



PEKKA HENTTONEN

Records, Rules and Speech Acts

Archival Principles and Preservation of Speech Acts



ACADEMIC DISSERTATION

To be presented, with the permission of
the Faculty of Information Sciences of the University of Tampere,
for public discussion in the Auditorium Pinni B 1096,
Kanslerinrinne 1, Tampere, on September 29th, 2007, at 12 o'clock.

UNIVERSITY OF TAMPERE

PEKKA HENTTONEN

Records, Rules and Speech Acts

Archival Principles and Preservation of Speech Acts

Acta Universitatis Tamperensis 1246
Tampere University Press
Tampere 2007

ACADEMIC DISSERTATION
University of Tampere
Department of Information Studies
Finland

Acta Electronica Universitatis Tamperensis 1613
ISBN 978-951-44-9975-3 (pdf)
ISSN 1456-954X
<http://tampub.uta.fi>
Tampere 2015

Distribution
Bookshop TAJU
P.O. Box 617
33014 University of Tampere
Finland

Tel. +358 3 3551 6055
Fax +358 3 3551 7685
taju@uta.fi
www.uta.fi/taju
<http://granum.uta.fi>

Cover design by
Juha Siro

Acta Universitatis Tamperensis 1246
ISBN 978-951-44-7025-7 (print)
ISSN 1455-1616

Tampereen Yliopistopaino Oy – Juvenes Print
Tampere 2007

Acknowledgements

I am obliged to many people and institutions for their help and support. First I would like to thank Associate Professor Wendy Duff and Dr. Edward Higgs for their comments and suggestions. My instructors, Professor Pertti Vakkari and Professor Reijo Savolainen in the Department of Information Studies have tirelessly read drafts and proposed improvements. Many colleagues have shown interest in the work. In this connection, I must above all mention Jaana Kilkki, who has been most encouraging and supportive both as a close colleague and as my former superior in the Military Archives of Finland. Without her interest in archival theory this study probably never would have begun in the first place. Special thanks goes to my wife Paula, whose patience and impatience have both in their way contributed to the advancement of this study.

Ms Lesley Sams Msc has checked the language before the publication. Of course, also in this respect the blame for possible errors belongs to me only. Last I wish to express my gratitude to Alfred Kordelin Foundation and Tampere University Foundation for the grants given for this work.

Abstract

Archival principles, like the principle of provenance, are applied to documents in archival custody. Archival professionals see many reasons for this, but the significance of the principles and why they are applied to some documents has not been fully explicated. Despite many definitions, there is also no full agreement on what are “records”.

The study examined archival principles and archival concepts in the light of speech act theory, J. R. Searle’s theory of the construction of social reality, and some ideas in sociolinguistics and studies of organizational communication. It had three research questions: 1) in what way do archival documents (records and personal papers) differ from other documents, 2) what is achieved by following archival principles in archival work, and 3) why is it necessary to follow archival principles when archival documents are in question? The method used was theory derivation and analyses of archival documents and writings in archival literature.

The study shows that the selected theoretical background was a good starting point for research. The findings suggest that documentary context preserved by archival principles tells about functional levels and context of the speech act. This may help a document user to understand and reconstruct the speech act in an archival document.

In archival literature it is often stated that the importance of archival principles lies in communicating contextual information. The novelty is to show that concepts in the speech act theory and sociolinguistics can be used to analyze what information is conveyed via documentary context. This allows us to create new hypothesis about why and when applying archival principles to documents is necessary.

Previously it has been noted that there is a connection between records and performatives: archetypal records (e.g. wills and court decisions) are often acts of speech in which ‘saying makes it so’. The study introduced the concept of a “rule-bound speech act”, which is an ideal-type of a record-creating speech act. The study suggests that a common feature of rule-bound speech acts is that they have deontic consequences. Different conceptions of record differ when it comes to the significance and duration of deontic consequences and nature of the rules making them possible.

Strong sense records create new “institutional facts” and/or have otherwise long-term, objective consequences for the society (e.g. change the ownership of a real estate, nominate a new president, or assign a husband’s status and obligations to a person). An act in a weaker sense record, on the other hand, has

only temporary and local importance: for instance, it may determine, what is the next step in the organizational process, who should take it, or signify the fulfillment of personal obligations (if the person was obliged to make the speech act).

Rule-environment governing the rule-bound speech acts may vary. In some cases, there may be many kinds of rules (what roles there are, who may make a speech act, what is made by it, what are the consequences of the speech act), in other cases only some. Also the degree to which the rules are explicit, formalized, sanctioned, and accepted may vary. In the case of strong sense records, rules tend to be very formal and explicit, breaking them is rigorously sanctioned, and it is hard to question the validity or existence of the rules because they are published as laws. In creation of weaker sense records the rules may be less explicit and formal, they have only limited validity (e.g. inside an organization), questioning them may be possible, and breaking mildly sanctioned or even tolerated. This makes drawing a line between “records” and “non-records” difficult.

The concept of a rule-bound speech act explains why additional information about the context and functional levels of the speech act may be required. What kind of act there is and what outcome it should (or should not) have does not depend alone on the linguistic expression in a document but on the factors exterior to it. Identification of the context and functional levels in the speech act becomes important, because there may be no proper illocution (e.g. “decision” or “command”) unless the act is executed by a right person and takes place in the proper context and at the right moment of time. The act may have deontic consequences only when it is addressed to a certain person or institution. The perlocutionary act may be something required by the rules or, on the contrary, something that should not have happened. One act may also have different consequences for the different professional groups in an organization.

Archives, records, and archival activities can be looked at from many perspectives, most of which cannot be easily combined with the speech act theory. Nor can all the information carried by documentary context be analyzed in the light of it. Although the speech act theory proved to be a good starting point for the study, it has limited applicability when documents are viewed from “another domain” (e.g. as evidence of events that have taken place in another time and place), which is customary in archival studies. The reasons for applying archival principles to personal papers remained unclear, but the study suggests new ideas for examining it.

The findings give new conceptual tools for analyzing archival documents, concepts, and practices. Connection of records to legal sphere, different conceptions of recordness, difficulties of defining records in practice, the necessity of applying archival principles to archival documents, some arguments used to defend archival principles, the need to preserve the original appearance of records, and partially concepts used in connection of records (transaction, accountability, reliability) appear as different aspects of the same issues: that

archives deal with rule-bound speech acts and archival principles help to keep functional levels and context of speech acts recognizable.

TABLE OF CONTENTS

1	INTRODUCTION.....	13
1.1	Basic concepts of the study and the Finnish archival context.....	17
1.1.1	Archival profession.....	17
1.1.2	Archives and records.....	18
1.2	Research questions and objectives.....	20
1.3	About the study and its relationship to archival science.....	22
1.4	Previous studies.....	24
1.5	The components of the meta-framework used.....	26
1.5.1	Theory derivation—the process of finding the framework.....	26
1.5.1.1	Becoming familiar with the literature.....	27
1.5.1.2	Reading widely in other fields for ideas.....	28
1.5.1.3	Selecting a parent theory for use in derivation.....	29
1.5.1.4	Identifying what content and/or structure is to be used.....	30
1.5.1.5	Developing or redefining new statements.....	31
1.5.2	Notes about the speech act theory and its applicability.....	31
1.6	Remarks about the structure and the methodology of the study.....	35
2	ARCHIVAL PRINCIPLES IN THE PRESERVATION OF SPEECH ACTS.....	37
2.1	Introduction.....	37
2.2	Hypothesis and methodology.....	37
2.2.1	What is there to preserve?.....	37
2.2.1.1	Functional levels of language.....	38
2.2.1.2	The context of a speech act.....	39
2.2.2	The method of preserving: archival principles defined.....	42
2.2.3	Reformulation of the hypothesis.....	47
2.2.4	The final hypothesis and methodology used.....	50
2.3	Analysis.....	52

2.3.1	Case 1	52
2.3.2	Case 2	53
2.3.3	Case 3	54
2.3.4	Case 4	55
2.3.5	Case 5	56
2.3.6	Case 6	57
2.3.7	Case 7	58
2.3.8	Case 8	59
2.4	Discussion.....	60
2.4.1	A summary of the findings	60
2.4.2	Are the findings generalizable?.....	63
2.4.2.1	Arguments for generalizability.....	64
2.4.2.2	Arguments against generalizability	67
2.5	Conclusions	72
3	CHARACTERISTICS OF RECORDS IN ARCHIVAL THEORY	75
3.1	The concept of archival theory and archival science	75
3.2	Conceptions of records in archival theory.....	78
3.2.1	Ways of defining a record.....	80
3.2.2	Strong and weak sense theories of record.....	82
3.2.3	What are archives	85
3.2.4	Characteristics of recordness	86
3.2.5	Context of record creation	96
3.3	Conclusions	99
4	REASONS FOR APPLYING THE PRINCIPLE OF PROVENANCE	101
4.1	Practical argument.....	102
4.2	Essentialistic argument.....	104
4.3	Hermeneutic argument	105
4.4	Verificative argument.....	110
4.5	Sui generis –argument.....	111
4.6	Conclusions	112

5	A FRAMEWORK FOR ARCHIVAL PRINCIPLES: RULE-BOUND SPEECH ACTS	113
5.1	The components of rule-bound speech acts	114
5.1.1	Constatives, performatives and illocutionary acts	114
5.1.2	Institutional facts and role of status–functions	115
5.2	Records as rule-bound speech acts	118
5.2.1	Strong sense records—institutional facts	123
5.2.2	Weaker sense records—work and roles in organizations.....	124
5.2.3	The common elements of records—duties and obligations created by rule-bound speech acts	127
5.3	Legal and moral rules in the creation of rule-bound speech acts	129
5.3.1	Legal rules	129
5.3.2	Moral rules.....	132
5.4	The preservation of rule-bound speech acts.....	133
5.5	The division of records and non-records	137
5.6	Conclusions	140
6	RULE-BOUND SPEECH ACTS COMPARED TO IDEAS IN DIPLOMATICS AND CONCEPTS OF TRANSACTION, ACCOUNTABILITY AND RELIABILITY IN ARCHIVAL THEORY	142
6.1	Records, acts, and environment of record creation in diplomatics.....	143
6.1.1	Archival documents, records and acts in diplomatics.....	144
6.1.2	Rule environment in diplomatics acts	146
6.1.3	Conclusions	152
6.2	Analysis and discussion of concepts of transaction, accountability and reliability in archival theory.....	153
6.2.1	The concept of transaction.....	153
6.2.2	The concept of accountability.....	157
6.2.3	The concept of reliability	164
6.2.3.1	Illocutionary reliability.....	166
6.2.3.2	Propositional and utterance reliability.....	168
6.3	Conclusions	174
7	DISCUSSION OF FINDINGS AND NOTES FOR FURTHER RESEARCH.....	176

7.1	Summary of findings.....	176
7.2	The significance of the findings.....	180
7.3	Limitations of the study.....	182
7.4	The need for further research.....	184
8	REFERENCES	186
9	APPENDIX A	201
10	APPENDIX B.....	209

1 Introduction

O'Toole writes that there are several assumptions and values accepted as fundamental among archivists. By this O'Toole refers to the conviction that the documentation of human affairs has enduring relevance by providing continuity, even self-continuity; that the records constitute the collective memory of individuals and societies, which is essential to the societies and the people in them, and that records support and sustain other important societal values. O'Toole draws an analogy between theology and the archival profession.

The symbolic theology of archives includes our formulation of accepted dogmas in caring for records: provenance, fonds, original order, description, representation, and so on. These are all, in their way, symbolic notions designed to express our archival beliefs – –

(O'Toole 2004:8).

Like O'Toole, Ivanović sees a parallel between theology and the archival world. He argues that the archival discourse “is significantly ideologically colored, not in the sense of taking the side of this or that recognized ideological system or political group, but being itself ideological”. The role of archival theory¹ and discourse is, according to Ivanović, to provide the archival profession with “moral foundation and formulation of archival credo, periodically confessed on congresses, conferences and in similar occasions” (Ivanović 2004:25).

As a Finnish archivist, I have been raised to be one of the “believers”. Like archivists in general, I have taken some ideas in the archival credo for granted: that “records” are a distinct group among documents, information and data requiring another kind of approach from the others. This is the generally accepted view in archival science, archival theory, and the archival profession (concepts to which I shall return later).

However, although the basic tenets are widely shared among archival professionals, they are problematic from a scientific and theoretical point of view. There are several questions without a clear answer.

The first one is the distinction between “records” and “non-records”: what is the basis of it? Current answers in archival theory are largely descriptive: one describes the activity of creating records (e.g. “transactions”), the context of record creation (e.g. “organizations”), attributes records have (e.g. “interrelated

¹ “Archival theory” is in this study understood as the set of ideas in the archival professional knowledge. See p. 75.

with other records”) or consequences of having records (e.g. “evidence”). If asked, why one document is a record while the other one is not, there is no clear answer—except for checking if the document fits the description one accepts.

The second question concerns different conceptions of what is a “record”. By most accounts, documents having juridical nature are records. Many people also accept that documents created in organizational activities (especially in those of public authorities) or as part of some process as records, regardless of their juridical nature. Personal papers are often excluded from the group of “records”, but are, nonetheless, generally² subject to the same archival principles.³ Do all these items have something in common? Is there a standpoint from which all the archival documents could be looked on as one whole?

For the third, what is the connection between the “recordness” and the principles commonly employed by archival professionals in their work? Archival literature often states that a connection exists: the principles follow in one way or another from what the archival documents are. For instance, it is stated that records have “meaning” only in the documentary context and context of the function in which they were created. Because archival principles preserve information about the context, one needs to follow the principles in archival work. Although this and similar arguments are perhaps sufficient for purposes in archival practice and even archival science, they are unsatisfactory for two reasons: they summarize the experience of archival professionals, but are less understandable outside their group. They also fail to explain why records—in contrast to other documents—are dependent on the context in this way.

The fourth question is what ties the answers to the previous questions together. In archival literature, one may find some answers but they do not provide a comprehensive view. For instance, there are concepts—like “evidence”, “cultural heritage”, or “historical value”—used to describe archival materials at large.⁴ One might claim that this is what joins documents in archival custody together: everything in archives is “evidence” or part of “cultural heritage”. Although this gives a common point of view to archival materials, it leaves the other questions open: why is there (and is there really) a boundary between archival documents and others? Why does one follow archival principles only when it comes to archival documents?

The answers are important for a deeper understanding of archival phenomena, but they also have other importance. Especially in electronic environment, it is problematic that the definition of a record from an archival

² *There are exceptions to this. In the United States the principle of provenance was not initially adopted in the management of personal papers and documents of private organizations. This “historical manuscripts” tradition continued to the 1960’s. (Lybeck 2006:223). Also in Finland libraries have manuscript collections and private archives in their custody. The principle of provenance has not always been conscientiously followed (Alakallaanvaara 1998).*

³ *The most central of which is the principle of provenance, for details, see p. 42 ff.*

⁴ *It is possible that the group of archival documents (in the largest meaning of the term) has only what Wittgenstein calls “family resemblance”; a set of common characteristics none of which is common to all the members of the group (Niiniluoto 1980:158; Wright 1982:238).*

perspective is not known or well understood outside of the archival profession. E.g. librarians — including those who are defining standards and practices for digital collections — fail to grasp “the differences between information products that are consciously created as intellectual or artistic expressions and documentary evidence produced unconsciously as a by-product of human activity”, says Hedstrom. In the electronic environment physical clues are diminished, and the descriptive and control strategies used to define objects as records or something else will have a critical impact on both the utility and reliability of archives. (Hedstrom 1998:47) This makes it important to be able to pinpoint and better understand the difference between records and other materials.

It is perhaps understandable that a person who does not have the same background and shares the assumptions of archival professionals, may find the distinction between “records” and “non-records” obscure. Archivists, on the other hand, are presumed to have no such problems. One expects archivists to readily recognize records. Years of personal experience, societal norms, common sense, and appropriate education teach archivists what kind of material is a record and what is not. Identification of an individual record has traditionally received little time in archival training. (Cox 1994a:2)

Even inside the archival profession — to which I include records management (see p. 17 ff.) — there are still differing conceptions on what is a record. The differences are partly a result of various administrative and legal backgrounds. Partly they are due to what is the professional focus and selected perspective: is it filing and storage, retrieval and dissemination, handling of records in electronic systems, or something else? In addition, conceptions of record are influenced by what is seen as the function of records: documenting organizational activities, providing information for decision-making or providing evidence and compliance. One can view records from a functional or management point of view, standpoint of archives, information management, or information technology perspective (Yusof & Chell 1998).

Archival scholars have questioned the adequacy of traditional conceptions of record. Richard J. Cox asks

Is my record version one of my memorandum drafted for initial review, the second version sent to its intended audience, or the third version which has been modified by the recipient, as he included the memorandum into a report? Or, are all three records? Is my record the spreadsheet of financial figures and sales trends reviewed at 9:31 A.M. or the spreadsheet called up three hour later when the figures have been modified? Or are both legitimate records?

(Cox 1994a:2)

Cox notes that definitions of records seem to suggest that in the electronic environment a record has only changed in the storage or retrieval. He believes that the very essence of a “record” is contrary to this static notion (Cox 1994a:3).

Nevertheless, the problem of defining a record is more theoretical than practical. Some deny that there is now, or actually has ever been a problem.⁵ Before the advent of electronic information systems records were largely recognized by their outward characteristics: printed, or in other way multiplied materials were usually in the domain of librarians while archivists took care of hand-made and unique items.⁶ When confronted with borderline cases the archivist could rely on his personal experience, common sense, and appropriate education, like Cox (1994a) notes.

Favorin (1975) says that a record is usually defined as persistent information (*kestoinformaatio*) created or annexed to the fonds as an immediate result of the practical activities of an archives creator. Nonetheless, the borderline between records and non-records is partly drawn on water. Favorin adds:

However, in practice records have been defined by the form of recorded information. A statute published in print in the collection of laws is not a record. If the statute is announced also in a circular letter of a higher agency, it becomes a record. If an instruction booklet or a printed annual report is delivered to an agency alone, it is not considered a record, but when accompanied by a letter the booklet or report is easily annexed to archives.⁷

(Favorin 1975:37)

In the electronic world distinctive marks have disappeared which has made drawing the line between records and non-records more difficult. However, here archivists may utilize definitions like the one in the ISO records management standard: records are “information created, received, and maintained as evidence and information by an organization or person, in pursuance of legal obligations or in the transaction of business” (ISO 15489–1 2001:3).

