Archives and history: Towards a history of 'the use of state archives' in the 19th century

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Abstract

This article probes the relationship between archives and history by examining the archive policy on historical research in the first modern administration state of the German lands, the kingdom of Bavaria. Given the continuing tradition of the theory and practice of the *arcana imperii* in the 19th century, state archives served first and foremost the state. As a result, researchers' interest in archival material was to undergo an administrative vetting procedure, in order to safeguard the interests of the state. By examining comparatively the cases of two petitioners supplicating for the historical use of state archives in Munich, the article showcases the policy of secrecy and the resultant administrative threshold separating the sphere of the *arcana* from the public. Caution guided the archive politics of state officials and, ultimately, their more or less explicit notions and concerns decided which material was finally to be released, in order to become a 'source' for historical study. Historical researchers such as the writer Alessandro Volpi and the historian August Kluckhohn were thus required to meet specific criteria and to overcome political hurdles, in order to gain access to the desired clues guarded by the state. As a result of this, the opportunity to inspect archival material was very much dependent on the political communication between petitioner and government, and its result, the granting or denial of access, was not without ramifications for historical research and the epistemic status of historical knowledge.

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Introduction: The closed archives

In 1867, the gates of the state archives remained closed. Leopold von Ranke encountered an insurmountable hurdle when asking the Bavarian state government for permission to inspect archival material pertaining to a territorial exchange between the Netherlands and Bavaria in 1785.[1] Ranke's plea to use the Bavarian Secret State Archive was not well received and ultimately rejected. Since the kingdom of Bavaria had pursued and even prided itself on its liberal archive politics towards historical research, this may come as a surprise. In the aftermath of the civil war, however, the use of the archive by 'a *Prussian* historian' was deemed 'highly questionable'.[2] In 1866, the Bavarian kingdom had fought in alliance with Austria and suffered a defeat at the hands of the victorious Prussia; further humiliations swiftly followed. Against this backdrop, Bavarian state officials reconsidered the primary interest of the Bavarian state and redefined the Secret State Archive as being for governmental purposes only. As pointed out by Bavarian state officials, the Secret State Archive was, after all, 'secret'[3] (Zimmermann, 1962; Jaroschka, 1989; Heydenreuter, 1992; Rumschöttel, 1997; Liess, 2001).

Archives and history

The closure of Bavarian state archives to Prussian scholars and archivists was a precautionary measure designed to safeguard the state's secret sphere, in line with the early-modern tradition of the political theory and practice of the *arcana imperii*. Accordingly, state archives were an integral part of the state administration (Hölscher, 1979: 130 ff.; Kantorowicz, 1965: 381 ff.; Münkler, 1987: 167 f.; Stolleis, 1990: 30), and were directly subordinated to the sovereign and the state government respectively. In keeping 'highly guarded state secrets' separate from the public (Münkler, 1987: 239), state archives concealed state knowledge, as well as any political actions by the government. In addition to this, they furnished the government with details of fiscal rights and territorial claims, thereby affording it significant advantages and contributing to informing its policies. Above all, state archives preserved the status quo and helped to secure the existence of the state per se. Through the safe keeping of such legal information, the state archives functioned as a central pillar of the country's legal peace, and thus essentially contributed to the welfare of the state's society (Algazi, 1998: 344 ff., 349; Clanchy, 1993; Hohkamp, 1998: 81; Potin, 2007). As a result, and in accordance with notions of *arcana imperii*, the strictly governmental purpose and conception of state archives did not generally cater to, or provide the opportunity for, historical research. In this context, it is fair to say that historical research was regarded as something of a *contradictio in adjecto*.

Despite our contemporary understanding, then, archives were not primarily designed as centres of historical research, nor did they function as such. With this institutional profile informing our notions of state archives, the primary function of these archives is, accordingly, perceived to be that of documenting the past. Importantly, however, this notion serves only to impair our understanding of the history of archives when the idea of the scholarly use of archival material is falsely projected onto the 19th-century archival institution. Archives are either tacitly measured against the modern ideal of the

'historical archive', and thus subsequently perceived via their relative shortcomings, or identified with our contemporary notion of the 'historical archive'.

Dietmar Schenk has significantly widened the scope of the current debate on archives, presenting the viewpoint of the professional archivist in his *Kleine Theorie des Archivs* [Little Theory of the Archive]. In a clear reference to the widespread and woolly use of the term 'archive' in recent years, Schenk introduced the professional understanding of the term (Schenk, 2008: 13 f.; Melichar, 2007: 129 ff.). Connected closely to the institution of state archives and their administrative tradition, Schenk contended that as soon as documents 'are perceived as historical evidence, records and files transform into an historical archive' (Schenk, 2008: 13). With regard to this description and epithet, the term 'historical archive' derives from the standardizing definitions presented by Adolf Brenneke in his famous *Archivkunde*. In this seminal piece of German archival science, Brenneke conceptualizes the ideal 'path of the life of records and files' as being that of a 'trilogy: chancellery, registry and archive' (Brenneke, 1953: 21). According to Brenneke's linear model, records and files are passed from one office to another, ultimately ending up in the archive. Throughout the 19th century, however, records and files did not ultimately end up in a 'historical archive', waiting there to be later redeemed by an historian. Instead, records and files were entrusted by governments to their archives, not only for safe keeping, but also for their reuse by the government and its various offices; they circulated among offices and needed to be 'mastered' [*bewältigt*] by the state administration (Zeiss, 1886: 260). Furthermore, measured against the yardstick of 'the historical archive', the archival situation of the 19th century must necessarily appear as an institutional shortcoming and deficiency. To put it differently, the history of state archives and archival research is narrated along the lines of the modern *telos*, i.e. the 'historical archive' (Reininghaus, 2008: 353). The question as to how insight into records and files was granted in the 19th century while simultaneously maintaining the integrity of the government's sphere of secrecy thus remains unaddressed.

