archivist education and training were considered; BayHStA GDion 1205 Writ 29.7.1854.

¹¹⁰ BayHStA MA 71935 Darstellung des k. b. Archivwesens (Denkschrift) 1873.

¹¹¹ BayHStA MIInn 41426 Writ 1834.

In 1832, King Ludwig I ordered the building of a new edifice for both the *Hof- und Staatsbibliothek* and the *Allgemeine Reichsarchiv*. The design of the archive in *Ludwigstraße* deliberately provided space for the holdings of the state archive and its administration (archive personnel and chancellery); two rooms also being dedicated for the dual usage of “present scholars granted insight and use in loco”¹¹² and the presentation of records and files from the *Geheime Staatsarchiv*. The presence of private persons and their concrete use of archival material transformed into an established facet of the *Reichsarchiv*’s institutional culture.

IX. CHANGING RULES, PERSISTING PRINCIPLES

The state administration increasingly codified established procedures, strengthening the basic notions and principles regarding the use of archival material. Again, a driving force in this process was the examination of records and files, and its physical effects. In the early nineteenth century, the submission of archival material to an external locality was a common and regulated administrative procedure, although it lacked any detailed written regulation. An essential condition for the approval of the request of Rudhart in 1829, for example, was that the required materials were submitted “from office to office”, from the *Reichsarchiv* in Munich to the district government in Regensburg;¹¹³ the archival material was only entrusted to the petitioner “under the guarantee of the locality of the government”.¹¹⁴ In 1867, under similar conditions, the *Reichsarchiv* submitted the *Codex Laureshamensis* to Georg H. Pertz (1795, †1876) in Berlin – an important change to note being that, by this stage, the delivery of archival material had been limited to famous scholars.¹¹⁵ Two years later, a request for the *Lonsdorfer Codex* prompted the instruction of detailed requirements for any delivery: the duration of use was confined to two to three months; consideration of the material’s condition was mandatory; the delivery had to be undertaken by an archive or museum and not by ordinary mail; and only very famous foreign scholars were to be considered.¹¹⁶ A decade later, it was finally concluded that, if at all, the delivery of archival documents to foreign scholars should be undertaken in very rare cases only.¹¹⁷

Sufficed to say, time did not better the material conditions for the delivery of medieval documents and codices. The frequent requests for this kind of access to material prompted the confinement and then, ultimately, the abolition of the delivery of archival material. During the nineteenth century the number of historical scholars searching for exclusive clues in state archives increased, and there were often more than just two or three distinguished scholars interested in studying this or that medieval document. More importantly however, the use (and increasing frequency thereof) of archival material throughout the course of the nineteenth century ren-

¹¹² According to Volker, *Bayerisches Hauptstaatsarchiv*, 133.

¹¹³ BayHStA MInn 41385 Request 14.7.1829.

¹¹⁴ BayHStA MInn 41385 Writ 2.8.1829.

¹¹⁵ BayHStA MInn 42444 Writ 29.11.1867; cf. GDion 1204 Writ 31.3.1869, 11.

¹¹⁶ BayHStA GDion 1204 Writ 31.3.1869, 11; cf. MA 71935 Darstellung des k.b. Archivwesens (Denkschrift) 1873, 36.

¹¹⁷ BayHStA GDion 1204 Writ 9.1.1878, 68f.; cf. F. Löher, “Vom Beruf unserer Archive in der Gegenwart”, *Archivalische Zeitschrift*, 1 (1876): 3-74, 70-72. Similarly, the *Geheime Staatsarchiv* prohibited the delivery of any archival materials; MA 72234 Bestimmungen für die Benützer 1900, §14; e.g. MA 72234 Writ 1.6.1906.

dered it necessary to put and modify regulated practices into writing. Accordingly, the examination of documents was increasingly bound to the institutional site of the archive: the demand for archival material strengthened the traditional site for archival research and its fundamental principle, *in loco archivi*.¹¹⁸

Besides the aforementioned exception, a common rule was that all “archival documents [were] only to be used in loco archivi & coram Archivario”¹¹⁹. Reading and excerpting material was only allowed at the confined site of the archive and under the watchful eye of the director or an archivist.¹²⁰ The supervision in the archives included the careful registering of the required fascicle, both before its delivery and following its return.¹²¹ Nevertheless, whereas the performance of visitors in the archive was rendered visible as far as possible, the archive remained a site of secrecy.