Even though this and similar definitions may solve the practical problem of record identification, they do not provide a theory that would explain and support archival activities and archival phenomena. Such a theory might be useful inside the archival field, but it is required especially when the questions are approached at a more general level not taking the archival tenets as self-evident. The value of archival principles and ideas is hard to defend without conceptualizations that are more general and abstract than those used inside the profession. This requires an

⁵ See Greene, Boles, Bruemmer, et al. 2004, who comment Cox and the passage cited above.

⁶ According to Lybeck (2006:123) the rule is generally speaking valid, but there are exceptions, like printed minutes of the organization. Lybeck notes, that records are part of the archives regardless of the technique used in manufacturing them. In Finland, one copy of every publication made by the archives creator or for its activity is kept in the archives. The principle is not followed, if the large number of publications makes this unpractical.

⁷ “Käytännössä asiakirjan on kuitenkin määritellyt kestoinformaation muoto. Kun asetus julkaistaan asetuskokoelmassa, siitä ei tule asiakirjaa. Jos siitä annetaan tieto myös keskusviraston kiertokirjeellä, siitä tulee asiakirja. Jos ohjekirjanen tai painettu vuosikertomus sellaisenaan jaetaan virastolle, sitä ei pidetä asiakirjana, mutta jos sitä seuraa kirjeen muotoinen lähete, se herkästi liitetään arkistoon.”

interdisciplinary approach not limited to archival theory. The approach might provide a bridge between archival science and other research areas. It might also enable scholars inside the archival science to better analyze some phenomena and see some questions in a new light.

Considering the vast amount of research done in humanities and social sciences, it is unlikely that no other science can provide conceptual tools for analyzing records, archives, and archival activities. Therefore, one should ask, whether there are ideas and concepts in other sciences that can be utilized in archival studies. In this study I suggest that they might be found in the speech act theory.

1.1 Basic concepts of the study and the Finnish archival context

One of the difficulties in undertaking research about archives and records is that there are few, if any, concepts that are understood beyond doubt and used with exactly the same meaning by all professionals or scholars in the international community. In addition, archival practices have been influenced by cultural, administrative, and historical circumstances. Therefore, before jumping into research questions, one must first make it clear how concepts of “archival profession”, “archives”, “records”, and “archival literature” are understood in this study.

An English speaking reader is likely to be familiar with the North American meaning of the terms. Therefore, an obvious way to clarify the Finnish concepts is to point out the differences to the North-American usage. The comparison is also needed therefore that in the lack of Finnish archival literature⁸ I have largely resorted to literature in English. Although the terms are in English, many archival concepts in the study have a broader or another meaning which is customary in the Finnish setting.

1.1.1 Archival profession

An obvious difference between the Finnish and North American archival environment lies in the relationship between archives and records management.⁹ In Finland both are aspects of the same professional activity and taken care of by

⁸ *Finnish archival literature mainly consists of manuals, guide books, official regulations and other practice oriented writings. There is even less Finnish scientific research; so far only one Finnish dissertation (Valtonen 2004) has had archival scientific focus.*

⁹ *In one Canadian province, Quebec, records managers and archivists are the same profession, as in Finland (an email message from Wendy Duff, dated July 11, 2007).*

the same professional group.¹⁰ There is only one group of recordkeeping professionals¹¹ taking care of records at all stages of the record's life cycle, or continuum (whatever term one wishes to use).¹² In North America activities and professional groups have become differentiated despite common roots (Cox 1995).

In the Finnish context the term "records management" (*asiakirjahallinto*) refers to tasks and functions in active and semi-active stage of records,¹³ but it does not denote persons working at this area as a separate professional group. Professional education, which has traditionally been provided mostly by the National Archive Service, is common to records managers and archivists. During one's career, a professional may work in archives and records management by turns. There are no separate professional associations. For instance, the Society of Finnish Archivists states that its membership is open to all persons "employed in the archival field, handling records management tasks or being in some other way familiar with the archival profession".¹⁴

The concepts of *archival professional* and *archival professional community* (or *archival community*, for short) are used in this study in the Finnish meaning: they also include professions and tasks in records management. Correspondingly, records management literature is also included in *archival literature*.

1.1.2 Archives and records

Archival practices and concepts reflect the administrative culture in which they are born. Sweden and Finland share the same administrative traditions (Ulfsparré 1998:58). In Sweden, records management and archives management are seen as ongoing processes that are dealt with by archivists (Ulfsparré 1998:61).¹⁵ The

¹⁰ For introduction in English to Finnish recordkeeping practices see Lybeck 1998; Kilkki 2004.

¹¹ The term "recordkeeping" is used here in the Australian meaning where it covers both archives and records management: in North-American usage "recordkeeping" is only a subset of records management (Valtonen 2005b:50).

¹² The Australian concept of record continuum is better suited to the Finnish recordkeeping context than the North American life cycle -concept (Henttonen 2004a). In many other countries records management is more tightly integrated to the activities of the organization than in Finland where both the functions and the group of personnel taking care of records management have vague boundaries (Valtonen 2005b:18).

¹³ Records and archives management are in Finland quite close to another and in part have similar functions (Lybeck 2006:19). The concept of records management was adopted in Finland in the 1980's (Hyppönen 1988).

¹⁴ See <http://www.arkistoyhdistys.fi/english/index.htm> (accessed 7.7.2005). Also The Trade Union of Archival Professionals (*Arkistoalan ammattiyhdistys ry*) accepts members in a similar basis.

¹⁵ Also in Denmark records management and archival administration have always been integrated (Bundsgaard & Sode-Pedersen 2004:69)

Swedish concept of “archives creation process” (*arkivbildning*) is quite comprehensive. It includes, not only mechanical aspects like filing and creation of archival series and units, but also questions of media selection and registration. What takes place before the disposition of the records is an integrated part of archives management (*arkivhantering*) (Backhaus 1995:37).

The approach is quite similar in Finland. It has been stated that in Finland the records management is a dimension of archival function (Valtonen 2001) or a tool for archives management (Kilkki 2004:52).

In Finland, all records are part of archives from the moment they are received or created in an activity.¹⁶ Thus, archives also include records having only short-term value. Conceptually even records not “archived” and annexed to the physical archival fonds are part of the archives and a subject to archives (records) management. In Finnish terminology private organizations and private individuals also create “archives”, not only public authorities. The Finnish term for “record” (*asiakirja*) may refer either to a public or private document.¹⁷

The terms *archives* and (*archival*) *fonds* are used in the study to mean a collection of material created or received in the course of public or private, organizational or individual activity regardless of the origin, form, age, phase in the life cycle, retention time and value for other actors besides the archives creator himself.

A distinctive trait in the Finnish archival practice is active involvement at the early stage of a record’s life span. This has been the universally favored approach since the advent of electronic records. In Finland it was adopted even before in the management of traditional paper records:

In Finland, archival fonds are not viewed from present to past, as something that is, they are viewed from present to future, as something that becomes. The accumulation of records into files, files into series, series into sub-fonds and sub-fonds into the archival fond of a record creator are all determined in advance, before the records are even created.

(Kilkki 2004:47)

This is achieved by an “archives formation plan”¹⁸ (*arkistonmuodostussuunnitelma*) which guides the management of records in the organization throughout their life span. Plans identify records with continuing

¹⁶ This was introduced in the legislation by the Archives Law of 1981 (Vartiainen 2002:254). Syrjö (1994a) claims that the Finnish archival theory and discussion has suffered from having no concepts with the same meaning as the “Records management” in English and “Archiv” and “Registratur” in German. Because of this no distinction has been made between a “living” and a “final” fond.—For the history of the concept of archives in Finland, see Wilenius 1994.

¹⁷ The concept of record in the study is defined and discussed on p. 20

¹⁸ Another English translation is “records management schedule” (e.g. Lybeck 1998:266). It is less literal and does not convey well the vast role the plans play in the Finnish recordkeeping practices.

value and determine their archival arrangement. For other records the plans determine the retention period. They also identify registration needs, access restrictions (if any) and determine record format and media as well as location of the record in different phases of its life span (Kilikki 2004:47).

Being active at the very early stage of a record's life span—before there actually is a record—logically entails that you must be able to recognize situations in which records will be created in advance. This is reflected in this study. It gives one answer to the question of why some communication is “record-creating” while the other is not.

1.2 Research questions and objectives

Archival ideas and concepts have strong roots in the experience of archival professionals, but there are obvious shortcomings. A more abstract theoretical framework, which would join concepts and work as a starting point in the examination of practices, is missing. Such a framework is necessary, on one hand, if you approach archival phenomena from the *outside*, without knowledge of professional ideas and archival science, asking what is the value of archival practices and ideas. On the other hand, such a framework might be useful also *inside* the archival field, because the discussion is often muddled by local legal traditions, terminology and practice. As its best, the framework could provide a neutral standpoint from which different local variants of archival ideas and practices might be examined.

The confusion caused by different archival contexts is especially problematic in scientific discourse. We may note, for instance, that archival professionals seem to universally acknowledge the value of some idea, but the concepts or terms used are not exactly the same in different cultural or legal areas. In addition, we may note that nor is archival practice the same everywhere, although it is supposedly based on the same idea.¹⁹ What, if anything, is then “universal”? Are the differences or similarities significant or irrelevant, and if are, from what point of view?—To answer one needs concepts and statements detached from any particular archival context. Only once you have such a framework, you may start comparing different local concepts and practices to it, and pointing out relevant facts.

The study tries to build such a framework by addressing three research questions. The first question is

1. In what way do archival documents differ from other documents?

By *archival documents* I refer to documents which archival professionals commonly see as items archival principles should be applied to, and which are

¹⁹ An example of this is the principle of provenance, see discussion in chapter 2.4.2 (p. 63 ff.).

customarily found in archival custody. Documents excluded from this group (most notably mass publications) are usually seen as belonging to the domain of librarians.

Speaking in Finnish terms one might equate “archival document” with “record”. However, the English terminology is not that simple. In English the group of archival documents includes two subgroups: “records” and “personal papers”. One may also further divide conceptions of record into subcategories, like “strong” and “weak sense theories” noted by Brothman (2002).²⁰

Thus, a good explanation would account for all the differences: why some documents are archival documents and others are not, how records are different from personal papers, and finally, what explains the distinction between records in strong and weak sense theories.

Because the goal is to answer to all the questions, several concepts are used in the study: a *record* refers to documents created or received by contrived (i.e. non-natural) organizations, like associations, agencies, and enterprises. By *personal papers* I refer to documents created or received by individuals in a purely private capacity, like correspondence between friends or family members. Deeds of sale, wills, contracts, and other juridical documents made by private individuals are in this dichotomy “records” because they imply membership in an organized society. *Archival document* is a general concept including both.

One may find in archival literature several (often vague and sketchy) explanations for the question why one should follow archival principles in archival work. It is easier to find exact answers if we divide the question into two parts. On one hand, something is achieved when the principles are followed in archival work, what is it? On the other hand, we need this “something” only when archival documents are in question, why?

Therefore, the two other research questions are:

2. What is achieved by following archival principles in archival work?
3. Why is it necessary to follow archival principles when archival documents are in question?

By “archival principles” I refer in this study to ideas governing the arrangement of archival documents (“principle of provenance” and “registry principle”, see chapter 2.2.2, p. 42 for details). No doubt, there are several answers, some of which are quite simple. For instance, one—quite convincing—answer to the second question is that the resulting arrangement makes the description of documents at the collection level possible. This is necessary primarily in the case of archival documents (the third question) because of the great number of individual documents in archives. Different answers suggested in archival literature are examined later (see chapter 4, 101 ff.).

²⁰ Some conceptions of record may encompass also private papers.

The objective of the study is not only to answer research questions, but also to open up concepts in archival theory by tying them to other areas of research. In addition, the objective is to give new insight into what records and archives are and provide new tools for analyzing them. Therefore, concepts and ideas are introduced from other sciences and applied to archival phenomena (see p. 26 ff.).

The scope of the study is broad. The first research question entails analyzing archival professional literature to find out how archival professionals see “recordness”, what reasons they see for applying the archival principles to documents, and what is written about concepts used in connection of archives and records. The second question, what is achieved by archival principles, involves examination of documents in archives.

Thus, on one hand, the focus is on ideas, concepts and conceptions of archival professionals. On the other hand, it is on concrete documents in archival custody. The underlying assumption is that these two are interrelated: the basis of professional ideas is in “archival reality” (in some sense) and a good explanatory framework joins both.

It should be noted that the questions are not about *what* should be preserved in archives or what an archivist should do. Discussion of recordness is easily mixed with questions about professional identity and archival mission.²¹ Neither is a concern in this study. The question is *why* and *when* archival principles should be followed *if* something is preserved. What needs to be preserved is a question of appraisal, and not tackled here. If the findings are correct, they should apply to preservation in general, regardless of what professional group has the responsibility for the task. The study does not give a complete answer. There are other reasons for preserving a document in archives, besides the ones suggested in this study.

Brothman (2002:315) notes that with a few exceptions, theorizing and research in the archival community has been largely conducted under the assumption that there must be only one concept of record with a single cluster of properties. Although this study also defines such a cluster from one perspective, but there are maybe other conceptions, even more valid and acceptable, depending from the selected point of view and the question one tries to answer.

1.3 About the study and its relationship to archival science

Although the emergence of electronic information systems has shifted the focus more on to records creation and systems used at this stage, archival scientists have been largely interested in the management and use of records and archives already existent and transferred to custody of an archival institution. Records are usually the starting point from which the functions and activities of a record creator are examined (Valtonen 2005b:21, 105–106).

²¹ See e.g. arguments in Greene, Boles, Bruemmer, et al. 2004.

Both in archival science and diplomatic records are generally looked at from “another domain”²², that is, as evidence of some past event that has taken place in another time and by other people. Archival science sees administration and its decision making processes from the outside, using traces left behind after the processes have taken place. It analyzes records and asks what was behind them and their creation. (Menne–Haritz 2004:4)

In addition, studies of archives and records users have focused on users with principally a historical purpose (Yakel & Bost 1994). Even when processes and procedures creating records are focused upon, the records are seen partially in terms of organizational memory (e.g. Yakel 1996), that is, from the point of view of a later use in the initial domain. The concept of memory has been widely utilized in archival and records management studies. It is used to describe culturally and historically valuable material preserved in archives for future generations. (Mäkinen 2004)

The point of view in this study differs from most studies on archives and records in archival science:²³ the focus is on the communication process in which a record is created, not on the record itself as an object and a persistent residue of the process.

This, together with the interdisciplinary approach, means that things are conceptualized quite differently from many archival studies. For instance, concepts of “evidence”, “evidentiality”, and “evidential value” are used quite sparingly, although they have become increasingly popular in archival science during the last decade (Brothman 2002) and often closely linked to records.²⁴

There are several reasons for this. Records are rarely thought of as “evidence” when they are used in daily work (although they undoubtedly may be that in a legal or historical perspective). I also find the concept of evidence largely too broad to be useful: what would not be evidence of something?²⁵ In

²² Hedstrom says that recordkeeping metadata “supports the transfer of records across domains and over time”. By “across domains”, she means transferring records from the domain in which they were created originally to other the business, juridical, social, cultural and/or technological domains. “What constitutes a different time domain is not well defined”, she notes. (Hedstrom 2000)

²³ For discussion on archival science, see “Previous studies” (p. 24) and “The concept of archival theory” (p. 75).

²⁴ “Documents and other artifacts stored in archives are often considered as potential evidence (or potential sources of evidence) of events that occurred in the past. Such artifacts are known as records in virtue of this potentiality – An artifact is a record to the extent that it is potentially evidentiary. Another way of talking about the recordness of an artifact, then, is to talk about its evidentiarity.” (Furner 2004:259).

²⁵ Meehan (2006) says that in archival discussion the meaning of the term “evidence” has been largely assumed to be self-evident. Duranti notes, that in diplomatics the capacity of being used as evidence is attributed to all written documents, and that documents are called “instruments” (*instrumenta*, carrying out actions) when they are defined “in relation to their nature, as determined at the time of their creation” (Duranti 1997b:5).

addition, the study relies heavily on speech act theory, which does not—because of its largely oral focus—have tools for examination of speech acts from “another domain”. For (unrecorded) oral speech acts, there is only one, the moment of utterance: “Sound exists only when it is going out of existence. It is not simply perishable but essentially evanescent, and it is sensed as evanescent. When I pronounce the word ‘permanence’, by the time I get to the ‘-nence’, the ‘perma-’ is gone, and has to be gone” (Ong 1997:32).

If by “archival science” one refers to scientific research of archives, records, archival ideas and activities, this study is part of archival science. However, usually studies in archival science utilize concepts in archival theory—that is why they are recognized as parts of “archival science” in the first place. In contrast, in this study concepts of archival theory, like “record” and “principle of provenance”, are more something to be “explained” than a starting point and tools in the analysis. Thus, the study here is also a meta-study in regard to archival science and builds a meta-framework to archival theory.

Some archival scholars and professionals may object to this approach. From a purely practical point of view it may seem unnecessary. It might also be interpreted as an indication that archival science is not an autonomous area of scientific activity. Both reactions are erroneous. Basic research, like this study, does not try to provide tools for practical activities. I personally believe that archives provide a rich and multi-sided research area, which needs concepts and theories of its own. Interdisciplinary studies may, however, give new insight into archival phenomena and provide new concepts for analysis. In the long run, this may provide both better practical tools and understanding of what records, archives and archival activities are.

