ACQUIRING ARCHIVES AND COOPERATION WITH CREATORS:
The Cases of a Public Creator and a Private Creator in the
Moment of the Transfer to the State Archives

Abstract:
The paper analyzes connections between the creator and its archives, in particular in the moment of the transfer in the State Archives. The examples deal with a private archives and a public archives: when and how the appraisal is going to be made, what is the contribution of the creator to the evaluation of the preserved documents, how to select the part of documentation that is going to be disposed of, what is the contribution of the creator in the restoration of original order.

Key words:
archives, archival science, local archives, State archives, restoration of original order

The aim of the article is to examine the connections between the creator and its archive in two moments: when the documents are appraised for unlimited preservation and in the moment of the transfer in the State Archives responsible for the territory.

Two typical cases, related to public and private archives, will delineate the issue and underline how the cooperation between different subjects and sometimes also lucky occurrences permit the rescue and protection of fonds extremely precious for the history of a territory.

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STATE ARCHIVES: STATE ATTORNEY’S OFFICE OFGORIZI A (1898-1922) AND
REPUBLIC ATTORNEY’S OFGORIZIA (1923-1985)

The events of the archival fonds of the State Attorney’s of Gorizia and the
Republic Attorney’s at the Court of Gorizia are representative of the complexity lying
in the production and then in the preservation of documents produced by public
entities, in this case governmental.1

Two successive statements in the State Archives of Gorizia, which occurred
decades apart from each other2, respectively, before by the Court and then by the
Republic Attorney’s, allowed the rearrangement in separate fonds of a
documentation at first sight magmatic and not fully identifiable.3

Between 1969 and 1970 sacks of documents were given to the State Archives of
Gorizia by the City Court, then allocated to various administrative, judicial and
cadastral fonds from of the late 18th and 19th century, untidily preserved in the rooms
of the Court of Justice by the end of the First World War.4

After a careful and painstaking work of attribution of the acts - often loose,
incomplete, lacking original folders and in a poor state of conservation - led by the
staff of the State Archives during the following years5, a residual part of this
documentation was collected in a series of Miscellaneous not attributable to any
office or judiciary. From this group of documents it has been possible to extrapolate,
during the reorganization of the acts of the Austrian State Attorney’s Office and the
Italian Republic Attorney’s given the meantime to the State Archives6, some boxes
and registers belonging to the fond of the Austrian State Attorney’s Office.7

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1 The Italian archival legislation provides that the administrative peripheral pre-unification archives are kept by
the State Archives responsible for the territory, as indicated in Art. 41 Obblighi di versamento agli Archivi di
Stato di documenti conservati dalle amministrazioni statali [Obligations of giving to the State Archives of the
documents held by the state administration] of the Codice dei beni culturali e del paesaggio [Code of Cultural
Heritage and Landscape] (Legislative Decree 22 January 2004 n. 42). The literature about is of course endless: it
is only to be mentioned as a matter of example, CARUCCI-GUERCIO, Manuale di archivistica, Carocci 2008, p. 34.

2 In 1969, the first, the second in 2011.

3 The same Lodolini (2011, p. 412) reminds that “the only way to rearrange an archive is to restore the original
order, given by the creator to its documents according to structure, skills, organization, the administrative
practice or management, however that order be, i.e. to rearrange an archive not only should be kept separate
from each other the documents constituting each fond (“the respect of fonds”), but, within each fond, give back
the documents to the order given to them by the creator at the time when that office created them (“historical
method” or the “principle of provenance” or better “principio della registratura”).

4 For a history of the fonds of the State Archives of Gorizia and the establishment of a repository designed to
store them, refer to: Ministero per i beni culturali e ambientali, Guida generale degli Archivi di Stato Italiani,
vol. 2 , 1983 under State Archives of Gorizia (by Mario STANISCI) and Antonietta COLOMBATTI, Archivio di Stato
di Gorizia, Betagamma 2009.

5 Rearrangement that had enabled to reconstruct the majority of the fonds then held in the State Archives,
especially relating to the courts of the nineteenth century.

6 The giving of the acts and the subsequent rearrangement were held by the author of this essay, then employee
of the State Archives of Gorizia, in 2011. It was particularly made thanks to the cooperation of the staff of the
Public Prosecutor of Gorizia, who made available men and means to retrieve the material to be given. It was
stored in a hangar on the outskirts of the city of Gorizia, a place is not suitable for the storage of paper,
especially if evaluated for permanent preservation.