In 1827, Joseph Hormayr had asked for access to the *Geheime Staatsarchiv*, including the use of the relevant inventories. Due to his own expertise as former Director of the Austrian Empire’s *Haus-, Hof- und Staatsarchiv* Hormayr was well aware of the strategic significance of this tool: “Without them one would be trapped in the vicious circle to find something that had been already found; because somebody, who wants to name a particular document, must know it in advance”.¹²² For Hormayr, only the inventory enabled the historian to accomplish former studies, and to explore new clues that had not been considered this far. Bavarian officials did not doubt the strategic advantage of a finding aid, but they did not accept his suggestion of sharing its use with outsiders. The permission to use this particular means would have enabled Hormayr to learn more than he was supposed to: when drawing up the inventory “a code” (*Chiffre*) had been invented, replacing the concrete labels of the relevant documents by an abstract signifier, hence screen the content of diplomas from “alien eyes”.¹²³ Thus, perusing through the finding aid, Hormayr would have been able to decipher the “code” and thus he would have learned about related records and files (or the lack thereof) not meant for public use, as well as the design of the “code”, meaning the arrangement of the holdings and the *Geheime Staatsarchiv* as a whole.

Although it was common practice to furnish private users and various institutions with lists of selected items or confined extracts of catalogues, complete access was generally not granted.¹²⁴ The main concern of such policies was supervision, meaning the strategic control of all available material kept in the archive. For officials, knowledge about the presence of material, or indeed the lack thereof, could possibly undermine the fundamental principle of the *arcana* (i.e. secrecy) and the basic *enjeu* of the archive (i.e. the advantaging of the government and the safeguarding of the state interests), thus compromising the government. Anybody excluded from this site of administrative rule was simply not meant to learn what one even-

¹¹⁸ BayHStA GDion 1204 Writ 27.10.1831; MA 71935 Darstellung des k.b. Archivwesens (Denkschrift) 1873, 35. In regard to the *Geheime Staatsarchiv*, MA 72234 Bestimmungen für die Benützer 1900, §14; Cf. Löher, «Beruf unserer Archive», 67f. 70-72.

¹¹⁹ BayHStA GDion 1205 Draft 4.4.1854; e.g. BayHStA GDion 1204 Writ 27.10.1831.

¹²⁰ BayHStA GDion 1204 Writ 7.12.1867, 10; in regard to the *Geheime Staatsarchiv*, MA 72234 Bestimmungen für die Benützer, §12.

¹²¹ BayHStA GDion 1204 Writ, 28.11.1838, 5f.; GDion 1205 Draft 4.4.1854.

¹²² BayHStA MA 41370 Request 20.12.1827.

¹²³ BayHStA MA 72004/47 Writ 9.1.1828.

¹²⁴ See for instance BayHStA MA 71939 Writ 6.4.1896.

tually could know. The strict prohibition of the use of inventory persisted, only giving way to a slightly more liberal handling in the *Reichsarchiv* in the last third of the nineteenth century. This change provides a further indicator to the, albeit slow and limited, change of “using the archive”: concerning material of the medieval period “well known researcher” or otherwise “trustworthy person” were only allowed to use the finding aids if they were in company with and in the office of the relevant archivist.¹²⁵

A further aspect of the principle *coram archivario* was “the presentation (and subsequent examination) of copies, excerpts and elaborate productions by the user”.¹²⁶ Each visitor was required to report about the concrete use of archival material, by surrendering the relevant excerpts to the director who, subsequently, submitted them to the “most superior authority”.¹²⁷ In this way, any indiscrete and disloyal use, or even a negligent inspection of record and files prior to a researcher’s examination, could be corrected. The tight grip on the concrete use of material alludes to an essential notion of archive politics: historical data retrieved from archive material remained the property of the state government. What is more, examining material and translating its content into notes and excerpts did not transform the origin of archival knowledge: neither the appropriation nor its transformation changed its governmental status. The interlacing of both the possession of archival material and the immaterial concept of its information provided the grounds for the far-reaching state control of the appropriation of records and files; the governmental authority was the only and persistent author of archival material.