1.4 Previous studies

One may find answers to individual research questions posed above in archival literature. Until recently, conscious theory-building has not been used as a research method in archival science, i.e. there have not been works in which the logic that is used to build the theory is made explicit and accessible to the user of the theory. During the last fifteen years theory building has advanced in many areas.²⁶ (Gilliland & McKemmish 2004) However, there have been no attempts to build abstract frameworks similar to the one in this study. In addition, although there has been interdisciplinary research, theories and concepts have not been taken from the philosophy of language, as in this study.

Frameworks, which allow the contrasting of archival documents to other documents, especially are missing. The closest equivalent to this study may be found in archival studies based on the theory of diplomatics (see “Records, acts,

²⁶ *As examples of this Gilliland and McKemmish give Frank Upward's, Karin Gracy's, R. Brown's, Martine Cardine's, Terry Cook's, Trevor Livelton's, Tom Nesmith's and Chris Hurley's works.*

and environment of record creation in diplomatics”, p. 143 ff.). However, diplomatics differs from this study in two respects: it operates inside the archival science without interdisciplinary goals. In addition, it has different objectives; originally diplomatics emerged in the seventeenth century as an analytical technique for determining the authenticity of records issued by sovereign authorities in the previous centuries (MacNeil 2000:66).

One may point out at least two reasons for the lack of research in this area. The first one is the current — to some extent underdeveloped — state of archival science. The number of researchers working on the area is small and the discipline is only in the process of becoming an autonomous science (Thomassen 1999). From the early 1990’s, there has been an increasing number of archival students and professionals pursuing doctoral degrees with the specific goal of undertaking archival research. Also several major universities have begun to offer professional education in archives and records. (Gilliland & McKemmish 2004) In Scandinavia the institutionalization of archival studies in university structures is only in the beginning (Vakkari & Valtonen 2003).²⁷

The second reason may be the close ties of archival science to archival practice and the archival profession. Archival professionals are by many accounts practice-oriented. (Mortensen 1999:2 and 22, fn. 1; Procter & Lewis 2000; Voutilainen 2003; Henttonen 2004b; Sundqvist 2005) Finding a practical solution is usually what one aims for. In Finland, theorizing has not been popular—it has occasionally even been ridiculed (Latva-Koivisto 2005). There has been only a little theoretical research and only from the 1980’s a publication for archival studies (Orrman 2002a; Wilenius 1994)²⁸ It seems that the complacent mood in the Finnish archival community is typical to the profession at large, especially when it comes to working with traditional paper documents: it feels like basic issues have been nicely solved and there is no need to contemplate them anymore, like Peltonen (2004:8) notes.

The combination of practically oriented professionals and a small research community is not a good breeding ground for theories. Kjölstad (1995:26) notes that archival studies have been more occupied with defining the limits and the content of archival science than developing theories and methods for it. He explains this by saying that the pioneers of archival science got their scientific paradigm from other sciences, usually from the science of history. Therefore the own paradigm of archival science remained underdeveloped and has remained

²⁷ *There has only been a journal since 2001 (Archival Science) based on peer review and having purely scientific goals: other journals belong to some professional association. Despite positive development in many areas the small number of researchers makes advancement in archival science slow (Valtonen 2004; Valtonen 2005a).*

²⁸ *Wilenius (1994) notes, that in the regulations of the National Archives of Finland in 1947 archival theory was put into a subordinate position. The regulations state, that the purpose of archival activities is purely practical, and, therefore, it is useless to look for one theory to support them. At the same time, the regulations, however, express ideas about archives and archival activities, which might be deemed theoretical.*

such in the pressure of practical necessities. That the major part of the research has been done in close liaison with archival institutions has been a consequence of and a stimulant for this development.

In archival handbooks “theory” may simply refer to a set of rules guiding one to a good result (Johansson 1997). For instance, the principle of provenance is sometimes used as a synonym for “archival theory”, although it is more a method or a description of how archives are formed (Gränström 1995).²⁹ This is unarguable if by theory one means “an internally consistent group of relational statements (concepts, definitions, and propositions) that presents a systematic view about a phenomenon and which is useful for description, explanation, prediction, and control” (Walker & Avant 1983:17–18).

A need for interdisciplinary research has been recognized in archival literature. Research methods in the field of archival science have been grounded in the disciplines from which the field was formed, namely diplomatics, law and historiography. Much recent research is collaborative and multidisciplinary, thus exposing archival research to additional research methods, including systems analysis and computer science approaches (Iacovino 2004).

In this study ideas in philosophy of language are used extensively. Philosophy has not received much attention in archival literature. Brothman (1999:67) notes, “only a very small minority of archivists have ever found that philosophy of any kind offers them much theoretical interest or practical utility – – archivists have seldom felt the urge to employ philosophy in accounting for what they do, for what they claim to know, and for what they believe to be justifiable in what they profess to do”. Therefore, this study represents a new approach and perhaps opens new possibilities for interdisciplinary research in archival science.

1.5 The components of the meta-framework used

1.5.1 *Theory derivation—the process of finding the framework*

The objectives (p. 21) entail an interdisciplinary framework that is used to open up concepts in archival theory, to give new insight into what records and archives are, and to provide new concepts for analyzing them.

The framework has been largely provided by the process of theory derivation:

Theory derivation is the process of using analogy to obtain explanations or predictions about a phenomena in one field from the explanations or predictions in another field. Thus, a theory (T_1) from one field of interest (F_1) offers some new insights to a theorist who then moves certain content or structural features

²⁹ Compare Nilsson 1983:17.

into his own field of interest (F2) to form a new theory (T2). (*Walker, et al. 1983:163*)

Walker and Avant note that theory derivation is an easy way to develop theory rapidly in a new field. They see five basic steps in theory derivation (Walker, et al. 1983:165–166):

1. Becoming familiar with the literature on the topic of interest
2. Reading widely in other fields for ideas
3. Selecting a parent theory for use in derivation
4. Identifying what content and/or structure from the parent theory is to be used
5. Developing or redefining new statements from the content or structure of the parent theory in terms of the phenomenon of interest to the theorist

The process is iterative and some or all steps are repeated until the level of sophistication of the theory is acceptable (Walker, et al. 1983:165–166). This was also the case in this study.

There is a distinction between borrowing a theory and theory derivation. In theory derivation a whole set of interrelated concepts or a whole structure is moved from one field to another and modified to fit the new field. When a theory is “borrowed” it is moved unchanged from one discipline to another (Walker, et al. 1983:163–164).

The concept of theory derivation is more appropriate to describe the method in this study. Not the same phenomena is explained as in the parent theory, and ideas from several disciplines, like philosophy of language, sociolinguistics and communication science, are used.

1.5.1.1 Becoming familiar with the literature

The first step (“becoming familiar with the literature on the topic of interest”) was a part of my professional curriculum even long before the research began. In some ways this—as well as the fact that I am an archivist by profession—is problematic. By this I mean that it is probably impossible to entirely separate my personal conceptions as a professional from those of my fellow colleagues, especially when a text leaves much room for interpretation. Also, I cannot make the claim that I started the enquiry entirely without preconceptions of what the research will finally reveal. From the beginning there have been some preliminary ideas which have been revised, abandoned, complemented and sharpened in the process.

1.5.1.2 Reading widely in other fields for ideas

At stage two (“reading widely in other fields for ideas”) a kind of revelation leading to this study was an introduction to communication models by Fiske (1998).

Like many other archivists interested in archival theory, I have pondered concepts of “records” and “archives” trying to explicate them. When I read about the early verbal communication model by Lasswell it immediately occurred to me that the model could be applied to records, even though this is far from what Lasswell originally intended.³⁰ According to Lasswell it is essential to think “who says what, in which channel, to whom, with what effect” (Lasswell 1948; Severin & Tankard 1965:30; Fiske 1998:49–50).

Looking at records and archives from the point of view of communication is more natural than e.g. viewing them as passive stores of information.³¹ Lasswell’s model brings to mind what Duchein says about traditional records and archival fonds: to appreciate a document it is essential to know exactly where it was created, in the framework of what process, to what end, for whom, when and how it was received by the addressee, and how it came into our hands. This is possible only if the whole of the documents has been kept intact, separate from and without confusion with documents of different origin (Duchein 1983:67). Much archival effort has gone into describing the communicative context within which the record functioned — who was the originator, to whom was the missive addressed, how did the record fit into a particular administrative function, and so on (Higgs 1998:106).

Later I also studied other ideas in communication science. Some of them proved interesting, others were a disappointment. Records are often seen in archival theory as remains of organizational activity. However, in the studies of organizational communication that I become acquainted with (Goldhaber 1979; Hiebert, Ungurait & Bohn 1988; Jablin, Putnam, Roberts, et al. 1989; Littlejohn 2002) records were just a small part of organizational communication—a concept which may cover everything from of a color of a rug to advertisements (Stohl & Redding 1989:452)—without characteristics supporting the ideas in the archival professional knowledge.³²

³⁰ Lasswell intended his model for analysis of mass communication. It “essentially lists the parts of the mass communication system and the things that mass communication accomplishes” (Littlejohn 2002: 313)

³¹ A feature, which has escaped Buckland (1991), is that a record keeping system (prior to the passive stage in historical archives) does not only store and make possible the retrieval of information, but also collects in some cases new data when the information is used. The Pittsburgh model of functional requirements in the recordkeeping sets the ideal that every use of a document should be recorded. But, like Bearman (1994b:56–59) notes, traditional record keeping systems are not very effective in this.

³² In media selection theories records are notable for characteristics like “low media richness” (Daft & Lengel 1984; Daft & Lengel 1986), or “poor social presence” (Short,

1.5.1.3 *Selecting a parent theory for use in derivation*

Speech act theory finally proved to be a good starting point for the theory derivation. In short, speech act theory is a theory describing what we do in or by speaking. “Speech acts” are acts performed when words are uttered. The theory states what kind of acts one may do by language, and what simple compound acts the complex act of uttering words involves.

I was guided to the speech act theory in two ways. Firstly, archival literature contains some references to the speech act theory. My attention to speech acts was initially drawn by Pulkkinen (1998; 1999). Later I learned that the connection between speech acts and records has been noted in passing and more or less explicitly in archival literature also by others. Some writers make no clear reference to the speech act theory but seem to be familiar with it. (Nilsson 1983:24; Svenson 1995:44; Higgs 1998:105; MacNeil 2000:69–70; Brothman 2002)

Secondly, the speech act was one of the theories I encountered while reading about communication science. For instance, Littlejohn (2002) introduces speech act theory as one of the “theories of discourse”.

By “speech act theory” I refer in this study to ideas of J. L. Austin and J. R. Searle. There are several reasons for taking these two thinkers as the starting point. It is almost impossible to leave Austin out. The speech act theory is often associated to Austin’s name (Filosofian sanakirja 1999:Austin), although philosophers like Thomas Reid and Adolf Reinach made efforts to advance theory in this field before him (Smith 2003). In addition, Austin presented the dichotomy between constatives and performatives. Brothman (2002) has noted a connection between performatives and records.

Austin’s work was never completed. His lectures in 1955 at the Harvard University were published seven years later posthumously in a book entitled “How to Do Things with Words”. Searle developed the theory further abandoning some of Austin’s ideas (Taylor & Cooren 1997). Together Austin’s and Searle’s writings form what is often described as the “classical theory” or the “mainstream” of the speech act theory (e.g. Kurzon 1986; Mey 1993). This alone makes it natural to limit the exploration of the speech act theory to these two thinkers in this study.

Searle was important also for another reason. He later developed a theory about the construction of the social reality and the role played by the speech acts in it (Searle 1995). This theory has also been utilized in this study. The theory is in some ways an outgrowth of the speech act theory. Its origins can be found already in Searle’s now classic study, “Speech acts — an essay in the philosophy of language”, which was originally published in 1969.³³ In this study Searle’s

Williams & Christie 1976). About media selection, see also Davis 1989; Reinsch & Beswick 1990; Fulk, Schmitz & Steinfield 1990; Trevino, Daft & Lengel 1990; Dennis & Kinney 1998.

³³ *For instance, already in 1969 Searle presented the distinction to brute and institutional facts which is significant for this study (Searle 1980: 51 ff.).*

theory of the construction of the social reality is included in the concept of “speech act theory”, although, strictly speaking, not all parts of it are a part of the speech act theory as it is usually understood.

Speech act theory has been applied to textual documents (e.g. Kurzon 1986; Petrey 1990). However, there are no studies of the subject from the archival perspective.

1.5.1.4 Identifying what content and/or structure is to be used

The intention is not to give a proper and full account of speech act theory in terms of philosophy of language, pragmatics, or sociolinguistics, but to introduce some central concepts and ideas, which are then used in this study. The details of the theory are discussed later in the study, as part of the argumentation.³⁴

When a new theory is derived the whole parent theory may not be needed. Only those elements that are analogous and therefore relevant have to be used. In theory derivation one also may—and often needs to—modify the concepts or structure borrowed in such a way that it becomes meaningful in the theorist’s field. (Walker, et al. 1983:165–166)

The parts of the speech act theory to use in the study have become apparent step by step in the research process. In the end, I have used only some very basic ideas of the classical speech act theory: firstly, that using language always involves doing some act, secondly, that acts can be classified in a few categories, and thirdly, that it is possible to differentiate several functional levels in any act. About these ideas Austin and Searle are unanimous, but they differ when it comes to details of classification and functional levels found in acts. The differences are noted in the text. Searle’s classification and notion of functional levels has been mostly used in the study, because it seemed more detailed and appropriate for the purpose.

Besides the speech act theory other theories are also used in the study. During the research process it was soon noticed that the classical speech act theory (even combined with Searle’s idea of the construction of social reality) cannot solely answer to all the questions. Above all, it does not explain the division to archival and non-archival materials. “Strong sense” records are typically speech acts of a certain kind, namely performatives in Austin’s original dichotomy (Brothman 2002) (and “declarations” in Searle’s classification), but this can be only one part of the answer (see chapter 5.2, p. 118 ff.). It is easy to find records exemplifying other classes of speech acts besides performatives. There are also “weaker sense” records in archival custody, and even documents, which are by many accounts records neither in “strong” nor “weak” sense. Clearly, the classical speech act theory of Austin and Searle alone was not sufficient.

³⁴ *The first chapters of the study are perhaps confusing if the reader does not have previous knowledge of the speech act theory. In such case, he is advised to return to these chapters later when the basic concepts in the theory have been discussed.*

Performatives play a role in the creation of institutional facts. In his theory Searle (1995) suggests that institutional facts are essentially deontic by nature: changing them means changing what people should, or should not, do. This made me wonder, could the same apply to “record creation” in general, and lead to exploration of studies on organizations and their communication.³⁵

From the viewpoint of this study, a clear shortcoming in the speech act theory is that it does not say much about the contextual information needed for understanding a speech act. This is perhaps a consequence of the largely oral focus of Austin and Searle: in oral communication the speaker and the hearer usually share the same context, which partially hides the context’s significance. When it comes to writing, the opposite is often true. Especially, in the case of documents preserved in historical archives, temporal, geographical, cultural and social distance between the writer and the reader may be considerable. To understand what information about a written speech act might be needed by the reader, I resorted to studies in sociolinguistics (see chapter 2.2.1.2, p. 39 ff.).

1.5.1.5 Developing or redefining new statements

The last stage of the process of theory derivation is developing or redefining new concepts. This happens throughout the rest of the study.

For the most part the result is not a theory,³⁶ but a framework of ideas from which to deduce theories. The framework itself is too large and general to be acceptable as a theory, but it may serve as a basis for developing hypotheses for examination of different archival phenomena.

1.5.2 Notes about the speech act theory and its applicability

For the uninitiated, combining speech acts with records may sound like a strange idea. After all, records are not “spoken” and they may contain non-textual material, like multimedia, pictures, diagrams, and voice. This is, however, less of a problem than it may seem.

The speech act theory is not about speaking: it is about using the language. Searle first introduced the term “speech act”. Allwood (1977) finds this unfortunate, because the term gives a wrong impression about the applicability of the speech act theory.³⁷ The oral medium of language production is by no

³⁵ *The detailed argumentation is in the chapter 5, p. 97 ff.*

³⁶ *“An internally consistent group of relational statements (concepts, definitions, and propositions) that presents a systematic view about a phenomenon and which is useful for description, explanation, prediction, and control” (Walker & Avant 1983:17–18)*

³⁷ *It is also confusing, because a speech act consists of functional levels also called “acts” (Allwood 1977:7).*

means the only medium in which ‘speech acts’³⁸ may occur (Mey 1993:111). The medium has traditionally received little or no attention in the studies of speech acts. Austin himself started his analysis of speech acts by giving four examples of “performatives”: a wedding, a bet, a ship christening, and a clause in a will—the last one being an example of usage of language in writing (Petrey 1990:76—78).

Still, Austin thought that speech act theory could not be applied to literary language. However, the stumbling block was not the medium used, but the social context surrounding the language usage. The issue for Austin was not whether the theory is applicable to written acts, but whether it can be applied to acts “made” by fictitious persons in fictitious circumstances. “Literary language is for the student of verbal performance no more than a photograph of the Himalayas for a mountaineer.” (Austin 1955: 51) Austin’s opposition was based on the fact that he was an “ordinary-language philosopher” and didn’t feel that literary use of language was “ordinary” (Petrey 1990:50–51).³⁹

In the same vein Petrey’s “Speech acts and literary theory” (1990) pays little attention to the fact that what is discussed are written utterances instead of oral. The focus is on other questions, like how fiction differs from telling lies: after all, an author is consciously making untrue statements—for instance, that there is a person called Sherlock Holmes living in London. Examples in Kurzon (1986) are from legal documents, but only the language is important, not the medium used.

There are some differences in oral and written usage that I will discuss later in the study. Petrey remarks that there is a distinction between Austin’s oral and written examples of performatives: whereas spoken words (like “I name this ship...”) instantaneously produce the referent (a ship’s name), “I give and bequeath my watch to my brother” does not produce a legacy at the moment of enunciation. Furthermore, the performative words will do things in a context different from that in which they were produced: whether or not the brother gets the watch depends on the social convention at the moment of the writer’s death, not of that at the moment of enunciation.⁴⁰ (Petrey 1990: 78)

Studies of speech acts either pay no attention to the medium or are unwittingly orally oriented. Because in this study the focus is on the communication process in which a record is created, this is not a problem. The speech act theory is well suited to the examination of “first domain” since the moment of utterance is the only domain an oral speech act ever has.⁴¹

³⁸ In Finnish the term “speech act” is sometimes translated as *kieliteko*, literally “language act” (see e.g. Helin 1990). This is an inaccurate translation but conveys the idea well.