In recent years, media theorists have introduced and advocated another understanding of 'the archive'. Reflecting its author's legal training, Cornelia Vismann's seminal piece *Akten. Medientechnik und Recht* [Files and Records: Media Technique and Law] presents an investigation of an essential precondition of legal conceptualizations: the technology of making files and records, as well as their circulation. Vismann's notion of 'the archive' (Vismann, 2000: 245, 247) is troubling, however, suggesting a notion of 'the archive' where the state, its archives and history ultimately coincide.[4] Similarly, the idea of the archive as a historical a priori of any historical narrative is the starting point of the studies of the media philosopher Wolfgang Ernst. His investigation, entitled *Im Namen von Geschichte* [In the Name of History], is based on the assumption that history is an epiphenomenon of 'the archive'; historical knowledge and its production are thus both mere effects of 'the archive', with the registries being key in informing historical knowledge (Ernst, 2004: 35, 44, 45). Again, it remains unclear as to how records and files in the possession of the state government were ultimately rendered available to historical scholars.

Outline

In looking into two different requests, this article addresses the questions of how and under what circumstances state archives willingly assumed a 'historical viewpoint'

(Schenk, 2008: 27). The author of the first request was Alessandro Volpi, an Austrian writer who had travelled to Munich to further his knowledge of the history of Tyrol. Volpi had in fact already contributed to the history of Tyrol a couple of years before his request was issued by editing the memoirs of Girolamo Andreis that pertained to Tyrol's uprising in 1809, a popular theme of history at the time. The second request was logged in 1868 and was made by August Kluckhohn (1832–93), a Fellow of the Historical Commission who held a professorship in history at the University of Munich. Kluckhohn was a disciple of Ludwig Häusser and Georg Waitz, and had received his training at the universities in Heidelberg and Göttingen before being invited to work for the Munich-based journal *Historische Zeitschrift* by Heinrich von Sybel (1817–95) in 1858. The analysis of their requests and the resulting administrative responses will explore the administrative threshold established by the Bavarian state government, the first modern administration state in the German lands. This examination will touch upon such issues as the availability and accessibility of records and files for historical research, the administrative communication process that surrounded requests for archival access, and also the ramifications for historical study.

Supplicating for access to state archives

Asking for permission to use the archives was a fundamental requirement of any archival research. Whereas in France the use of the archive was a civic right enshrined in the law of 7 Messidor Year II, i.e. 25 June 1794, it was common practice for the subjects of monarchies in Central Europe to make a formal plea to their sovereign for the use of the state archives (Duchein, 1992: 17 f., 21; Milligan, 2005: 161 f.; Müller, 2009: 81; Wiegand, 2009: 20 f.). Thus, researchers interested in a 'copy', an 'excerpt', or the 'inspection' of material *in loco archivi* were obliged to petition the state authority formally for access. In this very manner, August Kluckhohn asked for the use of the archive in 1868 by submitting a petition to make his wishes known to the government.[5] Similarly, albeit in a crucially different manner, the writer and researcher Dottore Alessandro Volpi performed this requirement during his stay in Munich in November 1857: he presented his plea directly to the Bavarian king Maximilian II Joseph (1811–64, reigned 1848–64) while being received in audience by him and other members of the Wittelsbach dynasty.[6]

As a practice, the submission of requests to use archives originated in the wider early-modern tradition of supplication (Holenstein, 2003: 282 ff.; Schwerhoff, 2000: 479, 489). Addressing their authorities directly, subjects supplicated to gain specific exemptions from the many regulations they faced, or for the alleviation of a particular burden. By the very same token, historical researchers petitioned for the use of the archive, thereby asking the sovereign to discard the strict rules and, above all, the imperative of the *arcana imperii*, i.e. secrecy, at least momentarily and only in a limited manner. A pertinent example of this can be seen in the petition letter of Karl August Muffat (1804–78). Working as a librarian at the Royal Court and State Library in Munich, Muffat sought to further his insight into the history of this very 'House of Knowledge'. Thus he appealed to his 'Most Royal Highness Great Powerful King. Most Merciful King and Master' for permission to use the relevant material. In his petition letter, Muffat explained his historical interest, revealed his intention of research and, finally,

articulated his hope for the king's 'very merciful granting' of his 'most obedient plea'.[7] In a display of benevolence and mercy, the king ultimately proved 'liberal' in archival manners, when granting Muffat permission to use the relevant material.

Petitioners like Muffat or Kluckhohn were from those men who were privileged enough to afford the required time, and possessed of such skills as literacy and proficiency in reading old handwriting. Looking back on the recent past of the historical use of state archives in 1876, the archive director Franz von Löher (1818–92) remarked almost mockingly on his predecessor's elitist view regarding the clientele of the opened archives (Löher, 1876: 67). About three decades earlier, Joseph Hormayr had put forward the idea that 'the use of the archive ought not to be granted to everybody without exceptions'. Rather, permission should be given normally to 'state officials and foreign scholars, if they are renowned for their literary performances and if their position in public life provides sufficient guarantee'.[8] In the light of liberal trends concerning the use of state archives in the 1870s (Müller, 2012: 44 ff.), Löher could easily distance himself from such a restrictive perspective. Yet, Hormayr's notion underlying his request sheds light not only on the performance of Bavarian archive politics but also on a particular clientele that frequently expressed historical interest in archival holdings during the first half of the 19th century. Remarkably, many of those applying for access were not professionally trained historians like August Kluckhohn, but men who had enjoyed the privilege of education and/or were to some degree familiar with the administrative business of the state. Librarians, archivists and many other state servants of the expanding state administration, they all shared one essential characteristic: they were in the pay of the state. To put it differently, they were members of an elite, engaged in the building of the state in the early 19th century.

The historical interest in archival material originated from the petitioners' desire to engage in state affairs (Holenstein, 2009: 4, 25, 28), demanding participation from the state and its archives in the writing of history. In their attempt to gain access to state archives, petitioners complimented the authority: in his petition letter the Austrian state official and historian Baron von Hormayr (1782–1848), for example, underscored the sovereign's 'high love for science and art', appealed to the sovereign's 'liberality' in archival matters manifested through former gestures of goodwill and mercy, and praised the richness of the 'treasures of diplomas'[9] in the possession of the state. However, the chance for participation in state affairs depended entirely on the judgement of the relevant authorities. Supplication was a custom, after all, and not a civic right guaranteed by law.