In the early 1870s the strict monitoring of the researcher’s notes slightly mellowed as the *Reichsarchiv* abolished the censorship, but this institution lingered on in the *Geheime Staatsarchiv*.¹²⁸ More importantly, the notion informing this practice did not abide: in 1882, the purification of the Cabinet’s file of Max II was by and large informed by this very idea of archival knowledge as property of the state. The holdings of the *Geheime Hausarchiv* were “in the possession of the governing dynasty” in two ways:¹²⁹ the authority had produced and disposed of it. In being the proprietor as well as the producer,¹³⁰ the ‘making’ of the file and the permission to use it were completely at the discretion of the state government. Consequently, state officials lacked any scruples when modifying the material, although they had no doubt about the necessary confidentiality of the matter and their actions. Preparing the requested file for the writing of the History of the Origins of the *Historische Kommission* was, therefore, a standard routine of archival policy, and was informed by long standing notions and practises of the administration of archival knowledge.

¹²⁵ BayHStA MA 71935 Darstellung des k.b. Archivwesens (Denkschrift) 1873, 35; GDion 1204 Writ 20.10.1887; concerning the *Geheime Staatsarchiv*, MA 72234 Bestimmungen für die Benützer 1900, §§16, 28.

¹²⁶ BayHStA GDion 1204 Writ, 28.11.1838, 5f.; GDion 1205 Draft 4.4.1854.

¹²⁷ BayHStA GDion 1204 Writ 28.11.1838, 5f.

¹²⁸ BayHStA MA 71935 Darstellung des k.b. Archivwesens (Denkschrift) 1873, 37.

¹²⁹ BayHStA MA 71935 Darstellung des k.b. Archivwesens (Denkschrift) 1873, 6.

¹³⁰ F. Merzbacher, “Ius Archivi. Zum geschichtlichen Archivrecht”, *Archivalische Zeitschrift*, 75 (1979): 135-147, 142.

X. DOING HISTORY AS LOCAL-SPECIFIC PRACTICE:
 SECRECY, ARCHIVES, AND HISTORY

For quite a while, the nineteenth century – in particular the early decades of the century – were considered the origins of modern (historical) sciences.¹³¹ It was this foundation myth that informed both the notion of (historical) scientific research and the theoretical conceptualizations of (historical) knowledge. Whatever label was attached to this idea of development (whether professionalisation, scientification, or disciplinization, to mention only a few),¹³² the resultant master narrative employed the idea of an origin and had a ready-made tale; the modernization of the modern (historical) sciences. Recent studies provide compelling cases to dispute such a narrative, urging not only a revision of our established views concerning historical research in the nineteenth century, but also a rethinking of the studying of history and the tacit notions that a theory of history employs.¹³³

In examining different aspects of research and its institutional and academic culture in nineteenth century Germany, studies of different strands of scholarship put this span of time under scrutiny. Most interestingly, the persona of the historian Leopold Ranke, epitomising the modernization of historical sciences, comes under scrutiny, too. While the figure of the ‘founding father’¹³⁴ serves as a point of reference here and there, recent studies allude to the Ranke myth, its uses and appropriations by later generations of scholars and the pivotal role that Ranke himself played in establishing this myth from the 1860s.¹³⁵ Furthermore, studies in the history of academic institutions have undermined the basis of the modernization thesis, arguing that institutional practices (e.g. examinations, recruitment) remained largely fixed and thus that change occurred rather slowly and more towards the end of the nineteenth century.¹³⁶ Ultimately, the kernel of the foundation myth, the installation of the research imperative through the Humboldt reforms in Prussia and subsequently in all German lands, has been revealed an invented tradition fabricated by scholars in the face of institutional changes in the early twentieth century.¹³⁷

¹³¹ S. R. Turner, “The Prussian Universities and the Research Imperative. 1806 to 1848” (Princeton University, Ph. D. dissertation, 1973).

¹³² Cf. H. White, “The Politics of Historical Interpretation. Discipline and De-Sublimation”, *Critical Inquiry*, 9 (1982): 113-137, 115, 116; J. Rüsen, *Historische Vernunft. Grundzüge einer Historik I: Die Grundlagen der Geschichtswissenschaft* (Göttingen: Vandenhoeck&Ruprecht, 1983).

¹³³ Cf. J. Tollebeek, “L’histoire quotidienne. Pour une anthropologie de la science historique moderne”, *Revue Suisse d’Histoire*, 61 (2011): 143-167.

¹³⁴ Cf. S. Berger, “Fathers and their Fate in European national Historiographies”, *Storia della Storiografia*, 59/60 (2011): 231-250; H. J. Paul, “Fathers of History. Metamorphoses of a Metaphor”, *Storia della Storiografia*, 59/60 (2011): 251-267.