³⁹ “For Austin – illocution disappears, only locutions are left, when language is literary” (Petrey 1990:56).

⁴⁰ Petrey says, that in speech, the social formation defining the illocution is the same for the speaker and the audience, but in writing they can be wholly distinct.

⁴¹ Oral acts have also only one context, and thus, the importance of context may not become fully evident. In the case of written documents the act can be studied separately from the context, which may better reveal the context’s significance.

Conversely, the speech act theory has little to say when it comes to questions in the second domain, although archival theorists have been largely occupied by these. E.g., in diplomacy a distinction is made between document making and the fact attested by the document. This has no relevance in the oral world. Authenticity and integrity are not problems of spoken language that is personally witnessed by someone. Unlike spoken words, written words can be also “re-used” without inevitably creating an entirely new act (e.g. a love letter produced as evidence in a court) and a document may be considered more reliable because it has not been originally intended for the new purpose and for the new audience. These are areas falling outside the scope of the speech act theory.

According to Allwood (1977), the distinctions made by Austin apply to communicative actions in general including non-verbal ones. Similarly, Hervey has claimed that despite speech-oriented terminology and concentration on linguistic examples, the speech act theory would be more aptly named ‘theory of communication acts’. He states that a more realistic assessment of the scope of the theory would result from a substitution of the term ‘semiotic’ for the term ‘speech’, because it is clear that the notions of the theory of speech acts are just as applicable to non-linguistic communication.⁴² (Hervey 1982:93–4) — This enlargement makes the speech act theory even more applicable to this study: in archival theory a record does not have to be a document. An audio tape or a piece of film may also be a record, to take a few examples.

Later it will be claimed that record creation is linked to speech acts creating institutional facts (and deontic consequences in general). In this study, the complexities arising from the relationship between institutional facts and multiple acts are ignored. For instance, imagine a trade negotiation. First, both parties verbally agree that they have reached an agreement. Then they perhaps signal it by making a non-linguistic communicative act (like shaking hands). Next, they sign the contract. Finally, if the juridical system requires it, a public authority makes a record of the contract. At what stage is a new institutional act created? Surely, it cannot happen several times? For this study, the question is not important. The society has its methods for resolving conflicts. It is also not a concern for archival theory: all questions of interpretative use lie outside its bounds and concern, like Eastwood (1994:127) has noted. The important point here is what the possibility of creating new facts by using language implies for the preservation of some documents.

The approach in the study is simplified also in another way. Despite the remarks of Allwood and Hervey, the study is limited to textual documents. For simplicity, I also assume that there is only one speech act in every document.

⁴² *In diplomacy, also a gesture may be a juridically relevant act (or fact — depending on whether its consequence is intended or not). An example of this would be how in ancient Rome a man recognized a child as his own by taking a newly born child from the hands of the mother and holding the child on his knees. (Duranti 1989–90) Cf. how one may create institutional facts without language: an example might be how a person “scores” by hitting a ball through a ring in a basket ball game (Helin 1990).*

The reality is often more complex: one document may contain speech acts from different authors (e.g. original document and annotations by another person) or a text from one author may contain several speech acts having different illocutions. As far as I see, this complicates the analysis of documents, but does not make the results of the study less valid.

Finally, some notes about the criticism against the speech act theory. The theory created by Austin and Searle is now over thirty years old. It has inspired a substantial amount of research on language use (Allwood 1977) and has had an enormous impact on linguistic philosophy (Mey 1993:109).⁴³ Is it still valid? Are there not new and better theories?

Kurzon writes about legal performatives in linguistics and notes

Although [the classical theory of Austin and Searle] has been thoroughly worked out, expanded, criticized, and even rejected, over the last twenty years or more, this does not mean that there are no problems left nor that the classical theory is not effective enough to describe and explain various phenomena.

(Kurzon 1986)

The classical theory has been criticized and revised in various areas of research from the perspective of the needs of the particular area (see e.g. Allwood 1977; Petrey 1990; Grewendorf & Meggle 2002; Tuomela 2002). Although one may find either in Austin's or Searle's ideas various shortcomings (depending on what they are applied to), their concepts are still generally used.

Speech acts have been widely studied for several decades not only in philosophy of language but also in other areas of research, especially in pragmatics and (socio)linguistics, and discourse analysis. Assessing everything written about speech acts is impossible, not only because of the sheer bulk of research literature, but also because of the specialized expertise required by every branch of research.

To my knowledge, the criticism is often targeted against questions less relevant for this theory,⁴⁴ but there is also more valid criticism, like remarks about conceptual obscurity. For instance, Allwood notes that Austin's distinction between illocutionary and perlocutionary acts is ambiguous. It is not clear whether he is talking about intended or actually achieved effects. Talking about the functional levels of language, Allwood objects to the choice of the term "act", because it gives an impression that Austin is "talking about temporally distinct activities rather than simultaneous aspects of the one and same action". (Allwood 1977:6)

An important question is to what extent functional levels, like illocutions (see Petrey 1990:78), are socially constructed. This has relevance for this study. Although Austin and Searle note the role played by "social conventions" or

⁴³ *Austin's ideas had enormous influence also for the development of pragmatics. Today his work is seen as a classic in the "early pragmatic tradition" (Mey 1993:23).*

⁴⁴ *E.g., according to Tuomela (2002) not all the status-functions are deontic—as Searle claims in his theory of construction of the social reality (Searle 1995).*

“institutions” in speech acts, the focus of the classical speech act theory is largely on single acts of individual speakers taking place in isolation of other acts (Allwood 1977). The more illocutions are created by individuals in isolation, or they are thought to exist simply because of the linguistic expressions used (without regard to other acts and participants of the conversation), the less important the social setting of the language usage becomes. Conversely, the more an illocution exists because of the participants and the setting of the speech act, the more it makes sense to preserve contextual information about the act. This question is still debated, and, as far as I know, it has not been ultimately resolved.

1.6 Remarks about the structure and the methodology of the study

Empirical studies in natural and social sciences usually follow IMRD-pattern (I=Introduction, M=Material and Methods, R=Results and D=Discussion) (Viskari 2003: 27–28). This study is not that straightforward. The research questions are approached in five chapters, some of which are built on this pattern. Except for two chapters, the parts have in common that the speech act theory (see above, p. 29) is used in some form.

In the first part (chapter 2, “Archival principles in the preservation of speech acts”, p. 37) some examples of archival documents in the custody of the National Archives of Finland are examined. The purpose is to discover, what results does following archival principles in arrangement have. The hypothesis is that this is a way of preserving information which helps a user to reconstruct parts of the speech act and its context. Hence, the chapter begins with an introduction to main concepts used in the speech act theory and other studies of speech acts.

In the second part (chapter 3, “Characteristics of records in archival theory”, p. 75) concept and text analysis is used to examine conceptions of the record in the archival literature. The research goal is to explore, what archival theory says about records, and, especially, about the environment of record creation.

In the third part (chapter 4, “Reasons for applying the principle of provenance”, p. 101) the purpose is to find out what reasons archival literature gives for applying archival principles to archival materials.

In the fourth part (chapter 5, “A framework for archival principles: rule-bound speech acts”, p. 113) Searle’s theory of construction of social reality and the role played by speech acts in it, is first outlined. Then, how records fit into this picture, is examined. It is suggested that records are “rule-bound speech acts”, how this fits together with different conceptions of record is explored, and the need to apply archival principles to records is explained.

In the fifth part (chapter 6, “Rule-bound speech acts compared to ideas in diplomatics and concepts of transaction, accountability and reliability in archival theory”, p. 142) some concepts and ideas in archival theory are examined from

the point of view of the speech act theory and ideas presented in the previous chapters.

Finally, in the last chapter (“Discussion of findings and notes for further research”, p. 176) there is a discussion of the findings and their importance, as well as suggestions for further research.

2 Archival principles in the preservation of speech acts

2.1 Introduction

One of the research questions in the study (p. 20) is what is achieved by following archival principles in archival work? In this chapter, I suggest an answer based on the speech act theory together with some ideas from sociolinguistics.

The hypothesis is that archival principles “preserve speech acts”: they store information that helps a user to reconstruct and understand the speech act in the document. By “archival principles”, I refer to three basic ideas followed in the archival arrangement (see p. 43 for details). What is meant by “reconstruction” and “understanding” is defined later (p. 47). Once the theoretical background has been explicated, the hypothesis is restated in more exact terms (p. 50).

In order to understand what preservation of a speech act might involve, functional levels of a speech act in speech act theory and the role of context in the interpretation of speech acts are introduced first. Next, what is understood by “archival principles” is defined. At the third step it is examined—in the light of concrete examples of archival documents—how different parts of a speech act together with contextual information are in different cases preserved because of archival principles.

Finally, the conclusions are summed up. In the final section, there is also a discussion on whether the findings might be generalized to archives everywhere.

2.2 Hypothesis and methodology

2.2.1 *What is there to preserve?*

To restate the hypothesis in more exact terms, one must first define what parts a speech act has. Preservation of speech acts logically entails preserving either those parts or information on which they can be reconstructed.

2.2.1.1 *Functional levels of language*

Speech act theory emerged from the philosophically groundbreaking idea of J. L. Austin. Austin stated that language does not only describe some state of affairs, but we also “do things with words”; give commands, instruct other people, apologize from someone etc. (Austin 1955) Searle introduced the concept of “speech act”. A speech act is the basic minimal unit of linguistic communication (Searle 1969:16). What exactly constitutes one speech act depends on features of interaction and context as well as of grammar (Hymes 1974:52–53).

To examine how archival principles may preserve a speech act, one must first analyze the components of one act. Both Austin and Searle agree that a speech act consists of several functional levels, which are (perhaps confusingly) also known as “acts”. Austin saw three of them: “locution”, the act of uttering something (e.g. saying “open the window”), “illocution”, the act taking place simultaneously with the uttering (asking someone to open the window), and perlocution, which refers to the behavioral results gained by the illocutionary act (somebody opens the window) (Austin 1955). It may be difficult to distinguish these acts even in a relatively simple sentence (Austin 1955; Wright 1982:247–8).

Searle split the locution into two acts: utterance act and propositional act. Thus, he proposes that there are four functional levels in the language (Searle 1969:24–25):

- a) Utterance act: uttering words (sentences, morphemes)
- b) Propositional act: referring and predicating
- c) Illocutionary act: stating, questioning, commanding, promising, etc.
- d) Perlocutionary act: e.g. persuading, scaring, or alarming someone by making an illocutionary act

Searle asserts that a propositional act cannot occur alone: one cannot just refer or predicate without making an assertion or performing some other illocutionary act.

Some propositional acts may be common to several different illocutionary acts. One can perform an utterance act without performing a propositional or illocutionary act at all, because an utterance act consists of simply uttering a string of words. If we compare the following sentences

1. Sam smokes habitually
2. Does Sam smoke habitually?
3. Sam, smoke habitually!
4. Would that Sam smoke habitually.

5. Mr. Samuel Martin is a regular smoker of tobacco.

we will notice that the propositional act is the same in all cases (reference and predication are the same), there is the same illocutionary act in the first and the fifth (same assertion or proposition is made) but the utterance act in the fifth is different from any of the previous because a different sentence, containing none of the same words and only some of the same morphemes, is uttered. (Searle 1969:22–26)

Speech act theorists have been mostly occupied with illocutionary acts: they have been concerned e.g. with questions of recognizing and distinguishing different kinds of illocutions, defining relationships between verbs and illocutionary acts, or conditions that must be fulfilled before a speech act has some illocutionary effect (Mey 1993:113).

Finally, there is a perlocutionary act. Saying something “will often, or even normally, produce certain consequential effects upon the feelings, thoughts, or actions of the audience, or of the speaker, or of other persons: and it may be done with the design, intention, or purpose of producing them” (Austin 1955:101). Other functional levels are intentional and generally performed with the primary intention of achieving some perlocutionary effect. The perlocutionary act (or effect) may be something not intended by the speaker: one may shock another person by making some quite innocent remark. It is also often, but not necessarily, something non-verbal. Perlocutionary acts are brought about by what is said: a perlocutionary act would be to cause panic by shouting “Fire!” If speaking in general startles people, or the fact that some particular person speaks, causing the effect is not a perlocutionary act in Austin’s sense (Warnock 1989:123–124).

2.2.1.2 *The context of a speech act*

Language is always used in some context. Scholars in linguistics like to separate a sentence from its context to show how it may mean more than one thing (“The missionaries are ready to eat”, “Flying planes can be dangerous”). However, among real users of language there is rarely ambiguity, because the context is obvious to both the speaker and the hearer (Mey 1993:7–8).

In many ways, the context is an inseparable part of the act and important in multiple ways. It is a matter of understanding a sentence, like “John is the policeman”: the sentence makes sense e.g. if there are police officers that the speaker knows by their first names or if he is distributing parts in a theatrical performance. What is actually said depends on the context. Mey (1993:38–40) says that the utterance “It’s a long time since we visited your mother” has a very different “pragmatic meaning” depending on whether it is uttered at the coffee table in a married couple’s living room or in a local zoo while they are standing in front of the hippopotamus enclosure.

Mey notes that “context” is a notoriously hard concept to deal with. Linguistics asserts that the ‘context’ must be invoked to determine what an ambiguous sentence means. “This sounds OK, perhaps, if by ‘context’ we understand a rather undefined mass of factors that play a role in the production and consumption of utterances”, Mey adds. (Mey 1993:7–8) Many linguists see the context to be the sum and result of what has been said up to now, the “prehistory” of a particular utterance. This makes the previous discourse an important part of context. It also means that the context is dynamic: it is in steady development, prompted in the conversation by the continuous interaction of the users of the language (Mey 1993:8,10).⁴⁵

By ‘context’ one may refer e.g. to functional, cultural or social relationships. A context may be a network of connotations, or an institutional, communicational, situational or individual setting (Valtonen 2005b:32, fn. 7).

Context both limits the range of possible interpretations as well as supports some intended interpretation (Brown & Yule 1983:37). It is customary to make a distinction between context and co-text. “Co-text” is the linguistic environment in which the language is used, “context” the physical environment (Yule 1996:128). Co-text includes all the words uttered in the discourse besides the individual term (Brown, et al. 1983:46). For instance, in the sentence “Drink Brazil for pleasure” the co-text limits the interpretation of the word “Brazil”: it is more likely to mean a juice than a state or a geographical area.

Hence, a full and error-free understanding of a speech act may require knowledge of the context in which the act takes place. This implies that preserving a speech act may involve preserving information about its context. The speech act theory does not say what contextual information one needs for understanding an act. In sociolinguistics, one has tried to find out which aspects of a context of a situation are relevant to different interpretations of the same utterance on two occasions.

Hymes has provided “a checklist which would enable a visiting ethnographer to arrive by helicopter in a location where a communicative event is in progress to check off the detail of the nature of the communicative event”. According to Hymes, ethnographic material so far investigated indicates that some sixteen or seventeen components have sometimes to be distinguished, but no rule has been found that requires specification of all simultaneously. “Each of the components may sometimes be a factor”, says Hymes (1974:54). His checklist contains the following elements (Hymes 1974:53–62; Brown, et al. 1983):

1. **Addressor**: the speaker or writer producing the utterance
2. **Addressee**: the hearer or reader who is receiving the utterance
3. **Audience**: over hearers of the communication
4. **Topic**: what is being talked about (message content)

⁴⁵ Mey talks about “social context” which is primarily created in interaction (Mey 1993:42).

3. **Setting:** time and place of the event
4. **Channel:** how the contact between the participants is being made (e.g. in writing)
5. **Code:** what language, or dialect, or style of language is being used
6. **Message-form:** what form is intended — chat, debate, sermon, fairy-tale, sonnet, love-letter etc.
7. **Event:** the nature of the communicative event within which the genre may be embedded (e.g. a sermon or prayer may be part of the larger event, church service)
8. **Key:** evaluation (was it a good sermon, a pathetic explanation, etc.)
9. **Purpose:** what did the participants intend should come about as a result of the communicative event or what was the purpose of the event from a community standpoint (purposes—goals) and what were the conventionally recognized and expected outcomes of it (purposes—outcomes)
10. **Situation:** Physical (setting) and psychological (scene) circumstances
11. **Norms of interaction and interpretation:** what is allowed in the interaction (e.g. interrupting the other speaker) and how a message should be interpreted.
12. **Genre:** category such as poem, myth, form letter, lecture, etc. characterized by a set of traditionally recognized formal characteristics.
13. **Possible world co-ordinate:** states or affairs which might be, or could be supposed to be, or are.

Hymes describes these as the “components of speech acts”. Hymes does not explicitly refer to the speech act theory, but his usage of the term is compatible with it.⁴⁶ The definition of a speech act is similar to that of Searle’s.⁴⁷

Lewis has provided a list of indexes co-ordinates of which a hearer would need to have specified in order to determine the truth of a sentence (Lewis 1972:173):

⁴⁶ Like Hervey, he uses the concept of “speech” in a broad meaning: “Speech is taken here as a surrogate for all manifestations and derivations of language, including writing, song, speech-linked whistling, drumming, horn-calling, etc.” (Hymes 1974:45)

⁴⁷ “The speech act is the minimal term — it represents a level distinct from the sentence, and not identifiable with any single portion of the levels of grammar, nor with segments of any particular size defined in terms of other levels of grammar.” (Hymes 1974:53) Hymes’ bibliography has one reference to Searle (Searle, J. 1962. “Meaning and speech acts” *The Philosophical Review* 71: 423–432).