Historical interest in state archives and its administrative examination

In each case, the government and the state administration pondered the question as to whether and to what extent their archives were to be opened, as well as to what extent archival material was to be disclosed to a member of the public. For state officials, permitting insight into governmental knowledge was a hazardous act that threatened to undermine the political integrity of the *arcana imperii* and its basic principle, i.e. secrecy (Hölscher, 1979: 133; Wegener, 2006). As a consequence of this view, any interest in the contents of the state archives needed to be reconciled with the interests of the state; in

response, the state administration developed a vetting procedure for incoming petitions to use the archive. Just as the risks of archival access were recognized, however, so too were its potential rewards. Incoming petitions for use of the archive also provided an opportunity for the government to take advantage of the petitioner's interest in engaging with the state. Petitioners voluntarily offered their efforts and their time to conduct historical research, and through this secondary use of archival material they rendered it possible to contribute to historical knowledge (of the fatherland), and thus at the same time to augment the wealth of the state: the state's 'treasure' (Potin, 2000: 48; Burkart *et al.*, 2005) evolved, at least in part, into a treasure of historical research.

It is therefore important to note that the historical and secondary use of the state archives was of some value for the state, both symbolically and politically. At the turn of the century, the new political entity 'New Bavaria', emerging from Napoleonic imperialism, was the result of power politics: the installation of a reformed state, the electorate's ascent to a kingdom and its vastly aggrandized territory lacked historical groundings (Weis, 1974: 3 ff.; Weis, 2005). History, in whatever form, promised – and continued to promise during the 19th century (Körner, 1982: 196 f., 202) – to provide the 'symbolic form' demanded, through which the state could foster political cohesion within its formerly divided regions, and unify the diverse loyalties of its new subjects. As a result, the archive politics of the Bavarian kingdom's government was twofold: first and foremost, the aim of an administrative vetting procedure was to protect the political integrity of the state's secret sphere and its immediate interests (legal and fiscal in nature); second, it was to consider opportunities to promote historical research by furnishing researchers with their desired archival material. In view of the continued governmental purpose of state archives, the integrity of the secret sphere remained paramount, and secrecy prevailed. Any incoming request was to be examined – in secrecy of course – in order to prevent any feigned interest in, and any inappropriate access to, 'the highly guarded secrets' of the Bavarian state.

Volpi's and Kluckhohn's requests were among those that underwent this vetting procedure, though the results of these investigations and the decisions taken because of them could not have differed more. Initially, the request of Alessandro Volpi showed some promise. According to the local newspaper, the *Neueste Nachrichten* (published since 1848), the visitor had been 'graciously encouraged' to continue with his studies while being received in audience by the king and his family.[10] Ultimately, however, Volpi's attempt to gain access to the holdings of Bavarian state archives proved to be a complete failure. By contrast, the plea of Kluckhohn was well received, prompting the 'complete acknowledgement and support' of state officials.[11]

The decision-making process unfolded in a series of communicative acts between the various governmental and administrative offices involved. Following the presentation of Volpi's plea and the submission of Kluckhohn's request, the matter was relayed to the different departments of the state government and whichever archives were relevant. Within this communication process, the directors of state archives played a pivotal role in the decision-making process, although they found themselves at the lower end of the chain of command in the hierarchical organization of the state government (Götschmann, 1993: 125 ff.; Krauss, 1997: 189 ff.). Being charged with the examination of the incoming request, the directors of state archives produced an expert opinion in

which they accounted for the decisions to be taken, and thus argued either in favour of or against the request's approval. Furthermore, the value of their voice was grounded in their expertise: they were familiar with the archival holdings and the administering of archival matters.

Scrutinizing the petitioners' identity

First and foremost, the director of the General Imperial Archive was concerned with the 'personality of the petitioner'.[12] Understandably, the state administration wished to know exactly who had asked to learn about the secret knowledge of the state, and so leading archivists and state officials were tasked with scrutinizing the identity and the 'character'[13] of the petitioner before any petitions could be approved. The state administration was interested in the basic credentials of petitioners, their scholarly affiliation and the potential political motivation of their interest, rather than the social and gendered qualities that scholars ascribed to and denied each other so eagerly (Tollebeek, 2011a: 32, 34, 40). Manifestations of scholarly reputation did still carry weight in the vetting procedure, though, as can be seen in Kluckhohn's case: his request without doubt benefited from his scholarly achievements, as well as his professional affiliation with the University of Munich. August Kluckhohn was undeniably an established professional scholar, well known to archivists and the scholarly world of historians. His study on 'the history of God's peace' [*pax Dei*] had been well received by the scholarly community (Kluckhohn, 1966); his biographical study of Ludwig der Reiche (1417–79),[14] for which he had inspected material in the Secret State Archive and the Dynastic Archive, had earned him a research award by the Academy of Sciences.[15] Indeed, Kluckhohn's identity was so undoubtedly plain that hardly anything was to be said about it; his persona rendered any explanation of his character superfluous.

In stark contrast to the manifest identity of Kluckhohn, Volpi's personality remained vague, if not opaque. The attempt to ascertain any 'Dr Volpi from Milan'[16] resulted in a series of searches for evidence, searches that ultimately failed to produce satisfactory and explanatory details. While the Royal Police Headquarters in Munich confirmed that the petitioner was named 'Alexander Volpi',[17] a search through the catalogues of the nearby Royal Court and State Library did not establish the profile of the allegedly '*well-known writer*'.[18] The uncertainty surrounding Volpi's identity cast doubt on the authenticity of his historical motives. This problem was greatly compounded by another factor: his foreign origin (Müller, 2009: 86 f.; Müller, 2012: 41 f.). In principle, foreign researchers like Volpi were perceived as delegates of their respective states; as a result, and with the dangers of feigned historical interest into state knowledge looming even larger in the minds of officials, their petitions were treated with an even greater degree of caution. Foreign researchers could still call on a number of forms of support, however, support that proved indispensable in overcoming their status of being 'alien'.[19] Dr Philipp Jaffé (1819–70), for example, was equipped with a certificate of the 'Gesellschaft für ältere deutsche Geschichtskunde' [Society for the Study of Older German History], and also enjoyed the support of the Prussian legation in Munich.[20] Remarkably, Volpi's request was not relayed either by the Austrian government or by any research association; he lacked any of these essential means of support.