¹³⁵ U. Muhlack, “Leopold Ranke, seine Geschichtsschreibung und seine Briefe. Zur Einführung in die neue Ausgabe der Ranke-Korrespondenz”, *Gesamtausgabe des Briefwechsels von Leopold Ranke. Vol. 1 (1813-1825)*, eds. U. Muhlack and O. Ramonat (München: Oldenbourg, 2007), 3-49.

¹³⁶ P. Moraw, “Humboldt in Gießen. Zur Professorenberufung an einer deutschen Universität des 19. Jahrhunderts”, *Geschichte und Gesellschaft*, 10 (1984): 47-91; S. Paletschek, *Die permanente Erfindung einer Tradition. Die Universität Tübingen im Kaiserreich und in der Weimarer Republik* (Stuttgart: Steiner, 2001); G. Lingelbach, *Klio macht Karriere: Die Institutionalisierung der Geschichtswissenschaft in Frankreich und den USA in der zweiten Hälfte des 19. Jahrhunderts* (Göttingen: Vandenhoeck&Ruprecht, 2003).

¹³⁷ Paletschek, *Erfindung*, 184, 185; further significant strands of scholarship: gender history, e.g. B. G.

In similar way, our modern contemporary notion of “the historical archive”¹³⁸ is projected on earlier historical periods.¹³⁹ As early as 1944, the Austrian archivists Joachim Prochno lamented that the archive is chiefly considered “an auxiliary institutions for scholarly research” whereas the remit of state archive as an “authority” goes unnoticed.¹⁴⁰ However, state archives were inextricably interlinked with the state government throughout the long nineteenth century. Given their institutional affiliation, the imposition of the *arcana imperii* on the administering of the exclusive clues about the past was the *conditio sine quo non* of the institutional transformation of state archives into resources for historical research. Historical interest in archival material had to be constantly reconciled with the principles and notions of archive politics. As a result, historical interest in state archives was to be examined; any appropriation of the archival material itself was placed under similar monitoring. Conditioned by the practices and notions of archive politics, historical research in state archives was rendered a feasible variant of using archival knowledge.

In this context, secrecy was instrumental in the administering of archival knowledge. The directors of state archives were at the forefront of great efforts by state officials to ensure that the secrecy of archival knowledge was maintained whilst the archives were increasingly ‘opened’ for historical purposes: any leaking of sensitive information that could compromise the government was to be prevented, for fear of rendering the very notion and existence of the *arcana imperii* superfluous. The necessity of secrecy informed, by and large, the examination of requests to use the archive, as much as the supervision of petitioners studying *in loco archivi*: relevant material undermining state interests was silenced; and clues about the archive’s holdings were concealed from “alien eyes”. By contrast, liberality in archival matters, this feature of the governance of the modern state, was cast in metaphors of light. This liberal ‘light’, however, was the result of a bundle of practices of archive politics, one that simultaneously revealed the transparent requirements and, at the same time, disguised the opaque manoeuvres at work – a result of manifest political gestures and confidential administrative considerations. ‘Light’ and ‘dark’ were inextricably interlinked whilst rendering archival material accessible. Metaphorically speaking, a state document kept in the ‘dark’ of the state archives could only be touched by the ‘light’, and thus transformed into “a source”¹⁴¹ of historical knowledge, after rounds of secret considerations by state officials in the secret sphere, very much taking place in the ‘dark’.¹⁴²

Smith, *The Seminar and Archival Research*; R. Habermas, *Frauen und Männer im Bürgertum* (Frankfurt a.M.: Campus, 2000); literary studies, e.g. D. Fulda, *Wissenschaft aus Kunst. Die Entstehung der modernen deutschen Geschichtsschreibung 1760–1860* (Berlin: deGruyter, 1996); and the analysis of the materiality of records and files, e.g. N. Davis, *Fiction in the Archives. Pardon Tales and their Tellers in 16th century France* (Stanford: Stanford University Press, 1987); Steedman, *Dust*, 38–65; Ann L. Stoler, *Along the archival grain. Epistemic Anxieties and colonial common sense* (Princeton: Princeton University Press, 2009); S. Jobs and A. Lüdtkke (eds.), *Unsettling History. Archiving and Narrating in Historiography* (Frankfurt a.M., Campus, 2010).

¹³⁸ D. Schenk, *Kleine Theorie vom Archiv* (Stuttgart: Steiner, 2008), 12, 26.