- (a) **Possible-world co-ordinate**: states of affairs which might be, or could be supposed to be, or are
- (b) **Time co-ordinate**: to account for tensed sentences or adverbials like today or next week
- (c) **Place co-ordinate**: to account for sentences like here it is
- (d) **Speaker co-ordinate**: to account for sentences which include first person reference (I, me, we, our, etc.)
- (e) **Audience co-ordinate**: to account for sentences including you, yours, yourself, etc.
- (f) **Indicated object co-ordinate**: to account for sentences indicating demonstrative phrases like: this, those, etc.
- (g) **Previous discourse co-ordinate**: to account for sentences including phrases like the latter, the aforementioned, etc.
- (h) **Assignment co-ordinate**: an infinite series of things (sets of things, sequences of things)

Brown and Yule note that a rather similar list has been proposed by scholars who are concerned with the construction of formal discourse domains. They also note that both Hymes and Lewis make reference to the “speaker” and “hearer”, Lewis takes explicit and distinctly into account “time” and “place” included in the “setting” by Hymes, and that Hymes’ generalized feature of “topic” is distributed by Lewis between “indicated object”, “assignment”, and the “previous discourse”. (Brown, et al. 1983:41)

One might also include other components in the list. The number and content of components also varies in Hymes’ writings (Brown, et al. 1983). A possible candidate for the list might be “societal context”, by which Mey (1993:171–172) means the context primarily determined by the society’s institutions. However, the societal context is not explicitly included in the list above. It is a part of the “Situation” in the list of Hymes and in part implied by other elements: Addressor, Addressee, Place, and Time.

2.2.2 The method of preserving: archival principles defined

Before examining how “archival principles” help a user to reconstruct and understand a speech act, one must first define what they are. Three maxims are included here in the archival principles (Table 1, below). The practical work consists of applying the principles in concrete documents and collections of documents.

The formulation of principles here is taken from the definitions given in the

Dictionary of Archival Terminology (Walne, Evans, Himly, et al. 1984). Because the dictionary was published by the International Council on Archives it may be assumed to represent widely shared views in the archival community. The dictionary gives the following definitions:

[1] PROVENANCE: (1) the agency, institution, organization or individual that created records / archives in the conduct of its business prior to their transfer to records centre/archives, (2) In manuscript terminology any source from which personal papers or manuscripts are acquired.

[2] PRINCIPLE OF PROVENANCE: The basic principle that records / archives of the same provenance must not be intermingled with any other provenance; frequently referred to as ‘respect de fonds’. Also extended to include the registry principle.

[3] REGISTRY PRINCIPLE: The principle that archives of a single provenance should retain the arrangement established by the creating agency, institution or organization in order to preserve existing relationships and reference numbers; sometimes implied in the principle of provenance and also called as the respect for the original order.

(Walne, Evans, Himly, et al. 1984: 130, 134 and 143)

From the definitions one may deduce three principles guiding archival practice:⁴⁸

Table 1. *Archival principles*

The question	The archival principle
1. What documents form the archives of an agency, institution, organization, or individual?	The documents created or received by the agency, institution, organization or individual Definitions 1 and 2
2. In what kind of aggregates are the documents kept?	The documents of one agency, institution, organization, or individual are not intermingled with documents from other archives

⁴⁸ *The dictionary (Walne, Evans, Himly, et al. 1984:) has also a fourth principle: “PRINCIPLE OF RESPECT FOR ARCHIVAL STRUCTURE: The principle that the methodology used in archival operations, particularly appraisal, arrangement and description, should reflect the varying forms of records / archives and their administrative and functional contexts. See also ‘registry principle’”. This principle is seen here as a variation of registry principle followed in the countries where registry systems are not used. In other words, it is assumed, that in regards to speech-act preservation it has similar effects. Of course, research should find out whether this is actually the case.*

	Definitions 1 and 2
3. What is the arrangement of the documents inside the aggregate?	The order established by the agency, institution or organization Definition 3

In other words, there is an archival fonds (collection of documents) which consists only of documents received or created by the archives creator (agency, institution, organization, or individual) and which is retained in the order established by the creator. Traditionally, one has used the term “original order”. Postmodernist archival thinkers have pointed out that archives are never final and static. Thus, there is no “original order” implied by the traditional archival terminology. Nesmith (2005:264) remarks that perhaps in place of original order, we should speak of the received order of the records, which would refer to the order of records are in when they are received by an archive. “That may be more like a snapshot of moment in time, not *the* original order, but a possible approximation of it.”

In Finnish archival textbooks, one is advised to follow all the three principles in archival work (see e.g. Arkistonhoidon opas 1978; Rastas 1990.). Users of archives, on their behalf, are instructed to know that the principles are followed in the arrangement of archival documents (Orrman 1994). There are only few studies of how the principles have been actually applied in Finland (see Vanhanen 1994; Wilenius 2004).

The three principles are generally known in the archival world. The first two are aspects of what is known in the international archival terminology as “the principle of provenance” or *respect de fonds*. The third principle is known as “the registry principle” (sometimes it is also included in the principle of provenance). (Walne, Evans, Himly, et al. 1984:130, 134, 143)

Because the first two principles are quite easy to understand, they are skipped for the moment. The registry principle, also known as *Strukturprinzip*, or *respect de l’ordre primitif*, needs a more detailed exploration. It may not be self-evident what is meant by “the order established by the agency, institution or the organization”. Although an archives creator may always establish some order, the principle has a close connection to the practice of using registers to register documents.

As the name “registry principle” implies, the principle is associated with registry systems. In registry systems registers — books, cards or other media — are used to list the receipt and movement of the documents of an organization while they are in current use. The systems attempt to establish control over documents at the time of their creation and receipt. (Stephens 1995:64)

A document is given in registration a registry number or some other mark that can be used in the identification. Often the documents in the archives are filed and ordered by the registry number. Hence, the information in the register serves as the basis for the filing system. (Saarenheimo 1978:52)

Although documents may have an order inside the archival fond whether a registry system is used or not used, a registry system makes it easy to establish the “original order” and to return documents to their “right” places. In short, a system of immediately registering all incoming/outgoing documents imposes a primary order, which cannot be easily disturbed in practice or in theory (Lindh 1994b:196).

There are different kinds of registers. In Finland, the simpler form is a “register of letters” (*kirjelmädiaari* in Finnish), which is simply a chronological list of incoming and outgoing letters. A more developed form is a “case register” (*asiadiaari*) in which letters belonging to the same matter are grouped together. (Saarenheimo 1978:49; Rastas 1994:56–58) Case registers have been prevalent in the Finnish government agencies since the beginning of the 18th century (Salmela 1968; Järvinen 1977; Saarenheimo 1978:50).⁴⁹

The case registers described in Finnish archival textbooks (Arkistinhoidon opas 1978:47–52; Rastas 1994:55–64) have a noteworthy characteristic: although technical details⁵⁰ may vary, they are usually discourse based.

It is typical that the unit to be registered is defined as narrowly as possible: there is at least one entry for every decision made by the agency and different interlinked decisions are not grouped together (Favorin 1975:4). As a rule, a new entry is opened in the register when a document (message) initiating a new administrative case is received. The entry is “closed” when the initiator is given a reply ending the discussion, or it is decided that there is no need to reply.⁵¹ If other organizations or persons are contacted in the matter, messages sent to them as well as the replies are recorded in the same entry in the register. All documents get the same reference number, which effectively identifies them as part of the same discourse (i.e. exchange of messages).⁵² If the discussion is continued after the case has been closed, the entry may be “re-opened”.

⁴⁹ *Some government agencies (most notably Russian authorities in the 19th century and military authorities in general) have used another kind of registry system (Saarenheimo 1978; Syrjö 1994b).*

⁵⁰ *E.g. how the reference number is given, the form of the register (book, card file, etc.), is there one register for public authorities and another for private organizations and persons, the order of the entries in the register (chronological, by the subject), etc. Favorin (1975:4) notes that the external changes have not changed the basic registry system itself.*

⁵¹ *Sometimes there may be no discourse. For instance, routine information sent to an upper authority may not lead to further exchange of messages. Menne–Haritz notes, that in German administration the decision process began with the incoming letter and ended with the dispatched reply. “The outgoing correspondence was conceived as an answer to the incoming correspondence, and as its result. Hence registers and registers were used to control processes, not papers.” (Menne–Haritz 2004:72) “The purpose of registration is to provide evidence of the recorded interactions between the creating body and the external world” (MacNeil 2000:94–96).*

⁵² *The fonds of the Imperial Senate of Finland (1809 – 1917) provides a prime example of the register and filing system employed in the Finnish administration at that time (for details see Selin 1994).*

Alternatively, it may be continued in a new entry with a new reference number, in which case a cross-reference is usually made to both entries.

The perspective of discourse might be one way to look at the “archival bond” which is seen as an essential element of archives and records (Guercio 2001:248).⁵³ The bond “manifests itself – – in the complex of mutual relationships which connect individual records, not through the material means of folders and registries, but specifically in their character as records, and enables us to conceive the file and the series as bodies which are something both more and different than the arithmetic sum of the individual components and only in function of which the individual components exist” (Giorgio Cencetti, translation and citation, Guercio 2001: 249–250). Also for Menne–Haritz a fonds is structured by the communication: she says, “the internal structures of a *fonds* are the result of communication networks created and used during the operations for which the records were made” (Menne–Haritz 2001:65–66).⁵⁴

The registry filing systems used by the Finnish government agencies have been very consistent and uniform from the beginning of the 18th century until the end of the 20th century (Orrman 1994:33). In this “traditional” filing system, some of the documents have been filed together in the same series by the reference number. Other documents are scattered around the archival series according to their type. E.g., all the resolutions are in the same series — usually in chronological order — separated from the other documents (Saarenheimo 1978:52). Thus, from one place in the archives you may find only some of the documents belonging to the same discourse. The other documents preserved in the archives can be retrieved either by the reference number or by the information found at the register.

Not all the documents are registered in Finnish government agencies, and especially smaller organizations may not need a register at all. Archival arrangement may be sufficient for managing unregistered documents (Rosberg 1986:19; Rastas 1994:55). This may suggest that, besides register, at least some filing systems are discourse based at file level: documents belonging to the same discourse are kept (filed) together. If the number of cases is small, no register is needed for following the number and content of discourses.

⁵³ *In the spoken discourse, there are “adjacency pairs” which always consist of a first part and a second part produced by different speakers. The utterance of first part (e.g. “How are you?”) immediately creates an expectation of the utterance of a second part (“Fine”) of the same pair (Yule 1996:77). Discourse of bureaucratic organizations has similar pairs. E.g. “petition” — “decision”, or “request for opinion” — “reply”. A register may be used to follow the incomplete processes in the administration (Rastas 1994:55). This may simply mean finding out whether there are adjacency pairs in the discourse where the second part is missing.*

⁵⁴ *According to Menne–Haritz a fonds reflects three structures: physical form of materials, competencies, and the complexes of operation structured by the network of internal communications. These structures may be congruent, but often this not the case in a modern agency.*

2.2.3 Reformulation of the hypothesis

The initial hypothesis (p. 37) was that archival principles “preserve speech acts”: i.e. they help a user to reconstruct and understand the speech act in an archival document. Now, the hypothesis can be restated in more exact terms.

The list of speech components by Hymes or of index co-ordinates by Lewis has been noted already (see above, p. 40 ff.). According to Brown & Yule, a rather similar list to that of Lewis has been proposed by scholars who are concerned with the construction of formal discourse domains. Brown and Yule also note that both make in part reference to same elements, and that the exact number and content of the components varies in Hymes’ writings. The common elements are (Brown, et al. 1983:41):

Table 2. *The elements of speech acts noted both by Hymes and Lewis (Brown & Yule, et al. 1983:41)*

Addressor	The speaker or writer producing the utterance
Addressee	The hearer or reader who is receiving the utterance
Topic	What is being talked about (the message content)
Setting	Time and place of the event

Without an empirical study, it is not possible to give a scientifically reasoned account of factors relevant for understanding a speech act. It is possible that they are not the same for every user in all situations regardless of the speech act in question and what is meant by “understanding”. In addition, alone a look at the long checklist of Hymes makes one doubt that we often “understand” a speech act in some sense without having a full knowledge about it.

Nevertheless, it is plausible to think that checklists of Hymes and Lewis contain elements, which are important for the reconstruction and understanding of a speech act. It is assumed here that at least the four common elements noted by both Lewis and Hymes are important for the reconstruction and understanding. Therefore, if archival principles help the user in these processes, the principles should preserve information about those elements.

“Reconstruction” refers here to gathering information about the speech act: for instance, finding out who is the “speaker” in the document. “Understanding” is making interpretations of a speech act at a very elementary level. For instance, if the user cannot understand what the “speaker” is referring to in the document (the propositional act), or he is uncertain of whether there is a question or statement (the illocutionary act), his understanding is certainly impaired.⁵⁵

However, there is still the question of how to examine this. One cannot study archival principles by looking at archival fonds. The principles used in the archival work simply are not there: only the documents are left. Thus, the

⁵⁵ *The connection between “reconstruction” and “understanding” and the importance of single elements in either of them is not examined here.*

questions are where the archival principles are seen in a fonds and what information does this carry to the user.

In Finnish archives the principles are reflected in three points at least (Table 3, below). The user may utilize this in the process of reconstruction and understanding.

Table 3. *Outcomes of archival principles*

The archival principle	Outcome
The documents created or received by the agency, institution, organization or individual (in short, archives creator) belong to the archives	In one fonds there are only documents belonging to the archives creator
The documents belonging to a fonds are not intermingled with others	
The documents are kept in the order established by the archives creator	The placement of a document inside a fonds (in a file, box, or bound volume) is not arbitrary and is intended by the archives creator. A register (if used) has information about the document

In the examination of archival documents for this study, it was assumed that the archival principles have been actually followed in the archival work, but this may not always be the case. For instance, a fonds may reflect the later arrangement work done by an archivist after the documents have been transferred to historical archives from the custody of the archives creator. However, more important—than possible errors in the application—is the fact that from what is seen here as outcomes of archival principles a document user may gather information about the speech act. If one has not followed the principles, or one has applied them incorrectly, the information may be missing or flawed.

Let us now take a closer look to the relationship between the elements and levels of a speech act and archival principles.

As it was noted in the beginning, both Austin and Searle have analyzed functional levels in speech acts and reached to some extent different conclusions. Searle’s classification is used here, because it is more exact and gives better tools for analysis. According to Searle’s classification, a speech act has four functional levels: utterance act, propositional act, illocutionary act and perlocutionary act. Thus, the reconstruction and understanding should require information about them.

Any document containing text is clearly an utterance act. Although nothing is “spoken”, the writer “utters” words, sentences or morphemes by writing them

down on a paper or some other media. The writer is usually⁵⁶ also making a propositional act: he refers to something and perhaps attributes to it different qualities. Thirdly, at the same time an illocutionary act takes place: for instance, the writer makes an assertion, questions, or expresses his feelings by using the language. Finally, the speech act may have a result, i.e. there is a perlocutionary act.

It is taken here as given that preserving a document is generally sufficient for the preservation of the utterance act. There may be exceptions to this; sometimes only a part of the utterance act has survived (e.g. there is only a document fragment or document in which the ink has faded away), but this is not problematized here. I am assuming that the utterance act is identifiable and exists if the document is there. Thus, the utterance act is ignored in the analysis.

Regardless of whether the archival principles have been applied, by looking at the document alone the user usually gets some information about the functional levels and other speech act components. For instance, if a piece of paper contains these scribbled words

Lord Raglan wishes the cavalry to advance rapidly to the front. Follow the enemy and try to prevent the enemy carrying away the guns. Troop Horse Artillery may accompany. French cavalry is on your left. R Airey. Immediate

one may infer, for instance, that a person called R. Airey is the “speaker”, and although the illocution is a little bit unclear for a reader outside the original context (is he only making an assertion of Lord Raglan’s feelings?), it is more likely to be a military “command” than, for instance, a “promise”.⁵⁷ It is not asked here how this inference takes place and what makes it possible.⁵⁸ In addition to wording, also non-textual signs and material characteristics, like stamps, and the type and quality of the paper, may play a role in it.

What may be gathered from a document by itself is not of interest here, because it can take place regardless of whether the archival principles have been followed. The important fact is what in the process of reconstruction and understanding is possible or easier only because of the principles. Therefore, it is examined in the analysis, what does it bring that is new to the reconstruction and

⁵⁶ According to Searle utterance acts like “Ouch” or “Hurrah” are illocutionary acts without a propositional content (Searle 1969:30).

⁵⁷ This order was sent to the Light Brigade and led to its attack on 25 October 1854 against Russian gun positions in Balaklava (Adkin 2000:127). This incident in the Crimean War is one of the famous blunders in military history. Knowledge of the context makes the illocution entirely clear: the message was sent from the headquarters to a subordinate commander. Lord Raglan was the Commander of the British Army and General Airey the quartermaster.

⁵⁸ These questions belong in the domains of pragmatics and linguistics in which they have been studied. Already Austin and Searle examined the relationship between the verbs used and the illocutionary act.

understanding that a document, the existence of which is perhaps recorded in a register, is found in a fonds at a certain place.

2.2.4 *The final hypothesis and methodology used*

Based on what was stated above the hypothesis can now be reformulated:

The archival fonds to which a document belongs, the place of the document inside the fonds in a file, box, or bound volume, and entry in the register (if the document is registered) convey information about the propositional act, the illocutionary act and the perlocutionary act of the speech act as well as the addressor, the addressee, the topic, and the setting (time and place) of the act.

The hypothesis was tested by examining archival documents in the custody of the National Archives of Finland. Each example analyzed consisted of one document and its entry in a register (if such exists). In each case the document was analyzed in the light of the information conveyed by other documents in the same location in the fonds, the register entry, and the fonds to which the document(s) and the register belong. In the analysis these three sources are called *documentary context* for short. A “document” refers here to a paper containing at least some text and being physically and visually distinct from the others.

For every case, the results of analysis are summed in a table. Table 4 (below) shows the results of the analysis of an imaginary archival document. The actual cases are analyzed in the chapter 2.3 (p. 52 ff.).