7 These are two general registers NST for the years 1910-11 and 1912, as well as criminal proceedings St for the
years 1911-1914. The general registers NST refer to all the affairs of the criminal proceedings which were not
included in the directors St and Ss according to the form n. 33 of the Rules of Business for the judgments of first
and second instance (May 5, 1897 Order of the Minister of Justice, BLI n. 112). As for the acts, however, they
are criminal cases related to complaints of crimes and offenses. They contain allegations of Guest District of the
Circle of Gorizia, with indictments raised by the State Attorney’s Office, and correspondence.
Established in 1848, the State Attorney’s Office was initially responsible only for the criminal proceedings in the field of printing. The expansion in the criminal proceedings was established under the Constitution of 4 March 1849; enlargement of jurisdiction to the administrative department of justice as a whole and exact application of judicial proceedings in general matter, established in 1850, was modified according to the imperial license 1 December 1851, which restricted the powers only to criminal proceedings. A state prosecutor was therefore placed at each Provincial Court since 1849 as an authority of the judicial administration to prosecute in all criminal proceedings. State attorneys were subordinate to the state general attorneys, which in turn placed at each Court of Appeal. Under Italian sovereignty the functions remained essentially unchanged until 1922, when the Public Prosecutor’s Office changed its name to the King’s Attorney (Zontar, 1988, p. 146-148).

Therefore, the documentation paid by the heir of such institutional competences - the Public Prosecutor at the Court of Gorizia, in fact - has been divided into two separate fonds that have given rise to two different inventories: the Austrian State Attorney’s Office and the Italian Attorney’s Office.

The first of these is a fond extremely flawed and does not reflect if not in small part the powers of the State Attorney’s Office: reasons related to the accommodation of the documentary material during the First World War and the shortage of suitable premises for the storage of documents in use by office last producer in fact caused a nearly total dispersion of the original series.

For this reason, the documentation preserved in the State Archives of Gorizia is so much invaluable: consisting of two boxes and twenty-seven registers, it is the only witness of the office that produced it.\(^8\) During the adjustment, in addition, it was possible to identify not only an extraordinary volume of 1788 belonging to the series of Tavolare already in the possession of the State of Gorizia\(^9\), but also a small and incomplete aggregate archive constituted by the actions of the Patronage Association of Released from Gorizia and Gradisca Prison.

This association was formed in Gorizia in 1896\(^10\), according to L. November 15, 1867 n. BLI 134 on the right of association. The purpose of the association was to rescue the prisoners by supporting the search for employment after the expiation of

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\(^8\) Documentation pertaining to the State Attorney’s Office can naturally be found in the fond of the Court Circular of Gorizia, always kept at the local State Archives, which contains the individual case files and the correspondence with the Prosecutor on a single criminal case.

\(^9\) This is the tome of blue color (for contracts of sale and sales in general), covering the years 1788-1795, now at no. 31a of the related inventory. The fortuitous recovery of the volume, dispersed among the documents placed on the Public Prosecutor’s Office in 2011, was to say the least random. The operations of transfer, in fact, were conducted at very short length of time, in poor hygienic conditions: these working arrangements meant that the census records to be retained and given to the State Archives - literally resting on the floor of the hangar into stacks of records, at best, or in boxes of plastic used to work in the brick building - was conducted with attention to the characteristics of documents and not to the precise content of individual records or dossiers selected for payment. Only once the material was deposited in the State Archives, we proceeded to the dusting of the material and in the course of the operations of the provisional numbering and placement on the shelves so you are able to detect the presence of such a register among those, much more recent, dating back the twentieth century, the Italian public prosecutor.

Established in Gorizia with the license January 10, 1761 and assigned to a specific office, the Tavolare was a system of real estate advertising which attributed declaratory and constitutive to certain rights (ownership, mortgages, easements, etc.) on immovable property, with the their entry into “boards” on which were recorded variations of such rights.

\(^10\) See Acts 1914 f. 448 b. 70 in the fond of the Public Prosecutor at the Court of Gorizia.
the penalty and to support financially the families of prisoners. The extraordinary general meeting of December 23, 1908 extended the powers of the Association, acting by the creation of a "Nursery for young people released from prison" to house ten young people released from prison. The building was built in Via dei Campi 40 in Gorizia, thanks to the donation of the government, the provincial diet, the municipalities of the province and private associations, but was destroyed by the war events related to World War I, which broke off the other activities of the Association. This was finally dissolved by the meeting of 6 May 1934 which resolved the devolution under the Statute, free of charge, of the company's assets to the Board of patronage of Gorizia was established pursuant to RD June 18, 1931 n. 787 at the Civil and Criminal Courts of Gorizia and chaired by the Prosecutor of the king where the archive was stored.