¹³⁹ Reininghaus, *Archivgeschichte*, 353.

¹⁴⁰ J. Prochno, “Zur Archivgeschichtsschreibung”, *Archiv für Kulturgeschichte*, 32 (1944): 288–293, 288.

¹⁴¹ M. Zimmermann, “Quelle als Metapher. Überlegungen zur Historisierung einer historiographischen Selbstverständlichkeit”, *Historische Anthropologie*, 5 (1997): 268–287.

¹⁴² Hölscher, *Geheimnis*, 127.

The opposition of light/dark is at the heart of various recent studies concerning “the archive”.¹⁴³ What matters, is not only the question as to what is visible and opaque, but its distinction as well as interlinking. In this particular respect diverse studies ranging from sociology, the philosophy of history, media theory and history do not differ in regard to their intention. In actual fact, they share some common ground here: they all, albeit in a different manner, seek to reveal the implicit power relationships at work. There is, however, a palpable difference concerning the understanding of the term archive:¹⁴⁴ Historians (and archivists as well) entertain the notion of concrete sites of archives and the diverse material “discontinuities”¹⁴⁵ held within them whereas media theories and the philosophers of history employ a theoretical and rather abstract idea of “the archive”, based on a very different aesthetic-intellectual experience: the reading of scholarly texts (in contrast to *writs*, for example). Most famously, Michel Foucault coined the collective singular “the archive” in his 1963 study *Archeology of Knowledge*, asserting that “the archive”, being a universal force and *historical a priori*, is responsible for generating any (historical) discourse.¹⁴⁶ Several decades later, and in a different manner, Jacques Derrida took it upon himself to “disseminate” the notion of “the archive” in accordance with his own philosophical style. The obvious theoretical differences of Foucault and Derrida’s approaches notwithstanding, it is my contention that their conceptualizations of “the archive” tend to re-singularise the notion of power, ultimately resulting in the establishing of a final, irreducible philosophical substantiation, a sort of “Wunderursprung”.¹⁴⁷ Such notions of archive not only carry the danger of establishing a theoretically confined viewpoint of “the archive” but also effectively employ the term’s association with power (due to its long term affiliation with the authority) while the notion of the archive tends to cloud the power relations at work, as well as their interplay. Instead of cementing a particular concept of “the archive”, I argue that our analysis and understanding of archives, both theoretically and historically, should be opened up. In doing so, we may render visible the multitude of more or less implicit/explicit power relationships, thereby revising our understanding of the different performances of doing history in the nineteenth century, as well as their results.

Remarkably, the very secondary use of archival material generated its own momentum. The dynamics that resulted from supplications to use the archive, the increase in their number and their individual demands prompted change within the institutional culture of state archives. The archive of lesser importance for the Bavarian state government, the *Allgemeine Reichsarchiv*, is a case in point: its new premises integrated the historical studying of archive material *in loco archivi*; the strict control

¹⁴³ See, C. Vismann, *Akten. Medientechnik und Recht* (Frankfurt a.M.: Fischer, 1999); W. Ernst, *Im Namen von Geschichte. Sammeln, Speichern - Er/zählen. Infrastrukturelle Konfigurationen des deutschen Gedächtnisses* (Frankfurt. a. M: Fink, 2004).

¹⁴⁴ For example, A. Farge, *Le goût de l'archive* (Paris: Seuil, 1988); Steedman, *Dust*, 38-65; Kleinberg, *Haunting History*, 136-141. In regard to the circulating notions, Schenk, *Kleine Theorie*, 13-14; P. Melichar, “Tote und lebendige Archive. Ein Begriff, seine Verwendungen und Funktionen”, *Zeitschrift für Österreichische Geschichtswissenschaften*, 18 (2007): 129-144.

¹⁴⁶ M. Foucault, *The Archeology of Knowledge* (Paris: Gallimard, 1972), 126-131, 127f. Cf. Ernst, *Im Namen von Geschichte*, 35, 44.

¹⁴⁷ M. Foucault, “Nietzsche, genealogie, et l’histoire”, *Dits et écrits* (Paris: Gallimard, 1994), 2, 133-156, 137; Steedman, *Dust*, 2, 6, 45.

concerning foreigners vanished; the censorship of notes was abolished; complete parcels of records and files were rendered accessible, and asking for the use of the archive was freed of tax and stamp. However, this institutional change is not to be conceived of as a linear and progressive development. Two parallel and seemingly paradox elements can be distinguished: the mellowing of measures and means of control, and the continuation of the principles of archival politics. This juxtaposition was due to the continuing governmental purpose of state archives: archivists were to held up high the principles of the *arcana imperii* while the historical studying of archival material enjoyed a somewhat more liberal handling.