Table 4. *Example of the table used in the analysis*

The source of information	Functional levels			Components				
	Pr.	Il.	Per.	A-s	A-e	Topic	Time	Pl.
The fonds					(x)			
The place in the fonds		X	(┌)					
The register			└					

Legend: Pr. = propositional act, Il. = illocutionary act, Per. = perlocutionary act, A-s = addressor, A-e = addressee, Pl. = place, X = the information is missing from the document or cannot be with certainty deduced from it, (x) = the information is also in the document, └ = shows what the act is a perlocutionary act of (the information is not in the document), (┌) = shows the perlocutionary act resulting from the act (the information can be also found in the document).

The first column on the left is for the documentary context; it shows the possible source containing information about a functional level or speech act component. The source may be the fonds (collection of documents in which the document is), the place of the document in the fonds (the other documents found in the

same file, box, or volume next to the document), or the register (entry in a register in which the document is recorded).

Marks in the columns to the right show what information can be retrieved from the source.

An empty column denotes that there was no information in the source on the aspect examined. If the information was found in the source, and it was such that it was either missing from the document or could not with certainty be deduced from it, it is marked with an “X”. For instance, in the example (Table 4, above) the illocution of the speech act cannot be deduced from the document alone, but it is evident by looking at the fonds.

A smaller “x” in parenthesis means that the same information was also found in the document. In this case, the information given by the documentary context serves more as a confirmation to what is stated in the document. In the example (Table 4, above) the addressee can be seen both from the document itself and the fonds to which the document belongs.

For every document analyzed the table may contain two markings (“┘” and “┙”) for two types of perlocutionary acts. Perlocutionary acts are brought about by what is said. (Warnock 1989:123–4) The speech act in a document may itself be a perlocutionary act of some other speech act. The speech act may also bring about a new act, which is then a perlocutionary act of the act. A perlocutionary act may be a new speech act, but it may also be something non-verbal and non-communicative, like a panic caused by shouting “Fire” in a room packed with people.

If the source shows the speech act bringing about the speech act in the document analyzed, it is marked with “┘” in the table. If the source indicates speech act(s) or other action(s) caused by the speech act in the document analyzed, it is marked with “┙”. If the information can be found also in the document, the symbol used is in parenthesis.

The method used was theoretical sampling. In qualitative research, when theoretical sampling is used, the cases studied are selected on the basis of research questions, theoretical position and (most importantly) the explanation or account being developed. (Silverman 2000:102–112)

The examples were selected by introspection. After formulating the hypothesis, I reflected upon archival documents in the light of my personal professional experience of records and archives asking myself whether there are archival documents in which this or that aspect of a speech act might be found because archival principles had been applied.

For instance, I asked myself, whether one might discover a perlocutionary act by looking at the records. From my experience I could right away say that one may sometimes see the perlocutionary act of a speech act from the other records in the same file. The next step was to find an example of this and analyze it using the table described above. The analysis often revealed that also some other information about the speech act was conveyed by the documentary context.

To find concrete examples I searched fonds in the National Archives of Finland. Because of my career in service of the National Archives in the years

1988–1997, I could roughly say what kind of archival documents and arrangements one may typically find in different fonds. I tried to pick cases from different administrative traditions and arrangements. The only problem was finding succinct examples, preferably in English (which for the most part proved impossible, at least in the time available).

The method of selection and the size of the sample (eight cases) do not allow for making conclusions about the importance of documentary context in general. The sample it is not adequate enough to show that information about speech acts is usually or typically conveyed in documentary context. For this quantitative research is needed. Still, even a small number of cases is sufficient to show that documentary context can give information about speech acts and their components in various ways. It is also enough to show that the selected approach can be used to analyze the significance of archival principles at document level.

2.3 Analysis

2.3.1 Case 1

The first example is a document dated 7th of December 1928 in the archives of the Ministry of Interior (Picture 1, p. 209).⁵⁹ In the document bailiff K. F. Freyberg is granted a permission to work as a secretary of the Conscription Board of the South-Savo District.

The document has no signatures or stamps. It is written with the same hand. Without the documentary context, it might be, for instance, a verbatim reproduction of the original made by a historian for his personal use. In that case, the illocution would be that of an assertion; a statement of what is written in another document.

That the document has been most likely created in the ministry can be easily deduced from the fact that it is a part of the archival fonds of the ministry. The right illocution (decision) can be seen from the place of the document in the fonds. All the resolutions from this period are placed in one series in chronological order. The resolutions from the year 1928 are bound together in one volume. Although the wording (the utterance act) suggests that there is a decision in the document, it alone is not decisive: found elsewhere in the archives the document might be a draft made by a secretary never to be approved officially in the decision-making process of the ministry. Because the document is in the volume of resolutions, the illocution leaves no doubt.

⁵⁹ *Päätöstaltio 7.12.1928, folio 1607, Sisäasiainministeriön arkisto, Dc:20 (National Archives).*

Both the speech act of initiating the process (a letter from the local governor) and the final act are enrolled in the register.⁶⁰ The time and the topic are also enrolled, but not whether the decision was favorable.

Table 5. *A resolution of the Ministry of Interior (Case 1)*

The source of information	Functional levels			Components				
	Pr.	Il.	Per.	A-s	A-e	Topic	Time	Pl.
The fonds				(x)				
The place in the fonds		X						
The register			(+)			(x)	(x)	

Legend: Pr. = propositional act, Il. = illocutionary act, Per. = perlocutionary act, A-s = addressor, A-e = addressee, Pl. = place, X = the information is missing from the document or cannot be with certainty deduced from it, (x) = the information is also in the document, (+) = shows what the act is a perlocutionary act of (the information can be also found in the document).

2.3.2 Case 2

The text in the second document example (Picture 2, p. 210) says that a person called Matti Laine from Viipuri number 5 “is mentioned in an unsigned list of men in the 3rd Company of the 2nd Battalion of the 1st Regiment. The names have been wiped away”. In the stamp there are words “The Chief of Investigation”.

In this case the documentary context reveals first the topic, the addressee, and the time, which are crucial for understanding what was done in the speech act.

The document is in a file of the Supreme Court for State Crimes.⁶¹ Thus, it is the addressee in the act. The court was founded after the civil war of 1918 to condemn those who had taken part in the war on the side of the Reds. Information about the addressee together with the other documents in the file (which include a court verdict and protocol) shows that the guilt of Matti Laine for treacherous activities is discussed: the document analyzed suggests that he was fighting on the Red side. The documentary context also helps to understand the propositional act: with the more detailed information in the other documents in the same place in the fonds one may identify the person referred, although the name is quite common. Finally, the file shows the decision made by the court (the perlocutionary act). There are multiple documents in the file, though, and it is hard to say to what extent the decision was specifically a consequence of the speech act made by the Chief of Investigation.

⁶⁰ *Kirjediaari 1928, Aa: 10, Sisäasiainministeriön arkisto (National Archives)*

⁶¹ *VRYO 27681, Valtiorikosylioikeuden arkisto (National Archives).*

The illocution remains unclear; the note made by the Chief of Investigation may be an accusation (“the person was involved in the crime”) or a neutral assertion (“this is said in the document”).

Table 6. *A document in the files of the Supreme Court for State Crimes (Case 2)*

The source of information	Functional levels			Components				
	Pr.	Il.	Per.	A-s	A-e	Topic	Time	Pl.
The fonds					X			
The place in the fonds	(x)		┆			X	X	
The register								

Legend: Pr. = propositional act, Il. = illocutionary act, Per. = perlocutionary act, A-s = addressor, A-e = addressee, Pl. = place, X = the information is missing from the document or cannot be with certainty deduced from it, (x) = the information is also in the document, ┆ = shows the perlocutionary act resulting from the act (the information is not in the document)

2.3.3 Case 3

The third example is a document containing a list of names with both Cyrillic and Latin letters in the archives of the General Governor of Finland (Picture 3, p. 211).⁶²

The document has no title. It is impossible to discover the document’s meaning by looking at it. The propositional and illocutionary acts and the date are disclosed by the document filed right next to it in the archives (Picture 4, p. 212). Because of the respect for original order it is possible to discover several things about the list: 1) the illocution is ”assertion”, 2) it is predicated that citizens of Finland with these names died in the disaster of the Titanic (the propositional act), 3) the original addressor is the Russian Consulate in London (Finland was at the time an autonomous Grand-Duchy in the Russian Empire), 4) the list was created after the accident (15th of April) and before the 23rd of May 1912.

With the help of the documentary context one may see that the document has been used in two speech acts. The first speech act took place when the Russian Consulate in London informed the Russian Foreign ministry. In the second speech act the Foreign ministry passed the list forward to the General Governor of Finland thus informing him. Speech act theory does not say how this should be analyzed. My interpretation is that in both speech acts the utterance act, the propositional act, and the illocutionary act are the same, but the perlocutionary act, the addressor, and the addressee different.

⁶² *Kenraalikuvernöörinkanslian arkisto, akti XIX-23a/IV os. 1912 (National Archives).*

Only the enclosed letter of the Russian Ministry of Foreign Affairs is enrolled in the register.⁶³

Table 7. *A list of names with Latin and Russian letters (Case 3)*

The source of information	Functional levels			Components				
	Pr.	Il.	Per.	A-s	A-e	Topic	Time	Pl.
The fonds					X			
The place in the fonds	X	X		X	X		X	
The register								

Legend: Pr. = propositional act, Il. = illocutionary act, Per. = perlocutionary act, A-s = addressor, A-e = addressee, Pl. = place, X = the information is missing from the document or cannot be with certainty deduced from it

2.3.4 Case 4

The fourth example shows how a fonds may tell about perlocutionary act(s).

A file in the archives of the Ministry for Transport and Public Construction Works contains three documents.⁶⁴ The documents form part of the discourse taken place in one matter. In the first document (Picture 5, p. 213) the Board for Public Railways suggests to the ministry that Mr. Kaarlo Larkko should be appointed to the post of the second class machine engineer.

The other two documents in the file show perlocutionary acts. The second document is a reply in which it is stated that Larkko has been appointed to the post. Also the letter of appointment to Larkko is in the file (Picture 6, p. 214).

The information in a register is often scarce, but Finnish registers usually tell as least if any action was taken. In this case the reply letter is registered.⁶⁵ However, you may see only that there has been a reply, but no indication of what it is.

Table 8. *The letter of the Board for Public Railways*

The source of information	Functional levels			Components				
	Pr.	Il.	Per.	A-s	A-e	Topic	Time	Pl.
The fonds					(x)			

⁶³ *IV osaston saapuneiden kirjeiden diaari v. 1912, Kenraalikuvernöörinkanslian arkisto, Aa: 149 (National Archives).*

⁶⁴ *Akti 1976/ 712 1952, Kulkulaitosten ja yleisten töiden ministeriön yleisen osaston arkisto, Ea: 97 (National Archives).*

⁶⁵ *Asia 1976/712 kirjediaari 1952, Kulkulaitosten ja yleisten töiden ministeriön yleisen osaston arkisto, Aa: 3 (National Archives).*

The place in the fonds			┆					
The register			┆					

Legend: Pr. = propositional act, Il. = illocutionary act, Per. = perlocutionary act, A-s = addressor, A-e = addressee, Pl. = place, (x) = the information is also in the document, ┆ = shows the perlocutionary act resulting from the act (the information is not in the document)

2.3.5 Case 5

The fifth case is a certificate given by the Provincial Government of Uusimaa (Picture 7, p. 215).⁶⁶ It says that Mrs. Tyyra Forsström is allowed (if certain conditions are fulfilled) to transport her dog by railway from the city of Helsinki.

The certificate itself gives a quite complete picture of the speech act; the addressee, the addressor, the illocution⁶⁷ and the time are stated in it.

The initiating (probably oral) act has not been preserved in the archives, but its existence and illocution are recorded in the register of the Provincial Government of Uusimaa (Picture 8, p. 215). The entry in the register tells that Mrs. Tyyra Forsström applied on the 29th of September 1934 for permission to transport a dog to Kivijärvi. Besides the topic of the discussion the register reports a perlocutionary act: the very same day the applicant was given a certificate for the dog. The entries in the register are in chronological order. It, together with the place of the certificate in the series (also arranged chronologically) serves as a confirmation to the date announced in the entry.

The entry in the register serves on one hand as a verification: it reports that there has been a speech act corresponding to the one on the certificate. On the other hand, one may see from the register alone, without looking at the actual documents, what took place; a speech act with one illocution lead to a new act with another illocution.

Table 9. *A certificate given by the Provincial Government of Uusimaa*

The source of information	Functional levels			Components				
	Pr.	Il.	Per.	A-s	A-e	Topic	Time	Pl.
The fonds				(x)				
The place in the fonds							(x)	

⁶⁶ *Lupatodistus nro D 6324, Kirjekonseptit 1934, III Daj:3, Uudenmaan lääninhallituksen arkisto (National Archives).*

⁶⁷ *Austin noted that one could usually make illocution explicit by “hereby”, which word (in Finnish, “täten”) is used both in this document and the document in the first case. This emphasis on illocution seems natural because both documents contain a speech act creating a new institutional fact (permission) which makes the illocution especially important.*

The register		(x)	+	(x)	(x)	(x)	(x)	
--------------	--	-----	---	-----	-----	-----	-----	--

Legend: Pr. = propositional act, Il. = illocutionary act, Per. = perlocutionary act, A-s = addressor, A-e = addressee, Pl. = place, (x) = the information is also in the document, + = shows what the act is a perlocutionary act of (the information is not in the document)

2.3.6 Case 6

The document in the sixth example (Picture 9, p. 216) is titled, "A plan drawing of the House of the Workers' Society in the village of Ohkola in Mäntsälä". Some persons' names are marked on the drawing. Arrows show the direction of shooting and places of bullet holes in the walls.

The document is in the archives of the Helsinki City Police in a box containing material related to the police investigation of an event known in Finnish history as the "Mäntsälä uprising".⁶⁸ A user may infer quite a lot from this. He may deduce that the document was done as part of police work by someone in the police department (addressor, addressee), perhaps to or by "Ollikainen" (this is the family name on the front page of the file), in the aftermath of the uprising in 1933 (time) to find out what took place in Mäntsälä (topic). The document is not registered. Therefore, there is no register to examine in this case.

Table 10. *A plan drawing of the House of the Workers' Society in the village of Ohkola in Mäntsälä*

The source of information	Functional levels			Components				
	Pr.	Il.	Per.	A-s	A-e	Topic	Time	Pl.
The fonds				X	X			
The place in the fonds						X	X	
The register								

Legend: Pr. = propositional act, Il. = illocutionary act, Per. = perlocutionary act, A-s = addressor, A-e = addressee, Pl. = place, X = the information is missing from the document or cannot be with certainty deduced from it

⁶⁸ "Mäntsälän kapinaa koskevat asiakirjat v. 1933", *Helsingin poliisilaitoksen rikososaston arkisto, Hd:18 (National Archives)*.

2.3.7 Case 7

The seventh example is a document in the personal papers of Rudolf Holsti, a Finnish diplomat and politician.⁶⁹ Often personal papers contain only letters received by the person, but in Holsti's papers there are also copies of his own letters. This allows in some cases a fuller reconstruction of discourse. The first letter, transcribed below, is a letter to Mr. Holsti.

13th Landsdown Parade
Cheltenham
10/Nov/1918

Dear Sir,

Mr. Rex Leeper has allowed me to use his home in writing to ask if you would kindly consent to be the guest at a dinner organized by Mr. W. A. Appelton, General Secretary of the General Federation of the Trade Unions, to take place on Friday evening, next at 7 o'clock, Café Boulogne, Gerard Street, Leicester Square.

We shall be very glad if you will kindly address Mr. Appelton & his labour friends in the course of the evening on Finland, and her future.

The object of the dinners is to inform labour representatives on foreign countries and it will be highly interesting to hear you on Finland.

I had the pleasure of meeting Senator Holsti in Petrograd. Perhaps you are a relative of his?

I am yours v. sincerely
L. G. M. Gall

PS. Address for reply London Hall Hotel, Cromwell Rd S.W. 1

In the archives there is also a copy of Holsti's letter of reply:

November 18th, 1918

Dear Mr. Gall,

I thank you very much for your kind letter of the 10th inst. As I wired you I received your letter only on 13th inst. I take it that you got my telegraphic communication too late, as I went to Cafe Boulogne, Gerrard St, Leicester Sq, last Friday at 7 o'clock and they informed me that they [knew] nothing about a dinner organized by Mr. W. A. Appelton. I regret very much indeed that some mistake must have happened with regard to your kind invitation. If you are still interested in the Finnish question, I should be very glad some other time to address you and your friends on the said subject.

You pointed out in your letter, that you had met Senator Holsti in Petrograd. I am the same person and would be glad to renew our acquaintance.

Yours sincerely

G. M. Gall, Esq.
13, Landsdown Parade,
Cheltenham

⁶⁹ *Rudolf Holstin arkisto, kansiot 1 ja 3 (National Archives).*

Although the second letter is quite understandable by itself, its meaning becomes clearer when the document user has access also to the previous discourse forming the context of the utterance: he may then better understand who is Mr. Appelton (the propositional act) and what is the discussion about (Topic). Not only is the reply itself a perlocutionary act of the first letter, but it also records Holsti's visit in the cafe, another perlocutionary act.

However, the documentary context has relatively little importance. The fonds confirms the information in the letter; the writer is Senator Holsti. The incoming and outgoing letter are physically separated from each other: they are in different boxes. It is more convenient for a user to find both letters in the same fonds, but it is still his task to make a connection between them. The documentary context does not join the archival documents to the same discourse and a common topic in this case.

Table 11. *The reply of Mr. Holsti to L. G. M. Gall*

The source of information	Functional levels			Components				
	Pr.	Il.	Per.	A-s	A-e	Topic	Time	Pl.
The fonds				(x)				
The place in the fonds								
The register								

Legend: Pr. = propositional act, Il. = illocutionary act, Per. = perlocutionary act, A-s = addressor, A-e = addressee, Pl. = place, (x) = the information is also in the document

2.3.8 Case 8

Simply the adherence to the two first archival principles (p. 48) contributes to the preservation of a speech act. Together they guarantee that a fonds contains only documents that have been “created or received” by the archives creator: an agency, institution, organization, or individual.