Memories of the 'history of Tÿrol'

A further mandatory issue of the administrative vetting procedure was the subject targeted by the petitioner. Volpi's historical interest in Bavarian history again proved rather unpalatable. According to the autographed letter of Max II, Alessandro Volpi wished to further his studies regarding the 'history of Tÿrol',[21] the details being unspecified. Given the lack of specific details in Volpi's case, the director of the Imperial Archive, Georg T. Rudhart (1792–1860), turned to the article published in the *Neueste Nachrichten*. Stating that Volpi had studied the 'interesting history of Bavaria, France and Austria from 1793 until 1815', and thus sought to gather 'evidence and notices pertaining to the Napoleonic wars',[22] this article was a cause of concern for Rudhart. Similar worries prompted Secretary of State Ludwig von der Pfordten (1811–80) to advise the Interior Ministry, the authority supervising the Imperial Archive:

> . . . that it would be appropriate to ask the king for the approval of the relevant request as long as the use of the archive remains limited to diplomas, records and files, pertaining to Tÿrol, from the oldest time until the end of the 13th century, i.e. until the first cession to Austria, [and that the use of the archive] excludes modern history, namely from the Peace of Füßen 1745 onwards.[23]

Indeed, modern and contemporary history was a sensitive issue. For the state government, developments and political occurrences in modern history were inextricably interlinked with the present, and this was certainly the case with Volpi's interest in the contemporary history of the Bavarian state. In contrast, historical interest in the medieval period proved to be a much less painful matter. Deprived of their immediate primary governmental use and value, any codices, bulls, or diplomas were perceived of literary use only. While this served as an incentive for the romanticization of the Middle Ages in the 19th century (Gröbner, 2008; Evans and Marchal, 2011), it also reveals the historical-political notion of time that informed archive politics. On the one hand, the present was entwined with the recent past; access to archival material always had to be justified against the potential ramifications of sensitive information being leaked. On the other hand, contemporary developments in domestic politics and international affairs posed a potential threat to the secret sphere of the state; as a result, archive politics occasionally needed to be adjusted in line with the current situation, as seen with regard to the request of Leopold von Ranke in the aftermath of German civil war. To put it succinctly, archive politics was imbued with the presence of modern politics: from the government's point of view, modern and contemporary times were not yet past.

Aside from the more general problems of being too contemporaneous, Volpi's area of interest proved even more difficult for state officials due to its touching upon the sensitive topic of Tyrol itself. The dukedom of 'Tyrol was, of course, incorporated into the Bavarian Kingdom from 1803 until 1814';[24] Bavaria had both gained and lost Tyrol only recently. In addition, 'the occurrences in this span of time, namely during the insurrection of Tyrol in the year 1809',[25] were rather a source of embarrassment for the Bavarian state: not only did they demonstrate the apparently limited reach of the fledgling New Bavaria, they also had the potential to tarnish the Bavarian state's reputation.

About 5 decades earlier, in the aftermath of the Third Coalition War against France in 1805, Napoleon had allotted Tyrol to his loyal ally Bavaria, thus handing her control of the alpine dukedom. Traditionally a heartland of the Habsburg monarchy, Tyrol proved to be unruly while under control of its new masters. Reforms instigated by the state government antagonized the local population and also undermined what limited authority Munich had in the region, the disquiet ultimately turning into a popular uprising. With Bavarian forces struggling to maintain control, it was not until the French army joined in the efforts to quell the rebellion that popular discontent within Tyrol was finally suppressed. By then, however, the damage had already been done: as a result of its proven incompetence, Bavaria was deprived of South Tyrol in 1810 and, in 1815, the whole duchy was once again back under Austrian control. Besides the loss of territory, the political and military defeat associated with the Tyrolean uprising epitomized the very limits of the reforms designed and instigated by the Bavarian state at the turn of the century (Schennach, 2009).

Even 50 years later, when Volpi lodged his petition, state officials were still aware of the Tyrolean uprising and the effective rejection of Bavarian rule. As a result, their notion of history informed their administrative reasoning concerning any use of the archive. In contrast to the theoretical assumptions of Wolfgang Ernst, history did not prove to be merely an epiphenomenon of 'the archive', with its registries being the historical a priori of any historical knowledge. Instead, notions of time and their changing in different situational contexts played a pivotal role in the administering of the use of the archive for historical purposes: a historical-political understanding of past and present, as well as notions of what constituted valuable research, were instrumental in the transformation of governmental records and files into a 'source' (Zimmermann, 1997: 268) for historical research.

Thus, due to the compromising capacity of this period of the New Bavaria, any potential revelations concerning this matter were, unsurprisingly, not welcome at all. Largely borrowing from Rudhart's expert opinion, the Secretary of State concluded in his request to the king that, 'due to political reasons', the records and files of the Secret State Archive should not be rendered accessible: 'whatever is available in the form of documents in the archives, or registry [of the Foreign Ministry], is of such a recent date that historical research by a foreign scholar, particularly an Austrian one, must not take place'.[26]

Vested interests in the fatherland's history

The unequivocal rejection of Volpi's request contrasts greatly with the appreciation of Kluckhohn's. After his arrival in Munich in 1858, the young and rising scholar began to embrace Bavarian topics for his historical studies. Kluckhohn's interest in 'the complete life and impact of teacher and statesman Adam von Ickstatt' could not but play into the hands of the Bavarian kingdom. Baron Johann Adam von Ickstatt (1702–76) had been a prominent public and political figure in 18th-century Bavaria, occupying various positions in the service of the Bavarian state during his lifetime. Among these roles was included acting as teacher of the later elector Maximilian III Joseph (1727–77); 5 years later, in 1746, the elector appointed his former mentor both a professor and a director at

the University Ingolstadt, with the special task of rectifying the institution's apparent shortcomings and reinstating its reputation. A further occasion to institute a policy of reform arose in the 1770s, when Ickstatt was granted the opportunity to implement his educational ideas at the schools of Ingolstadt (Kreh, 1974; Valentin, 1999; Schott, 2002). Ickstatt would subsequently go on to figure prominently in the Bavarian pantheon of great politicians and reformers, providing an edifying example. Kluckhohn's research interest thus perfectly matched with the design of 'fatherland history', something reflected in the prompt acceptance of his endeavour:

> The effort of Dr Kluckhohn in establishing his hero into the public arena, where he belonged ever since and also in our period of time that with great preference strives to reveal and to venerate men's merit post festum, deserves all acknowledgement and support.[27]

Indeed, a bust of Baron von Ickstatt was not to be found in the Munich Hall of Fame (set up in 1834–58).