The documents date from 1902 to 1934 and allow you to briefly outline the history of the institution that was particularly active in the provision of subsidies to the families of the prisoners and in the delivery of clothing, as can be seen by the only two Registers of Requests which come to us for the years 1934 and 1935.

Of particular interest can also be considered the acts of the Special Court for the Defense of the State and the Territorial War Court of Trieste stored in the series of Criminal Acts of the fond of the Public Prosecutor at the Court of Gorizia, which can be considered important historical sources on the anti-fascist struggle in the territory of Gorizia. Beyond that, in the presence of incomplete sources for the same period preserved in other institutions citizens, perhaps irreplaceable documents are kept in the files of the Alienated in the same fond. This is in particular the names of files containing modules generally accepted in the psychiatric hospital, medical certificates, final admissions, permissions of the Court, family statements, heritage statements, death notices, reports on patients sent from the psychiatric hospital of Gorizia. The reasons why these files are stored reside in the legislation that over the years has succeeded in Italy about the asylums and the mentally ill. As required by art. 54 of the Regulations of the Law on insane asylums (RD August 16, 1909, n. 615), the State Attorney's Office must be notified of admissions sold. In the municipalities not places of public security offices, the mayor or whoever took the place, competent to adjudicate in cases of emergency hospitalization of the insane in a mental hospital, had to give in a three days' time to the Prosecutor a copy of the order for admission, the medical report and other required documents, according to which it was determined the hospitalization, as required by c. 3 of art. 2 of the Law on asylums (Circular No. 18/53) of 17 May 1953.

11 See the Articles of Association in 1907 in Acts f. 446 b. 70 in the fond of the Public Prosecutor at the Court of Gorizia.

12 See Acts 1911 f. 447 b. 40 in the fond of the Public Prosecutor at the Court of Gorizia.

13 Documentation for this association can also be found in the fond of the Prefecture of Gorizia, Archives Cabinet (1927-1948) preserved in the State Archives of Gorizia, category 30 on the "Pious works - Entities and associations and philanthropic support" particularly in the ranking 30.6 (b. 86 f. 166 and b. 87 f. 168).

14 Acts to bb. 30-37, for the years 1942 to 1946, in the fond of the Public Prosecutor at the Court of Gorizia.

15 The documents are stored in 2 4 envelopes and date from 1929 to 1978. They are broken down by successive numbers of practice for the years 1929-1935 and by year and number of practice since 1936, and have served by registers. Given the sensitive nature of the data contained in the files, most of them are excluded from inspection pursuant to art. 122 Archivi di Stato e archivi storici degli enti pubblici: consultabilità dei documenti [State Archives and the historical archives of public authorities: Consultation of documents] of the Codice dei beni culturali e del paesaggio [Code of Cultural Heritage and Landscape] (Legislative Decree 22 January 2004 n. 42), which provides in subsection b) the term of seventy years when the data disclosing health, sex life or private family relationships.
The examples described above are significant because they reveal how the methodological issues associated with archiving and the correct procedures for the sending of the documents to the State Archives conceal in fact other problems that are defined as the operations of analyzing the documentation go on. In particular:

- Collaboration with the creator in the selection of documents and in the transfer is definitely fundamental. Beyond any logistics aid in the physical operations of deposit in the State Archives, also in the cases described the role of the relevant Committee of Surveillance was crucial: in fact it has guaranteed a frank and friendly comparison between the director of the State Archives and the officials of the Public Prosecutor in charge of it, about the nature of the acts and their relevance for the purpose of historical research.\textsuperscript{16}

- The case of the “found log” of the Tavolare was, beyond the ways in which the lucky discovery happened, an extraordinary opportunity, even random chance, for recovering of a valuable source for the history of property in the territory of Gorizia. It has also made real the dream of every archivist, who in the course of her/his activity always cherishes the hope in his heart to contribute to the recovery of lost “pieces” of history, and so reconstruct, even in small cases, the mosaic of archival fonds largely incomplete and dispersed by the events.

- The dispersion of the acts of an individual producer or their partial preservation for many different reasons (neglect, weather events or natural disasters, wars) while producing a no more unbridgeable documentary empty, can be partially overcome by the cognitive point of view due to the fact that the creator is never an isolated monad in political, economic or administrative territory in which it is dropped. In other words, the relationships between the various entities, both public and private, of the same site, allow you to find that information, possibly lost, in other archival collections.\textsuperscript{17}

- The interest of judicial sources for the study of social and political history is generally recognized by the national and international historiography. The methodological issue concerning the use of these sources is two-fold: on the one hand there are the documents produced by the repressive apparatus against which it is to have a line of inquiry that forces them to speak in spite of themselves, forcing the fixity of their bureaucratic language to organize the news in a context that is radically different from that of repression in which they were born.\textsuperscript{18} And on the other hand it is not material to enhance the