This is important, for instance, when the information in the document itself is incomplete. The last example (Picture 10, p. 217) is a letter by A. J. von Minkwitz addressed in Swedish to the “Most respected Brother” (“Högtärade Broder”).⁷⁰ Although a user perhaps might identify the addressee by looking at the content (if he is familiar with the political events of the time), the addressee is more easily given away by the documentary context: the letter is in the personal papers of General August Langhoff: hence, he is the likely addressee of

⁷⁰ *Langhoffin arkisto, 104, kansio 14 (National Archives).*

the speech act. The place of the letter in the fonds carries no information in this case.

Table 12. *A letter by A. J. von Minkwitz*

The source of information	Functional levels			Components				
	Pr.	Il.	Per.	A-s	A-e	Topic	Time	Pl.
The fonds					X			
The place in the fonds								
The register								

Legend: Pr. = propositional act, Il. = illocutionary act, Per. = perlocutionary act, A-s = addressor, A-e = addressee, Pl. = place, X = the information is missing from the document or cannot be with certainty deduced from it

2.4 Discussion

2.4.1 A summary of the findings

The table 13 (below) summarizes the findings. The bold markings indicate cases in which information in documentary context was important or could not be found in the document. In other cases, the information was found both in the document and in the documentary context. The total number of documents analyzed was eight.

Table 13. *The findings summarized*

The source of information (documentary context)	Functional levels			Components				
	Pr.	Il.	Per.	A-s	A-e	Topic	Time	Pl.
The fonds				Case 1 Case 5 Case 6 Case 7	Case 2 Case 3 Case 4 Case 6 Case 8			
The place in the fonds	Case 2 Case 3	Case 1 Case 3	<i>Shows perl.</i> Case 2	Case 3	Case 3	Case 2 Case 6	Case 2 Case 3 Case 5	

			Case 4				Case 6	
The register		Case 5	<i>Is perl. of:</i> Case 1 Case 5 <i>Shows perl.:</i> Case 4	Case 5	Case 5	Case 1 Case 5	Case 1 Case 5	

The legend: Pr. = propositional act, Il. = illocutionary act, Per. = perlocutionary act, A-s = addressor, A-e = addressee, Pl. = place. Bold letters = Information was found only or primarily in the documentary context and not in the document

The results show that the selected approach can be used to analyze information carried in a documentary context. They also generally support the hypothesis: the fonds, the place of a document inside the fonds in a file, box, or bound volume, and entry in the register (if the document is registered) convey information about the propositional act, the illocutionary act and the perlocutionary act of the speech act in the document as well as the addressor, the addressee, the topic, and the setting (time and place) of the act.⁷¹

The findings must be interpreted with caution. Although they show that documentary context may carry information about a speech act, they do not show that it always does so. In some cases the information conveyed can be scarce, as the last two cases show. The method of selection is likely to favor cases supporting the hypothesis. To make plausible estimations about the whole population—in this case, all archival documents—the sample should be large enough and randomly selected (Freedman, Pisani & Purves 1997:333–354).

One should not make too far reaching and detailed conclusions from the sample. Still, it is interesting to note that fonds carried information about addressors and addressees in all eight cases. This is consistent with the concept of provenance (“documents created or received by the agency, institution, organization or individual”) which implies that the archives creator has participated in the communication process where the document has been created or used. Because any actor usually can make different speech acts in different times and on different topics, it is natural that from a fonds alone one cannot infer information about the nature of individual speech acts. For this one must look at the place of a document inside a fonds.

A document’s placement inside a fonds seems to be able to tell about almost any functional level or speech act component analyzed. However, the findings

⁷¹ *Duranti (1997a:217) makes a distinction between a record’s context, which is outside the record, and archival bond, which is part of the record and “contains within itself the direction of the cause–effect relationship”. This has some resemblance to perlocutions in speech act theory. However, Duranti also states, that archival bond determines the meaning of the record and is a way to authenticate it, and that archival bond “first arises when a record is set aside and thereby connected to another in the cause of action”.*

suggest that information conveyed may differ significantly from one case to another.

The physical place of a speech act was an exception among the components analyzed. It was the only component about which information was not found in the documentary context in any of the cases examined. Place is probably less relevant than the social setting, which is usually manifested in the information about the addressor and the addressee. One might sometimes deduce the physical place from the fonds, if the location of the archives creator at the time of the speech act is known. However, in the case of written speech acts, the act is often not limited to one place—there is one place for writing and another for reading—which implies that the concept taken from the studies of oral speech acts is less appropriate in the analysis of written documents.

In the cases studied a register only contained new information about perlocutions. This suggests that a register is not itself instrumental in speech act preservation although it may establish the original order to be preserved. However, more research needs to be undertaken before drawing conclusions.

Both the number of levels and components about which information is conveyed and what information is conveyed can vary. This is clearly seen from the table below (Table 14). A black dot (●) shows that information was found only or primarily in the documentary context (sometimes in multiple places). A white dot (○) indicates that the information was also found in the document.

Table 14. *Information conveyed in documentary context*

	Functional levels				Components				
	Pr.	Il.	Per.1	Per.2	A-s	A-e	Topic	Time	Pl.
Case 1		●		○	○		○	○	
Case 2	○		●			●	●	●	
Case 3	●	●			●	●		●	
Case 4			●			○			
Case 5		○		●	○	○	○	○	
Case 6					●	●	●	●	
Case 7					○				
Case 8						●			

The legend: Pr. = propositional act, Il. = illocutionary act, Per.1 = shows the perlocutionary act, Per.2 = shows for what act the act is a perlocutionary act of, A-s = addressor, A-e = addressee, Pl. = place, ● = Information was found only or primarily in the documentary context, ○ = Information was also found in the document.

In seven cases of eight, documentary context contained at least some information missing from the document. The amount of information conveyed varied between one and six (if one looks at all the information) or one and five (looking at only information not found in the document) from nine components/levels

possible. In all cases except one, the documentary context carried some information that was not in the document.

Thus, the findings indicate that documentary context plays a role in conveying information about speech acts. Although this has not been recognized before, it explains in part why archival principles are followed in archival work.

However, more research needs to be undertaken before the significance of this finding can be assessed. We need to know how much and what information documentary context typically conveys about speech acts and how the information conveyed depends e.g. on archival arrangement used. Further research should also be done to understand the importance of this information to document users; what information the users actually need and how this relates to their information needs and tasks at hand. If it is proven that documentary context generally carries information about speech acts and that this information is usually important for document users, this would then suggest that speech act preservation is a major factor behind archival principles.

2.4.2 Are the findings generalizable?

Even though the findings draw on a few cases, the results provide sufficient evidence of the fact that the idea itself is correct. Documentary context may provide information that can be used to understand and reconstruct a speech act.

The cases analyzed represent different types of archives, registers, and filing systems. In every case there are thousands of outwardly rather similar documents in fonds with a similar type of register, file structure, etc. The cases represent more than one filing and registry system. Some are from personal papers. One of the examples is from a fonds built on an entirely different Russian administrative tradition. In cases 1, 4 and 5 there is a filing and registry system typical in the Finnish administration from the 17th to the 20th centuries. Case 3 is from the archives of a Russian authority. One cannot easily classify cases 2 and 6 to any particular administrative tradition. Cases 7 and 8 represent private archives.

Although the sample was small, the archival documents and arrangements studied are not exceptional in any way. Therefore, the findings are likely to tell something about archives in general, although the details of this are unknown.

The next question is then, are we talking about a phenomenon limited to Finnish archives? Should a similar speech-act-preserving effect be found elsewhere?

The question is not an easy to answer. Although archival principles are by many accounts widely shared in the archival community, the concepts differ in different cultural and administrative areas and leave room for interpretation. In addition, the result is influenced by archival practice. The same idea may be put into practice differently in different cultural–administrative areas, and, vice versa, different conceptions may lead to similar results in practice. To generalize what is assumed here, one should state that the archival principles and practices

in Finland do not essentially differ from those in other countries, or that the differences are insignificant from the point of view of this study.

2.4.2.1 *Arguments for generalizability*

On one hand, there are many reasons to suggest that the archival principles and practices are, at least to some degree, universal. Thus, a similar speech-act-preserving effect should be found everywhere.

The ideas governing Finnish archival practice are international. The prevalent filing system in the Finnish government agencies from the 18th to the 20th century was commonly known and used elsewhere. Similar registries and filing systems were widespread in Europe already in the 16th century. In Southern and West European states they were generally used until the 19th or 20th century (Orrman 1985).⁷²

The principle of respect de fonds was first formulated in administrative rules in Denmark in 1791 and subsequently in several European countries, most notably in France in 1841. The first published theoretical expression was given by the Italian archivist, Francesco Bonaini, in 1867 (Nilsson 1983:17; Eastwood 1992a:2; Duchein 1992:56; Backhaus 1995:31).⁷³

The registry principle (known also as *Strukturprinzip* or *respect pour l'ordre primitif*) was identified by the German archivists of the Royal Archives of Prussia in 1881,⁷⁴ but it like the respect de fonds was followed more or less consistently even before these dates in some European countries (Orrman 1987:15; Miller 1990:19; Duchein 1992:19).⁷⁵

The principle of provenance — including both the principle of respect de fonds and the registry principle — was articulated in detail and systematized by Dutch archivists Samuel Muller, Johan Feith and Robert Fruin in “The Manual for the Arrangement and Description of the Archives”, which was first published in 1898. The manual had a great impact and it was soon translated into French, German, English, Italian, Portuguese, and Chinese. The principle of provenance was adopted in most countries in the beginning of the 20th century (Orrman 1987:15; Horsman 1994; Cook 1996:4).⁷⁶

⁷² Registers in German administration described by Menne-Haritz (2004:76) seem very similar to those described here. In Finland registers have been traditionally used as retrieval tools, but according to Guercio Italian protocol registry is not—contrary to common presupposition—a retrieval tool (Guercio 2001:261).

⁷³ Especially in countries where the registry principle is not followed, the respect de fonds is often equated to the principle of provenance.

⁷⁴ Cf. Erlandsson 1994.

⁷⁵ Cook says that the registry principle was part already of the French concept of respect des fonds (1841) and that the Germans only articulated it with greater precision when enunciating the *Strukturprinzip* (Cook 1992:35–6).

⁷⁶ The same development took place also in Finland. The terms “provenance” and “principle of provenance” appear for the first time in Finnish archival literature in the

The archival theory governing archival activities is still based on the nineteenth century ideas (Gränström 1994). The principle of provenance is the foundation of archival theory.⁷⁷ Only temporarily it has been forgotten to the background when the interest has focused more in the information content of the archives (Cook 1996).

Duchemin has claimed “today it may be said that, with few exceptions, the principle of *respect des fonds*, or *principe de provenance*, is universally accepted as the basis of theoretical and practical archival science”. According to Duchemin, criticisms of the principle bear only on its applications and not on the principle itself. Duchemin also surmised that “it is reasonable to think that [the principle of *respect de fonds*] will never again be fundamentally questioned and that it constitutes a definitive fact of archival science” (Duchemin 1983:66). Valtonen states more cautiously that there exists in the archival theory a moderate agreement on the importance of the principle of provenance (Valtonen 2005b:60). According to Lybeck (2006:14) *respect de fonds* is the universally acknowledged theoretical foundation for archival work. Also the registry principle is widely accepted, albeit “flexibly” put into practice.

Schellenberg’s summary of the traditional archival methodology is as follows:

He [the modern archivist] is anxious to have the integrity of records preserved. By this means (1) that records of a given agency should be kept together as records of that agency, (2) that such records should be kept, as far as possible, under the arrangement given them in the agency in the course of its official business, and (3) that such records should be kept in their entirety, without mutilation, alteration, or unauthorized destruction of portions of them.

(Schellenberg 1956:15)

Thomassen notes (almost fifty years later) that archival science is aimed to ensuring the “availability, readability, completeness, relevance, representativeness, topicality, authenticity and reliability” of records by respecting the form of the record at the record level, and structure (original order) and context (provenance) at the archives level (Thomassen 2001:373, 383).

The importance of context for speech acts has already been noted. Today the principle of provenance is commonly seen also as a method for preserving contextual information.⁷⁸ Duff (1996:30) uses “provenance” and “context” as synonyms.⁷⁹

beginning of the 1920’s (for the development, see Orrman 2000). At the same time also problems associated with the principle of pertinence were brought into discussion (Arkistonhoidon opas 1980:31).

⁷⁷ For archival theory, see chapter 3.1 (p. 75).

⁷⁸ It has been stated, that “it is this very acknowledgement of the importance of context that will distinguish the archival profession from others” (Horsman 1994:57). Cf. Nilsson who says

Dollar says that adhering to the principle of provenance means ensuring that the context — by which Dollar means relations of documents with their creators as well as relations among documents — in which records were created is maintained (Dollar 1992:48). The provenance is the way to preserve the key information inherent in any group of records as a whole — the organizational context and course of activity which led to their creation (Miller 1990:26).

In the electronic environment the principle of provenance cannot be followed as such because electronic records are no longer physical and tangible objects but a kind of virtual phenomenon (Hofman 1998:122).⁸⁰ What has been formerly accomplished by keeping records in their original order in fonds formed in the activity of the records creator, is achieved in the electronic environment by adding metadata to electronic records. (Duranti & MacNeil 1996:53; MacNeil 2000:94) Also in the intellectual control and preservation of electronic records the principle of provenance is central. In the electronic environment conformity with the principle of provenance is guaranteed by the identification of the context in which an electronic record is created. (Dollar 1992:9,18) Requirements for electronic record keeping systems and metadata required by electronic records have been studied in different projects.⁸¹ The term “provenance” is rarely used in connection with electronic records, but the same principle still lies behind the results established in these projects (Lybeck 1998:275).⁸²

According to diplomatic analysis electronic records possess essentially the same components as traditional records (MacNeil 2000:96). MacNeil states that preserving original order has always meant preserving the records’ documentary relations. For electronic records, applying the principle will mean ensuring the preservation of the data directories, where those relations will be described (MacNeil 1994:10). In the electronic environment, contextual relationships are captured by metadata (Dollar 1992:50). The principle of provenance is seen also in electronic environment as valid and central to archival theory (Erlandsson 1994; Roper 1994).

Bearman claims that the most impeachable contextual information from which records derive their evidential value resides in the record system, not in

that taking into account relationships among records is the central feature in archival work (Nilsson 1983:20).

⁷⁹ *It has also been stated, that the context is overemphasized today: the pure and complete context highly valued in studies of electronic records is “in fact, of primary value to almost nobody” (Greene, Boles, Bruemmer, et al. 2004).*

⁸⁰ *Others state, that although it is no more possible to respect the physical original order of a fonds of electronic documents, the principle of provenance in the meaning of respect de fonds may be still applied (Pohjola 1994:92; Roper 1994).*

⁸¹ *For a comparison between some of the most important (the UBC-MAS and Pittsburg projects), see Marsden 1997.*

⁸² *Some authors have asked whether re-conceptualizations of provenance (“virtual provenance”, “conceptual provenance”) signals more than a mere technological adjustment, see Brothman & Brown 1996:389.*

the individual files. Bearman says that this is the acknowledged reason why archivists retain record systems —which in paper based systems means “original order”. (Bearman 1993:178)

Altogether this suggests that the archival principles are universally applied or, at least, widespread in the archival community.⁸³ They also suggest that there is a unity transgressing the boundaries set by the physical form of the material: both in traditional and electronic environments archival professionals try to preserve contextual information, albeit by different methods. This gives reason to assume that what is said here about the preservation of speech acts might be applicable to archives in general.

2.4.2.2 *Arguments against generalizability*

On the other hand one can also find arguments to the contrary. Firstly, several terms and concepts are used in the archival discourse. It has been noted that they are not strictly speaking identical in different cultural areas. “The principle of provenance”, “*respect de fonds*” (French), “*Strukturprinzip*” (German), and “*metodo storico*” (Italian) are related concepts which have overlapping but not exactly the same meaning (Mule 1996).

One may question the existence of universal archival practice. The archival field is split in many ways. Duchein has noted that speaking about “European archives” and “European archival profession” is “little more than an illusion and little less than an absurdity -- there has never been any practical or legal unity” (Duchein 1992). In the same tone Cook has concluded that “at the level of archival ‘practice’ there are so many national, local, and media variations around the world that no credible model exists that may interact on an analytic basis with ‘theory’” (Cook 1996:2).

It is not clear, what stage and order in the development of a fonds should be later considered “original” (Nilsson 1983:8 ff; Orrman 1987:34, fn. 35). The essential question is what stage in the development of a fonds is the one to be “respected”: is it the final collection transferred to a repository of historical records — (*Herkunftprinzip*), or the one formed when the records were created (*Ursprungsprinzip*) (Nilsson 1983a:9). The concept of fonds implies a wholeness, a completeness, a totality. However, Millar argues that “no archives now has, ever will have, or ever has had ‘the whole of the records’ of any creating agency” (Millar 2002).

Especially in Nordic countries one has pondered the distinction between “primary” and “secondary provenance”: the first concept refers to the context of

⁸³ Eastwood says that he did not find Swedish archives unfamiliar while he was visiting the country. According to him, the similarities between the Swedish and Canadian archives are “product of universal characteristics of archives, which inevitably cultivate similar methods of treatment and institutional arrangements of care from country to country, and also similar preoccupations among archivists” (Eastwood 1996:63).

creation and to the original order. Secondary provenance results from a partial or complete re-arrangement of records, or from their transfer to another archives creator. Usually the secondary provenance is maintained, because it is deemed no less “right” than the primary one. The previous provenance is preserved by describing it by means of archival description. (Lybeck 2006:224)

How the principle of provenance is interpreted and applied has changed considerably during the time (Johansson & Justrell 1995a:33). An important question is what actually constitutes a fonds that should be preserved and not intermingled with others: although the boundary of a fonds is demarcated by defining the organizational entity or person responsible for the creation or receipt of documents, there are different views on how this entity should be defined. The “provenance” has been equated with the physical collection of documents, the documents joined in the same structure (e.g. filing system, or common register), or the function that the documents are related to. Sometimes there is a one-to-one relation between all of these: a separate totality of physical records in a record keeping system⁸⁴ of one organizational unit taking care of one function. But this is often not the case in the modern world where functions and organizations change rapidly and the change is reflected in the records.⁸⁵

Originally, as presented by Muller, Feith, and Fruin, the principle of provenance was a method for arrangement and description of historical archives, and based on a presumption that the structure of the archives rigidly reflects the organizational structure of the archives creator.⁸⁶ The disorganized, decentralized, voluminous, often-copied, multi-media and unstable records common to the late twentieth century’s more complex organizations were rarely addressed in the manual. During the 20th century the attention has shifted from the physical artifact of the record to the conceptual relationships of its creation. This has also affected the principle of provenance. The provenance is today seen more as functional and conceptual than as physical and structural. (Cook 1996).