Review and inspection: The gauging of records and files

With Kluckhohn enjoying such approval, the Imperial Archive began a comprehensive and time-consuming enquiry for any documents pertaining to Ickstatt in the holdings of the wider Bavarian state archives. The Imperial Archive instructed the district archives of Wurzburg and Munich to search for and report on relevant material in their holdings, its archivists browsing through the so-called '*Fürstensachen*'. Additionally, the archivists looked through the 'papers of the nobility collection [*Adelsselekt*], our greatest collection of decrees', and also skimmed piecemeal 'over a dozen of voluminous boxes with many hundreds of original decrees'.[28] With Kluckhohn handing in a supplementary request a couple of weeks later in June, the archivists of the Imperial Archive and the Munich district archive once again resumed their industrious task, expanding the scope of search on the 'complete Bavarian education during the reign of elector Max III. Joseph'.[29] The results of the several days' long search were nonetheless 'very meagre'.[30]

Expert opinions were given for each request, describing the different pieces of information and gauging their content and value in both political and historical terms. A compulsory element of this review procedure was the protection of any immediate state interest in terms of legal or fiscal rights; throughout the 19th century, particular holdings of formerly annexed and incorporated territories proved to be a sensitive issue in Bavarian archive politics. In regard to archival material pertaining to Ickstatt, several holdings of the Wurzburg district archives did indeed stem from the former bishops and the prince-bishopric state of Wurzburg, secularized by the Bavarian state in 1802–3 (Schmid, 2003). Archivists were thus urged to exercise caution, ensuring that the relevant material did not provide any grounds for 'financial apprehensions'.[31] By the same token, archivists also assessed the scholarly potential of records and files. Overall, the historical use of this material was deemed relevant and of help to Kluckhohn's historical study, for 'such kinds of personal files throw the clearest light as possible on the formal life history of such a prominent man, which, until now, remained in many respects in the dark'.[32] Furthermore, it also seemed to be worthwhile to allude to a mistake in recent historiography:

Ickstatt's [first personal] will of 1771 corrects above all a misapprehension that can still be found in the works of Ersch [and] Gruber and about which Professor Dr Kluckhohn is wrong too, as they let Ickstatt be born in *B*ockenhausen, while he himself mentions Vockenhausen in former Nassau Idstein as his place of birth in his second testament [of the year 1774].[33]

Insight into 'the personal life of the famous Ickstatt'[34] proved to be both historically useful and politically troublesome, however. Although the fascicles found in Bavarian state archives were generally deemed 'unobjectionable', the archivist could not but allude to the need for tact and discretion in view of the provided insight:

> . . . one may especially call the attention of Dr Kluckhohn, who will be offered biographic material from other parties for his intended treatise, to the fact that he will heed the caution as he deems it necessary – as a Royal Bavarian state servant – namely in regard to the use of [his] notices pertaining to the second personal will [of Ickstatt].[35]

Any potential risk of scandalous revelations concerning the persona of the Bavarian statesman was couched in the notion of the especial affiliation of the historian with the Bavarian state. Ultimately, the government was not wrong in arguing in favour of the petitioner, 'for, surely, Dr Kluckhohn as a Royal Bavarian university professor would no doubt use the records and files of a Bavarian university with the required discretion of any Royal Bavarian state servant, provided any predicate would allow for captious conclusions'.[36] Indeed, Kluckhohn would go on to prove himself only too worthy of the trust placed in him by the Bavarian government.

The administrative threshold: Communicating interest, monitoring research

In the end, the authorities in charge generally expressed their concurrence with the proposals of the state government: on 16 December 1857, King Max II (1811–65) agreed to the rejection of the request from Volpi that he once had publicly appreciated; about 6 years later, his successor King Louis II (1845–86) signed the proposal to grant Kluckhohn permission to use his desired archival material.[37] Although the results of the decision-making process could not have differed more, the process in both cases illustrates general characteristics of the administering of the historical use of the archive.

In principle, the Bavarian state government did not pursue a preventive archive policy. In order to exploit the state's treasure for the benefit of all parties involved, the rationale of Bavarian archive politics was to foster historical studies, throughout the 19th century. Nonetheless insight into the state's sphere of secrecy was to be granted only if any immediate threat to the fiscal and legal interests of the state and the integrity of the *arcana* could be eliminated in the vetting process; both secrecy and history (i.e. publicity) needed to be reconciled. The attempt to balance out the two contradictory principles, secrecy and history, rendered it necessary to weigh the essential trilogy of character, topic and material. If danger loomed large, archivists silenced the existence of pertaining material, or willingly censured original records and files, and in some cases they directed the petitioners' attention to less sensitive holdings, or politically less significant state

archives (Müller, 2009: 81; Müller, 2012: 38 ff.); conditions of archival research proved volatile.

Concomitant with the effort to supervise effectively the historical use of archives was the state's increased interest in the performance of archival research from the middle of the 19th century onwards (e.g. statistics); a more liberal handling of the use of state archives followed about two decades later (Müller, 2012: 44 ff.). A pursuant example of the changing institutional culture is the design of reading rooms for historical researchers. The new premises of the Imperial Archive in Ludwigstrasse provided two rooms for scholars (Volker, 1977: 133). True, the allocation of especial rooms for members of the public was to ensure a strict separation of the archive's administrative business and historical research. Yet, the spatial integration also acknowledged a new feature of the archives' institutional culture, the historical use of state archives, emerging from 'the opening of the archives', set in motion in the early 19th century.