\textsuperscript{16} Pursuant to art. 41 c. 5 of the Code of Cultural Heritage and Landscape (Legislative Decree 22 January 2004 n. 42) Commissions surveillance have the task of ensuring the proper seal of the state archives, current and deposit, to collaborate in the definition of the criteria organization, management and storage of documents, propose disposals, take care of the transfers, to identify the acts of a confidential nature. The composition and functioning of the Committees are governed by Presidential Decree 37/2001, which provides that they consist, for the offices of the State, by two officials of the office where the records are owned, by the director of the State responsible for the area and by an official of the Ministry of Interior. For a brief but comprehensive definition of the question cfr. Maria Barbara BERTINI, Che cos’è un archivio, Carocci, 2008, pp. 47-51.

\textsuperscript{17} The examples cited by the Association of patronage freed from the prison of Gorizia and Gradisca (acts in the fond of the Prosecutor’s Office of Gorizia and in the Prefecture of Gorizia, Archives of Cabinet) and the series of Alienated (with acts in the Prosecutor’s Office Republic of Gorizia) are indicative of the ability to research conducted by consulting different fonds.

\textsuperscript{18} Certificates, records of individual interviews, records of house search and seizure of material, or the judgments of inquiry as institutional sources and police characterized by an inquisitorial and inevitably partial angle, require a methodological approach that attempting to “invalidate the intentionality” of these documents. The historian Giovanni De Luna has deepened the terms of the issue in several essays, referring in particular to Giovanni DE LUNA, Donne in oggetto, Bollati e Boringhieri, 1995, but, on the territory of which the present
products directly from police surveillance, but seized, such as letters, diaries, photographs that individual criminal cases can sometimes contain. 19

PRIVATE ARCHIVES: GIUSEPPE O. LONGO’S PRIVATE ARCHIVES

Another example of documents preserved in the State Archives is that of a private archive deposited at a time when the creator was still alive and active, protected following the declaration of cultural interest issued by the Archival Superintendence for Friuli Venezia Giulia 20: Giuseppe Longo’s archives, Italian writer and computer literate. 21

The documentation bears witness to the complex multifaceted figure of Longo, who has added to the scientific activity - linked in particular to the theoretical electronic engineering activity - the narrative and dramatic ones, through the production of numerous novels, short stories and plays. Therefore the archives is structured in a way that reveals that heterogeneous series documentary production: acts relating to the academic career, with Longo’s collaboration to different agencies (from CNR to Italian Encyclopedia), the activity of lecturer in national and international conferences and seminars; but also essays and scientific prose, novels and short stories, radio plays, reviews and translations, ending with an extensive correspondence with editors, journalists and writers. All this allows you to have a slice of Italian cultural history from the 70s on.

Even in this case, the operations of transfer in the State Archives, with the drafting of a provisional list of consistency, have come to meet the needs of conservation of suitable material. 22 During the last months of 2011 thirty-one boxes were handed over to the State Archives of Gorizia by the Isontina State Library; immediately after it, quickly was provided to the reconditioning of materials, giving temporary file and box numbers to documentation that was gradually recovered. The original conditioning materials have been maintained when the state of preservation

article is, it is recommended that at least Marco PUPPINI, Marta VERGINELLA, Ariella VERROCCHIO, Dal processo Zaniboni al processo Tomazic: il tribunale di Mussolini al confine orientale 1927-1941, Gaspari, 2003.

19 Carlo Ginzburg, for its part, in a book on Sofri’s trial, carries a deep reflection in relation to the stiff bureaucratic language in which the interrogations of the preparatory stage are transcribed (and often distorted), emphasizing that in the passage from orality to writing may be lost intonation, hesitations, silences, gestures. Particular attention moreover, you should have to Ginzburg in respect of any records in parentheses (tears, laughter, answers pronounced with particular enthusiasm), whose transcription can already involve an interpretation on the part of the draw. See Carlo GINZBURG, Il giudice e lo storico: considerazioni in margine al processo Sofri, Feltrinelli, 1991.

20 The Italian archival administration, through archival Superintendents who are based in regional cities, supervises the non-governmental archives, public bodies and private individuals, who retain documentation of particular relevance. Superintendents are the institutions of the fact that formulate the “Declaration of historical interest particularly important” (Article 12 of the Code of Cultural Heritage and Landscape, January 22, 2004 Legislative Decree n. 42) that is configured as a legal instrument through which it is recognized the historical value of a non-state archives and strengthens the ability to safeguard: cf. BERTINI, cit., pp. 28-29. The archive Longo is seen to recognize the character of cultural interest by decree of the Regional Director of the cultural heritage and landscape of Friuli Venezia Giulia in March of 2012 and was donated to the State Archives of Gorizia from the creator. The State Archives, in fact, they can acquire for loan, donation, bequest, purchase or store personal and family archives, as well as other private institutions (CARUCCI - GUERCIO, cit., p. 34).