Against this backdrop, it becomes plain that state archives in the nineteenth century do not provide a primeval scene for historical scholarship, neither historically nor theoretically: identifying present historical scholarship with the practice of archival research in the nineteenth century is misleading, and an overall theoretical identification of “the archive” with “the historian” ignores palpable differences, too. We must instead see state archives in the nineteenth century as the sites of increasingly frequent encounters between two opposing, albeit juxtaposed principles, secrecy and (public) research. These encounters sometimes required negotiations, prompted contested appropriations, conflicts as well as joint actions,¹⁴⁸ and, given the circumstances, potentially resulted in “empowering interactions”¹⁴⁹ for the benefit of both the authority and the researcher.

Recording doubts and concerns as they were, directors gauged the trustworthiness of the petitioner and authenticity of their asserted interest in the past. “Caution” was key in assessing requests to use the archive, as the administrative practice was defined by the exception and the potential risk of a leak or other abuse of insight into archival knowledge.¹⁵⁰ As a result, the successful initiation of a petitioner into the sphere of the *arcana* did not result into the establishment of a kind of permanently granted and superior initiate status, akin to a classic *rite de passage*:¹⁵¹ the insight granted was confined; the mobility of the petitioner restricted; his stay temporally limited; up to the late 1860s and early 1870s, notes and excerpts were subjected to the scrutiny of the state administration; and any further historical studies still required further requests. In contrast to a *rite de passage*, initiation to the archives required a frequently repeated examination of the petitioners, their historical interests and area of studies. This examination was embedded into a peculiar interplay of the sovereign and his subjects. First of all, a subject, supplicating for access, was willing to undertake the extraordinary effort to busy himself with studying the past. If the request did not go against the grain of the principles of archive politics (un-) limited approval followed, i.e. the sovereign entrusted upon the petitioner the archival treasures of the state. Petitioners would prove worthy of the sovereign’s investment of trust if they used material in a discrete, loyal and scholarly manner. In doing so, the petitioner served

¹⁴⁸ Ph. Müller, “Doing historical research in the early nineteenth century. Leopold Ranke, the archive policy, and the *relazioni* of the Venetian Republic”, *Storia della Storiografia*, 56 (2009): 81-103, 93-95.

¹⁴⁹ A. Holenstein, “Introduction: Empowering Interactions. Looking at Statebuilding from Below”, *Empowering Interactions. Political Cultures and the Emergence of the State in Europe 1300-1900*, W. Blockmann et al. (eds) (Burlington/ VT: Ashgate, 2009), 1-31, 4, 25, 28.

¹⁵⁰ Münkler, *Staatsräson*, 190.

¹⁵¹ A. van Gennep, *Les Rites des Passage. Étude Systématique des Rites* (New York: Johnson, 1969) Paris; V. Turner, *The Ritual Process. Structure and Anti-Structure* (London: Routledge&Kegan Paul, 1969).

their country in several respects. By using the material resources kept in the royal state archives, they augmented the wealth of their country; they did not only help to display its wealth but also contributed to the establishing of its historical foundation; doing history was a *service* to one's country. The opening of the archives in the beginning of the nineteenth century rendered possible this kind of national duty; Bavarian subjects appropriated this service in order to inscribe themselves in the narrative of their civilisation and to contribute to the building of their own Bavarian nation; foreign petitioners contributed to the international reputation of the state archives and their holdings.

While this generally symbolic political dimension of doing history lingered on, the significance of the exchange between sovereign and subject mellowed in the course of events in the nineteenth century. The former supplication turned into a technical request; asking for the use of archival material was no longer a practise performed by only very few, it turned instead into a broader, if not popular phenomenon of modern society. Reflecting this trend in its regulation, the *Geheime Staatsarchiv* stipulated that users were no longer obliged to submit a request addressed officially to the top of the Bavarian monarchy and state, the King. Instead, petitioners needed to personally present their request to the immediate administrative authority and personification of archival expertise: the director of the state archive.¹⁵²

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¹⁵² BayHStA MA 72234 Bestimmungen für die Benützer 1900, §§ 6,7, 8, 9.