In this context, the rejection of a request is a rare example to find. The failure of Volpi's plea was rooted mainly in the absence of an administrative means, as well as an administrative requirement: the formalized '*request* for the use of the archive'.[38] Generally speaking, requests to use the archive were conveyed in a petition letter that indicated the essential details of both the researcher's personality and the chosen topic of his research. To put it differently, the written requests were an essential administrative medium, a medium that furnished state officials with the details required to try to ascertain 'the truth'[39] regarding a petitioner's motivation to work with archival material. Whether the details related to a researcher's chosen historical topic, the period of time he wished to study, or even the individual documents he wished to view, all the information provided was used by state officials to put the researcher's demands into perspective, and, concomitantly, allowed for the effective monitoring of the threshold separating the sphere of secrecy and that of the public. The supervisory dimension of the petition letter came to full effect in the case of Kluckhohn: as he furnished the state administration with the required details, the request prompted a time-consuming and industrious examination of the relevant materials. Imbued with their typical rhetoric of the humble servant, petition letters transformed into means of administrative control when in the hands of the state officials, and concomitantly triggered further supervisory efforts. Pursuant to this, any change in the direction of research entailed the submission of a supplementary request, thereby allowing state officials to monitor closely the investigative process.

Witnessing the past and the right of archive: Evidence and testimony

The results of the vetting procedure were not without ramifications for the studying of the past. Lacking any insight into records and files, Volpi found himself neither in the position to extend his knowledge nor to evidence his narrative of the Tyrolean uprising through additional archival material. Volpi's book, *Andrea Hofer, o la Sollevazione di Tirolo nell'anno 1809* [Andreas Hofer, or the Uprising of Tyrol in the Year 1809], published in 1856, presented 'historical memories', and from the outset the narrator explains that 'I seek to memorize the most marvellous deeds [*fatti*] of the Tyrolean nation' (Volpi, 1856: 3). The authenticity of the historical memories presented was accrued from

testimonial evidence given by Girolamo Andreis, the secretary to the magistrate in Verona–Rovereto, who finalized his report on the uprising in Tyrol shortly after it was quelled in October 1809 (Corsini, 1984: 387 ff.; Adami, 2011: 27). Even if we were to ignore the most material indicator of the Austrian stamp of the narrative, the imperial eagle embossed on the front cover of the book, the overall anti-Napoleon and pro-Austrian tone makes itself felt throughout the narrative. Given the lack of any further concrete indication, Volpi's role in the process of editing Girolamo's memories remains unclear. Nevertheless, it is fair to say that in his capacity as editor, Volpi successfully raises the voice of the eyewitness Girolamo Andreis; speaking through his diary, Volpi gives testimony to the Tyrolean people, 'which on this occasion [the Austrian–French war in 1809] earned itself universal admiration and the most distinguished commemoration of our times' (Volpi, 1856: 4; Oberhofer, 2008).

Although covering completely different topics and achieving different results, August Kluckhohn shared Volpi's interest in monumentalizing a particular past phenomenon. With his request for access to the archive being granted, he was able further to flesh out his study on the political life and work of the almost forgotten Bavarian statesman Baron von Ickstatt (Kluckhohn, 1869: 3). Furthermore, about one year later on 25 July 1868 (the celebration of the king's birthday), the professional scholar delivered a talk at the Academy of Sciences in honour of Louis II. In his paper, Kluckhohn sketched various stations of Ickstatt's life, paying particular attention to his political reforms in higher and secondary education in Bavaria, as well as the opposition and struggles he encountered while instigating them. Former member of the Academy of Sciences, Johann Adam von Ickstatt is portrayed as an enlightened Catholic statesman who found himself opposed to reactionary Catholic forces. Likewise, Kluckhohn stated that it was through the persistent political support and guidance of his former disciple, Elector Max, that Ickstatt was ultimately able to pursue his reform policy, ridding the country's education of its shortcomings; any potential indiscretion emerging from his second testament does not materialize. Subsequent to his speech, Kluckhohn's monument to Ickstatt was swiftly out in print: besides the text of his discourse, a couple of addenda and several pages of references, longer and shorter, supported the argument of his study, documenting 'the sources that have been rendered accessible to me in the most liberal manner' (ibid.: 31).

Given the different choices at hand, the authors' material order of evidence and testimony unsurprisingly differed. This is not to say that documents and references do not materialize in Volpi's 'historical memories' (published prior to his stay in Munich in 1857); the use of references and documents served as a different type of evidence. Besides the extracts from a couple of letters included in the appendix, the historical account of the Tyrolean uprising includes large volumes of official material. Decrees, proclamations, letters, writs, etc., are woven into Volpi's 'meticulous account' (Volpi, 1856: 6, 13, 44, 127, 135, 144–59), documenting the actions of the main protagonists and the course of events. The exhaustive quotations of documents are not unreferenced, but interlinked with the eyewitness reports for validity. Remarkably, the very few references that there are serve a very precise purpose: either they allow the explication of a certain matter, or they are to give evidence of an aspect through further testimony. For example, to quote an item marked by him with an asterisk: '(*)During his sojourn in Bolzano in March this year, the author of these historical memories heard suddenly a roll call and

saw the gathering of three thousand Bavarian soldiers' (Volpi, 1856: 16). Most interestingly, additional evidence is deemed particularly necessary to attest to the war atrocities committed by the Napoleonic army (Adami, 2011: 27). In this way, the narrator also underscores a description of the French army bombarding an 'innocent town(*)', noting at the bottom of the page: '(*)On this occasion a bomb missed the nave of the cathedral: if one stands in the square, one can see the memorial inscription attached to it [the cathedral's nave]' (Volpi, 1856: 109). Similarly, in an attempt to showcase the suffering of the Tyrolean people, the asterisk refers to the following note: '(*)The writer of these memories was eyewitness to see in the Grano square the torturing of an Tyrolean insurgent, between sixty to seventy years old, taken prisoner in the hills of Rovereto in the battle of 24 April, who then was shot in nearby Borgo di San Tommaso' (ibid.).