21 News about life, scientific and cultural, of Longo can be found at the following sites: http://www2.units.it/giuseppelongo/ and http://it.wikipedia.org/wiki/Giuseppe_O._Longo. The web pages were consulted in January 2014.

22 The Isontina State Library - which originally constituted its storage place after the director of the Library was interested in the preservation of the Longo’s personal archive since he understood the importance of the material in the face of a serious threat of dispersion - unfortunately it was not longer able to guarantee a correct state of preservation to the acts.
allowed it; often, however, folders and envelopes were marred by mold and guano and for that reason this material was thrown.

The state of disorder in which was generally found in the documentation of the cartons did not facilitate the operations of reconditioning and placement on the shelf: it was especially in loose acts, which was not always possible to identify the main object because Longo used to write on both sides of the paper, recycling no longer needed paper. The collaboration of the creator, in this case, was therefore valuable and often decisive in the definition of the object, and then the series which attribute the single document.23

Even in this case, the example described may be interesting for the following reasons:

- The collaboration between different government agencies in the objective of preserving a documentary heritage so precious to the Italian cultural history of the twentieth century has witnessed how it is possible for the government working towards a shared direction. The synergy between Isontina State Library, Archival Superintendent for the Friuli Venezia Giulia and the State Archives of Gorizia - which has proved helpful in preserving the documentary material during the course of proceedings for a declaration of protection24 - has produced a result outstanding in many ways.

- The happy coincidence of being able to communicate directly and deal with the creator by those involved in conservation and the adjustment of the material does not feature the archival work except rarely. This meant really have a first-hand source that would meet the need for greater understanding not only of the individual documents, but also of the entire production relative to Longo’s scientific and literary activity.

- The presence in the State Archives of material indicating the culture of an area, regardless of the legal nature of public fonds preserved, is a feature that is necessary to point out because it demonstrates the enormous variety and wealth of archival preserved.25

23 The work of reorganization, still in progress, has been done by Eliana Ceschia, employee of the State of Gorizia, and for a brief period by the author of this article. Series of very generic were identified, consisting of Literary activities, Scientific activities, Personal documents, Varia, subdivided into more specific. It is emphasized that often the material is not easily attributable to a number or to another: this is reflected in the versatile and multifaceted nature of the creator.

24 The archivea was deposited by necessity and urgency in the State Archives before obtaining the statement.

25 Please note that the Italian State Archives, located in the provincial capitals and in the sections of the state archives in the city not provincial capitals, retain documentation produced by the central and local administrations pre-unification and the documentation produced by the post-unification government offices in the province of competence. They are preserved in the State Archives also the acts of notaries who have finished their business for over a hundred years, the archives of the ecclesiastical corporations deleted from the end of the eighteenth century, as well as land sources, roles and matriculation lists of leverage. In addition to this you can also find archives of public bodies received on deposit or private archives (family, personal, business and various institutions), acquired by purchase, gift or bequest.
BIBLIOGRAPHY


POVZETEK

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PRIDOBIVANJE ARHIVSKEGA GRADIVA IN SODELOVANJE Z USTVARJALCI: PRIMERI JAVNIH IN ZASEBNIH USTVARJALCEV OB PREDAJI GRADIVA V DRŽAVNI ARHIV

Prispevek analizira povezave med ustvarjalcem in pristojnim arhivom, še posebej v trenutku predaje gradiva v Državni arhiv v Gorici. Podani primeri predstavljajo zasebno in javno gradivo: kdaj in kako se izvaja vrednotenje, kakšen je prispevek ustvarjalca pri vrednotenju dokumentov, kako izbrati dokumentacijo za uničenje, kakšen je prispevek ustvarjalca pri ponovni vzpostavitvi prvotne ureditve.

Prispevek predstavlja dva primera fondov javnega gradiva in en fond zasebnega gradiva. Primeri razkrivajo, da je sodelovanje ustvarjalca pri vrednotenju in razumevanju dokumentov za ponovno vzpostavitev prvotne ureditve zelo pomembno.

Delo z gradivom drugih fondov, ki jih hrani Državni arhiv v Gorici, pa je v teh primerih pripomoglo k izboljšanju znanja o politični in družbeni zgodovini Gorice in njenega območja.

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