In remarkable contrast to Volpi's usage, Kluckhohn frames his testimony by referencing his visual observations of the various literary and archival materials he encountered. In an act of textual transparency, Kluckhohn alludes to the literary and other 'sources accessible to me' (Kluckhohn, 1869: 4). Accordingly, the apparatus of references attached to the text supports the author's historical study: he explains his findings and their locations; he goes on to explicate matters and provides further contextual information at relevant instances; he discusses conflicting documentary evidence and alludes to the potential of further historical insights, depending on the finding of additional letters; and finally, he comments on the work of his colleagues and sings the praise of those who 'faithfully reported the facts' (ibid.: 31, 32, 33). Reporting the facts in such a faithful manner was indeed the imperative of the apparatus of references attached to Kluckhohn's argumentation: after all, the authority of the scholar's argument rested on the complex organization of differently combined literary and archival materials. It is important to note, however, that some of this authority was borrowed from the especial authority of the archive, the very authority that Kluckhohn owed his archival insights to. Furnishing the government with the required legal 'armour' (Löher, 1876: 68) as they were, state archives served as 'arsenals of weapons' (Prochno, 1944: 289). Pursuant to this, any writ retrieved from the authorities' archival holdings was deemed indisputable evidence of the truth, its validity immune to changes over time; in court, it did not require any further testimony or corroboration, in accordance with the contemporary right of archive (Merzbacher, 1979: 137 f., 143 ff.). It was this very concept of legal evidence and its legal power that accounts for the government's administrative care as well as its effort in supervising any historical use and the researchers' interest in appropriating these exclusive clues in order to bestow on their narratives a new epistemic status. Consequently, any damage done to the state's reputation as a result of a petitioner's access to archival material would not only have compromised the state itself, but also concomitantly have ridiculed its attempts at governmental control of its archive. Recognizing this, the Bavarian government was well advised not to authorize Volpi to inspect any archival material since, judging by the content of his 'historical memories', it may very well have been used against them.

This is not to say, however, that the Bavarian state authorities controlled all aspects of the historical discourse concerning the Tyrolean uprising. Even during this period of time, in which archival research began its rise to prominence, the 'uses of the past' (Mellmann, 2006) comprised more than only archival research.[40] Furthermore, it is

worthwhile noting that historical interest in the Tyrolean uprising could not be quelled; in actual fact, from the beginning of the 19th century it transformed into a contested popular historical topic (Nutzenberg, 1998). Nevertheless, Bavarian archive politics was at least able to thwart the potential misuse of the state's archival possessions by writer Alessandro Volpi.

Conclusions

1. Researchers did not conduct their archival studies in a power vacuum, and their research is thus not to be conceived of in terms of autonomy or independence (Biagioli, 1993). This applies as much to the inaugurated fathers and international heroes of historical scholarship in the 19th century (Eskildsen, 2008; Berger, 2011; Paul, 2011) as to the nowadays less well-known, albeit well-reputed, scholars like August Kluckhohn or non-professional researchers like Alessandro Volpi. As historical researchers in the 19th century increasingly ventured out in their quest for new 'sources', they put their stakes on archival findings and thus became increasingly reliant on different powers. Those historical researchers that strove for archival holdings in the possession of the state, both professional and amateur, could encounter serious impediments to their studies, along with administrative hurdles that needed to be overcome. Historical research in state archives was performed in a field of power relationships in which different agencies could seriously constrain petitioners' efforts and spur their historical studying of records and files, all at the same time. In this context, the arbitrary division of external and internal factors in the analysis of historical research becomes obsolete: 'ideas' of the past simply did not emanate from them. Historical studies and the ideas they conveyed resulted instead from complex and inextricably interlinked interactions. The analysis of the conditions and circumstances of archival research in state archives, as well as the ramifications and dynamics resulting from it, thus require a rethinking of historical practice, paying particular attention to the diverse agencies of state authority, along with its administrative communication and criteria, both manifest and implicit. To put it succinctly, the investigation of 'the everyday historian' (Tollebeek, 2011b; Müller, 2004) performing archival research in the 19th century, renders it necessary to examine the agency of the state as well, giving it, too, a concrete and everyday dimension (Bourdieu, Olivier and Will, 2000: 8).

2. The early-modern tradition of the political theory and practice of the *arcana imperii*, its imperative and measures, were key in the shaping of the new site of historical research, the state archive. Mindful of the worst-case scenario, caution prevailed in the administering of historical interest in archival material: the ultimate reconciliation of historical interests with those of the state was mandatory. Particularly in periods of crisis, conflict, or imminent danger, the imperative of the *arcana imperii*, i.e. secrecy, prompted the reactivation of its rules and measures. Gaining access to state archives and their holdings was very much dependent on the successful communication between petitioners, the sovereign and the state government respectively. In view of the lacking petition letter, the Bavarian authorities were unable to establish a sufficient administrative 'truth' concerning Volpi's plea,[41] whereas Kluckhohn simply

met the obligatory criterion of the inspection process and thus succeeded in passing the administrative threshold established by the state government. As the study of the two cases shows, the petition letter was a *conditio sine qua non* in an established communication pattern – a persistent feature of historical research that was to be found not only in Bavaria but also in other Central European countries.

3.   A dialectic of liberality and trust provided the opportunity for the 'empowering interactions' (Holenstein, 2009: 25 ff.) both of state governments and of historical researchers. Provided the researcher's request was approved, an ensuing interplay between the authority and the researcher was possible. In permitting access to the desired archival material, the authority proved 'liberal', meaning it was willing to discard the strict principles of the *arcana imperii*, i.e. secrecy, at least temporarily and only under certain conditions; by inspecting the entrusted source material, a researcher was to prove trustworthy. This was not without ramifications for the parties involved. In the hope of further support of their studies, researchers were obliged to manifest (at least) their gratitude as well as their loyalty to the state government and its members. In the case of the historian Kluckhohn, using the clues provided in a discreet manner allowed him even to evolve into an accomplice of the state's archival policy, as could be seen after the government entrusted him with sensitive information pertaining to the life of former statesman Johann Adam von Ickstatt. In order to perform the role of the trustworthy researcher, the profile of the historical researcher required as much tact and discretion as it did scrutiny and proficiency in the reading of old manuscripts.

     However, one must not overstate the asymmetrical relationship involved in archival matters, given the potential benefits that the state government accrued from historical studies on the basis of its archival possessions. Indeed, empowering interactions could emerge. In opening its archives from case to case, the state government rendered a secondary purpose of the deposits possible. The number, as well as the substance of the historical insights resulting from them, raised the reputation of the archives and their holdings, thus furthering both the 'scientific exploitation of state archives'[42] and the display of monarchical grandeur. It was therefore not by accident that, in a report from 1854, the director of the Imperial Archive posited to King Max II that 'neither in Vienna nor in Berlin, neither in Dresden nor in Hanover, neither in Darmstadt nor in Karlsruhe such huge amount of users has been permitted' to use the archive.[43]

   Doing history in the 19th century should thus not be understood merely as a – possibly autonomous – activity, but essentially as a service to the country. Volunteering to do history was a service that could also prove personally beneficial. With regard to the researcher August Kluckhohn, this was almost the case: he was originally of humble origin, but his studies helped him climb the social ladder. This interplay between state and researcher therefore created opportunities not only to further the skills and techniques of an individual, but also to significantly further his career.

4.   In the *Archaeology of Knowledge*, Michel Foucault most famously coined the term 'l'archive' (Foucault, 1972: 127), singularizing the original French term *les archives*.

His coinage did not go unnoticed (Farge, 1987; Derrida, 1995; Steedman, 2000), and still today it encapsulates the theoretical underpinning of the structuralist idea, suggesting the archive being a universal force, and hence an irreducible origin of any (historical) discourse. As a result, 'the archive' is propelled towards a last, irreducible philosophical substantiation, a sort of '*Wunderursprung*' (Foucault, 1994: 137; Steedman, 2000: 2, 4, 6). Pursuant to this, the very notion of '*l'archive*' deliberately seeks to appropriate the notion of power that, given the close political and institutional affiliation of archives and the state, is associated with and denotational of more or less singular power. However, the archival order (i.e. the registries), the alleged '*logique* of the archive', was not to translate directly into historical narrative. Rather, the *longue durée* of the *arcana imperii*, its imperatives and notions, communication patterns, administrative practices and the agency of state officials were key in the administering of researchers' access to archives and the availability of records files held within them. It is thus fair to say that, when investigating the past of archives and their role in making historical knowledge, it appears to be recommendable to widen conceptually and theoretically our understanding of '*les archives*' and to repluralize our concepts, in order to render visible the multitude of '*les archives*' and the multifarious power relationships at work when doing history.

Notes

The article is part of my current study into the history of historical research in state archives in the long 19th century; this study is placed at the intersection of the history of state archives, the historical sciences and of historical knowledge. For an in-depth analysis of the institutional dimension of the study of records in 19th-century Bavaria, see Müller, 2012; for an examination of archive politics in Central Europe, see Müller, forthcoming.

1. Bayerisches Hauptstaatsarchiv [hereafter cited as BayHStA] Munich MA 72432, writ, 27 June 1867; writ, 1 October 1867.
2. BayHStA MA 72432, writ, 25 July 1867 (original emphasis).
3. BayHStA MA 72432, writ, 8 October 1867.
4. Despite the legacy of the Prussian state, archival reform in Prussia hardly serves to substantiate the idea of a newly established constellation of state and history; it came to an abrupt halt there due to the sudden death of the chief advocate and champion of archival reforms, Secretary of State Karl A. von Hardenberg; cf. Weiser (2000: 5–20).
5. BayHStA MInn 42480, Imperial Archive, expert opinion, 23 June 1868.
6. BayHStA MInn 41944, copy of article from the *Neueste Nachrichten*, 29 November 1857.
7. BayHSta MInn 41403, Karl A. Muffat, request, 19 February 1832.
8. BayHStA MInn 72004/72, Imperial Archive, writ, 21 December 1847 (copy).
9. BayHStA MA 41370, Hormayr, request, 1 March 1827.
10. BayHStA MInn 41944, copy of article from the *Neueste Nachrichten*, 29 November 1857.

11. BayHStA MInn 42480, Imperial Archive, expert opinion, 23 June 1868.
12. BayHStA MInn 41944, Imperial Archive, expert opinion, 4 December 1857.
13. BayHStA GDion Staatl. Archive 1204, Imperial Archive, writ, 19 September 1873, 39 ff., § 4.
14. BayHStA MA 72103, Foreign Ministry, proposal to the king, 22 March 1862. The initially brief piece was soon transformed into a lengthy treatise, cf. Kluckhohn (1865).
15. ibid., writ of Foreign Ministry, 4 March 1862.
16. BayHStA MA 72203, King Max II, instruction, 26 November 1857.
17. BayHStA MInn 41944, Imperial Archive, expert opinion, 4 December 1857.
18. ibid., copy of article from the *Neueste Nachrichten*, 29 November 1857; ibid., Imperial Archive, expert opinion, 4 December 1857 (original emphasis).
19. BayHStA MA 72203, Foreign Ministry, proposal to the king, 16 December 1857.
20. BayHStA MInn 41941, Foreign Ministry, 23 September 1857.
21. BayHStA MA 72203, King Max II, instruction, 26 November 1857; cf. BayHStA MInn 41944 copy of the king's instruction, 26 November 1857.
22. BayHStA MInn 41944, copy of article from the *Neueste Nachrichten*, 29 November 1857.
23. BayHStA MA 72203, Foreign Ministry, writ, 27 November 1857.
24. BayHStA MA 72203, Foreign Ministry, proposal to the king, 16 December 1857.
25. ibid.
26. ibid. In regard to the troublesome relationship between Austria and Bavaria, cf. Siemann (2005: 284, 285).
27. BayHStA MInn 42480, Imperial Archive, expert opinion, 23 June 1868.
28. ibid.
29. ibid.
30. ibid.; cf. Kluckhohn (1869: 31).
31. BayHStA MInn 42480, Imperial Archive, expert opinion, 23 June 1868.
32. ibid.
33. ibid; cf. Vogel (1838: 88 f.); Hammermayer (1974: 113 ff.).
34. BayHStA MInn 42480, Imperial Archive, expert opinion, 23 June 1868.
35. ibid.
36. ibid.
37. BayHStA MA 72203, Foreign Ministry, proposal to the king, 16 December 1857.
38. BayHStA MInn 41944, Imperial Archive, expert opinion, 4 December 1857 (original emphasis).
39. ibid.
40. In regard to other essential aspects of doing history see Tollebeek (2004, 2008); Trüper (2007); Trüper and Olsen (2008); Berger and Mycock (2006); Berger, Melmann and Lorenz (2011); Paletschek, 2011.
41. BayHStA MInn 41944, Imperial Archive, expert opinion, 4 December 1857.
42. BayHStA GDion Staatl. Archive 2421, Archive Speier, writ, 23 April 1855.
43. BayHStA GDion Staatl. Archive 1205, Imperial Archive, draft, 4 April 1854 (original emphasis).

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