Horsman says that

respecting the original order of a fonds means reconstructing the original relationships between functions of the records-creating agencies and the recorded information. The physical order of the documents does not matter, except for logistical purposes. It is the intellectual arrangement that makes the original order.

(Horsman 1994:58).

⁸⁴ “A record keeping system comprises a set of internally consistent rules that govern the making, receiving, setting aside, and handling of active and semi-active records in the usual and ordinary course of the creator’s affairs, and the tools and mechanisms to implement them” (Duranti, et al. 1996:48).

⁸⁵ For defining an archives creator, see e.g. Duchein 1983; Orrman 1987; Ewald 1992; Johansson 1994.

⁸⁶ Even a relatively recent Finnish guidebook states that the archival structure should reflect the organizational structure (Arkistonhoidon opas 1980:32).

Thus, also the *Strukturprinzip* may be interpreted either in a concrete or an abstract fashion.

From the point of view of archival fonds, a provenance is on the one hand a question of “external” relation of records to the activities and functions of the creator of the archives. The main relationships of external structure are established in the process of delegation of authority and function. On the other hand, a provenance is a question of record creation and “internal” relations between records established during the conduct of affairs. Both are subject to forces of change. (Eastwood 1992a)

Different writers have emphasized different, complementary aspects of the concept of provenance. For example Brenneke, to whom the “internal” was subordinate to the “external”, considered rearranging the archival fonds acceptable if the original order did not bring the functional context clearly into view. (Eastwood 1992a:4,6,8; Saarenheimo 1998:211; Eastwood 2000; Lövblad 2002:28–29; Horsman 2002).⁸⁷

Australian archival theory and practice have developed to an ingenious direction. Already in the 1960’s Peter Scott challenged the view that a fonds, in terms of either its exterior or interior dimensions, can be represented through the physical arrangement of records in an archival repository. He also rejected the corollary notion that the description of fonds and their contexts should mirror the physical arrangement of records. Scott argued that a fonds should be understood as a logical, and not as a physical construct. As a consequence, the Commonwealth Archives Office abandoned attempts to represent the fonds in the physical arrangement on the repository shelves, and Scott set out to build a system that could represent the logical, virtual and multiple relationships between records and their contexts of creation and amongst the records themselves. (Scott 1966; McKemmish, Piggott & Reed 2005:168)

Scott’s fundamental insight was that a one-to-one relationship between the record and its creating administration was no longer valid. (McKemmish, Piggott & Reed 2005:168) Later other Australian writers have gone even further. Hurley (1995) argues that while it is both desirable and legitimate to show that records can have multiple creators successively (like Australians have insisted), there is no need to adhere (like they have done) to the idea that there can be only a single records-creating agent at any given point.

Another example of original Australian archival thinking is Frank Upward’s records continuum model which he originally introduced in 1996. The model provides a common orientation for casting forward different perspectives. Thus, it can be used for “integrating the public archives and private manuscript traditions and many archival traditions as well — Australia, Europe, and Canada’s total archives approach”. Traditional notions of provenance and archival principles are not in contradiction with the records continuum model,

⁸⁷ *Functional approach was advocated in Finland by Pentti Renvall, who stated in 1946 that a public function is the archives creator, not the person [or agency] responsible for the function (Wilenius 1994; Orrman 2002a).*

but they do not play a visible role in it. Instead the model describes the continuum of “action-based information processes” drawing inspiration from Anthony Giddens’ structuration theory of time-space distancing.⁸⁸ (Upward 2005)

For postmodernist archival thinkers fonds are never static and final. A fonds, as we talk about it in archival theory, has never existed as such in archival practice. A fonds is actually constructed by archivists. Also there is no single, fixed provenance. “The provenance of a given record or body of records consists of the social and technical processes of the records’ inscription, transmission, contextualization, and interpretation which account for its existence, characteristics, and continuing history”. (Nesmith 2005)

Horsman (2002:21) claims that “not only is the fonds, as something to respect as an existing physical thing, an entity that rarely existed as an original whole, but also all too often such a reconstruction (by archivists) as a whole actually distorts the original record-keeping reality, thereby weakening provenance”. He also questions the one immutable physical order of documents, which presumably has existed during an agency’s lifetime (Horsman 1994:57).

There may also be cultural differences. It has been stated that most North American archivists tend to equate the provenance with the records creator and its organizational structure, while most European archivists equate it with competence that creates records (Dollar 1992:49).

Bearman’s interpretation of the principle of provenance is that it dictates that records are to be understood with reference to their origins in activity. He argues that equating the provenance of the records to the organization where records were created or received is only shorthand for the function of which the records are evidence and the record system in which they were created, stored, preserved and accessed by the organization. The tension between internal and external dimensions of the respect de fonds can be solved by focusing on the record keeping systems⁸⁹ instead of archival fonds and record groups, which are “unnecessary theoretical constructs”. (Bearman 1994:43–44, 48–49)

In North America not only provenance but also complexity and volume of records has been a criterion when ‘record groups’ — which are the closest equivalent for archival fonds in the American archival terminology⁹⁰ — are defined. The goal has been to make the unit of convenient size and character for the work of arrangement and description and for the publication of inventories. Therefore record groups are in practice often something quite different from European archival fonds and the record group concept has been strongly

⁸⁸ Upward speaks of “recordkeeping-based activity theory” which “could also be called new provenance theory” (Upward 2005:202).

⁸⁹ Bearman seems to use terms “record keeping system” and “record(s) system” interchangeably, compare Duranti, et al. 1996:48.

⁹⁰ A clear difference between the concepts is that the record group usually refers to the records of organizations like government and corporate bodies, whereas the fonds embraces both public and private records (Cook 1992:41). The record group system is no longer used in Canada (an email message from Wendy Duff, dated 11 July, 2007).

criticized. Duchein, however, notes that “American archivists have taken no fault other than openly admitting – – the lack of strictness which though almost universal was carefully hidden elsewhere”. (Cook 1992:41, 47–52; Duchein 1983:70; Orrman 1987; Cook 1996:9)

There is no exact method for defining an archives creator, and, accordingly, a fonds. The spectrum of possibilities is wide ranging from the “maximalist” practice of former East–European socialist countries — in which all the documents belonging to the state formed a single and gigantic archival fonds of the state⁹¹ — to the “minimalist” idea that the smallest possible functional cell in the administration is a creator of a fonds. (Orrman 1987)

The efficiency of records systems in capturing the information about the speech acts and their context may vary.⁹² There are different kinds of registers and filing systems. A file may be built from the individual documents in different ways (see Pohjola 1983) and perhaps the same information about the speech act is not always preserved regardless of the principles applied in the filing.

Finally, the registry principle is not always followed. Although it can be claimed that maintaining also the original order amplifies the respect that an archivist must have to a group of documents maintained as a distinct unit, the registry principle has been criticized (Boles 1982; Horsman 1994). It is less generally followed as the respect de fonds. It is e.g. abandoned in Russia, but taken in Scandinavian countries as an integral part of the principle of provenance (Orrman 1987). Jenkinson thought that the original order had to be preserved at all costs, but Schellenberg related original order “mainly to use or convenience” (Stapleton 1983–84:79).

Differences are partly a consequence of different record keeping practices. Registries⁹³ are common in countries of Germanic administrative tradition (Orrman 1987:19) whereas in countries of Latin administrative tradition — Spanish, French, Italian — in general there exists nothing resembling the German *Registratur* and theories formulated by archivists of the Germanic

⁹¹ *Nevertheless a fonds in Russian archives does not seem to significantly differ in practice from a fonds elsewhere: a fonds is created by an organizational unit in the state administration: for instance, see descriptions in Čentral’nyj Gosudarstvennyj Arhiv Krasnoj Armii. Putevoditel’. Pod redakčiej P. Sofinova. Moskva 1945. — Orrman (1987) notes, that the concept of fonds of a state is not comparable to fonds of a single archives creator.*

⁹² *“In traditional paper based systems, neither archivists nor the operating entity can typically document who accessed record keeping systems or how records they retrieved were used, although when a record is thus used it is participating in a new business transaction and should, in principle, become a record of that transaction. In electronic information systems, tools for representing such relationships as permissions, views and actual uses of records exist and data administrators and configuration managers can document the participation of records in concrete transactions over time” (Bearman 1994b:56–59).*

⁹³ *Posner (1941) points out that the English word “registry” has a narrower meaning than the German “Registratur”.*

tradition are not applicable. E.g., although Duchein, who is French, sees the registry principle as an integral and logical part of the principle of provenance, he sees no obligation to follow it always. (Duchein 1983:77–79)⁹⁴

In conclusion, from the point of view of this study, it is difficult to evaluate the significance of the different interpretations and conceptual and practical variations that one encounters while examining the theory and practice of the principle of provenance. For instance, the Australian ‘series’ system represents an approach that is in many respects different from those in other countries. Still, Scott believed that the Series system was the best way to comply with the *respect des fonds* (McKemish, Piggott & Reed 2005:168).⁹⁵

Preservation of speech acts may be the universal undercurrent in archival activities regardless of these variations in ideas and practice, but it is not self-evident. Further research should make comparative studies on this in various administrative and cultural areas analyzing different kinds of archival aggregates and filing systems.

2.5 Conclusions

Even though the findings draw on a few cases, the results provide sufficient evidence of the fact that the idea is correct. The fonds to which a document belongs, the place of the document inside the fonds in a file, box, or bound volume, and entry in the register (when a registry is used) can tell about the propositional act, the illocutionary act, and the perlocutionary act of a speech act as well as addressor, addressee, topic, and time of the act. However, there is insufficient data to say, how e.g. different filing systems and fonds differ from each other. Variations in archival ideas and practices, based on the local administrative–cultural traditions and legislation, do not allow for making statements at a more general (e.g. European) archival level. Nevertheless, it seems plausible to think that this phenomenon is not limited to Finnish archives.

That archival principles preserve contextual information is not surprising in the light of archival theory. The novelty is to show that the speech act theory and ideas in sociolinguistics can be used to analyze the significance of documentary context, and, thus, indirectly of archival principles.

This is a valuable finding for several reasons. Firstly, it enables us to pose detailed questions about the role played by documentary context in any particular case. Secondly, it links a question central to archival theory to a scientific field

⁹⁴ *Registry filing systems are today virtually unknown in the United States but British colonies have spread them throughout the world (Stephens 1995).*

⁹⁵ *“In spite of the widespread view amongst North American and European colleagues that Scott had abandoned archival principles along with the physical record group as implemented in the traditional model, he did not in fact reject the need to preserve records in their contexts of creation, but rethought the principles of respect des fonds and original order in a modern context.” (McKemish, Piggott & Reed 2005:170)*

that has been widely studied in other areas of science. This may enrich both the studies of archives and speech acts on the long run. Thirdly, it gives new conceptual tools that are more exact and independent of archival terminology. This allows the comparison of different archival concepts from a new angle.

Because archival concepts and ideas are often tied to a particular archival context, this independent starting point for comparing conceptions is important. Instead of discussing at a conceptual level, for instance, whether “provenance” is something functional or organizational, how an archives creator or a fonds should be defined, or how one filing or registry system or arrangement compares to another, one may now ask, whether there are measurable differences from the point of view of the speech act preservation. If the answer is negative, the alternative conceptions or practices are in this respect equal.

The findings leave much room for further research. One should test the hypothesis with archival documents from different administrative traditions and private persons, with various filing systems and arrangements. One should also study, what information document users actually need about the speech act and how this is related to their information needs.

Still, analysis of documentary context based on speech act theory is likely to reveal only one part of the significance of the archival principles. According to archival literature, the meaning of records can often be found in their internal relationships. Barr writes:

Arrangement, or in fact rearrangement, is a dangerous activity under any circumstances. Frequently the topic of a single document is unclear, e.g. “about that amendment, go ahead”. Letters and memoranda often “make sense” only when read as part of a natural series relating to an activity. (*Barr 1989:143*)

There is more than one reason why a document may “make sense” only together with the others. It seems clear that preserving speech acts is not the only use the archival principles have. Additionally, and instead, they may preserve information that has nothing to do with the language usage. This means that the speech theory cannot cover everything accomplished by archival principles.

One quickly finds himself in a sphere where concepts taken from the speech act theory and linguistics are not applicable. Menne–Haritz (2001:65) notes that the archival arrangement “contains a lot of potential information, which is not formulated verbally, but which is presented visually to users. Visual presentation is less precise but conveys much more information than verbal descriptions – –”. Many kinds of information can be carried by the visual arrangement. In an example by Barr, a person who is a member of a Trotskyist organization has kept all the letters from his fellow Trotskyists in one place. Barr notes that some information would be lost if the letters were intermingled with others (Barr 1989). Similarly, a person might preserve letters received from his closest friends in one place separate from others, or, for some reason, arrange the letters by the geographical location of the sender.

Some archivists have quite categorically stated that the need for contextual information is always the same for every document. Records are said to “have no existence other than as a product of business activity without which they have no context or meaning” (Emmerson 1989:5). According to Schellenberg:

Records have a collective rather than a unitary significance. All records arising from a particular activity have a cohesive character and are part of one another. They have a meaning as a group rather than as single items. They lose their significance if they are dealt with as single items rather than as collective units. (Schellenberg 1965:67)

However, looking closely, it seems that there is variance: Nilsson notes that an archival fonds is a whole in which different parts play together in some kind of organized harmony. Some records, like registries, exist in part to make this co-operation possible. But there are also records which one tries to make more “independent”: in this group belong written agreements, contracts, and similar documents. (Nilsson 1983:19)

In my opinion, Nilsson is more correct. Some archival documents can also be used without documentary context. It is possible that these documents make the functional levels of language sufficiently explicit and contain themselves enough contextual information for interpretation. Preservation of these documents in the archives serves as a confirmation of what is already “said” in the document. This was one of the functions of archives in the Roman law (Duranti 1994).

Also, another idea might be explained by the speech act theory. Menne–Haritz notes that “the less records are used as messages for third parties and the more they are used for the internal organization and construction of processes, the more they lack independent meaning” (Menne–Haritz 2004:183). It seems plausible to assume that the functional levels and the context of the speech act have to be made most explicit in a message when the receiver has no other means for having or finding out information about them. However, this hypothesis should also be examined and tested in the further research.

3 Characteristics of records in archival theory

In the previous chapter it was shown that speech act theory can be used to analyze the significance of documentary context of archival documents. It also suggests that documentary context is needed because archival documents may contain less information about the speech act than other documents. This is a one answer to the research questions (p. 20).

However, this may only be part of the answer. Any use of language — and consequently any document — is a speech act. Still, not all the documents are preserved in archives. Perhaps speech acts in archival documents differ from other speech acts, and this makes following archival principles necessary?

To find an explanation, first it is examined in this chapter, what is understood by “records” and “archives” in archival theory. The purpose is to find out what material archives are dealing with and how archival professionals draw the line between archival documents and other documents. The interest is especially in what is said about the activity of creating records and the environment of record creation.

After a general discussion, literary excerpts taken from the archival literature are analyzed to see what characteristics records and archives have. The question of why these documents are subject to archival practices is discussed in the fourth chapter.

3.1 The concept of archival theory and archival science

The term “archival theory” is commonly used in archival literature in singular, but instead of a specific theory it refers to the set of ideas presented in the archival professional literature. According to Duranti:

Archival theory is the whole of the ideas about what archival material is, whereas archival methodology is the whole of the ideas about how to treat it. Archival practice is the use that archivists make of both theoretical and methodological ideas in their work. (Duranti 1994:330)

Others see also questions of how to treat archival materials as part of archival theory. It has been said that the archival theory consists mainly of normative

clauses describing how one should proceed in the archival work (Johansson 1994:35).

In this study the concept of archival theory is used to refer to a set of professional ideas about what records and archives are and how one should work with them.

The concept of “archival science” is closely related to that of archival theory. Strictly speaking, the term refers to results and process of scientific enquiry about the archives and archival activities. However, at the moment there is relatively little archival science independent of the archival professional community. From the early 1990’s the purely scientific research community has clearly been strengthened (Gilliland & McKemmish 2004), but traditionally discussion in archival science has been very much a part of the professional discourse. Writers generally have close ties to the professional field: they are usually current or former members of the profession (Sundqvist 2005:20). Scientific and semi-scientific articles—together with other writings—are published in professional journals and targeted to the same audience. There has only been since 2001 a peer-reviewed journal (*Archival Science*) with purely scientific goals: other journals belong to some professional association. Despite positive development in many areas the small number of researchers has made advancement in archival science slow (Valtonen 2004; Valtonen 2005a). What has been a scientific discipline is in the process of becoming an autonomous science (Thomassen 1999). In Scandinavia the institutionalization of archival studies in university structures is only at the beginning (Vakkari, et al. 2003).

Sundqvist (2005) notes that the concept of archival science is largely used as a general term referring to knowledge in the archival field regardless of scientific level. In this meaning archival science includes not only concepts, methods, and all the knowledge required in professional activities⁹⁶ (e.g. expertise in questions of copyright and ownership of records), but also those archival aspects about which it is possible to undertake scientific research, for instance, history of archivists or archival institutions. Definitions of archival science do not give an impression that it is an autonomous science free of practical considerations. Archival science is commonly seen as a theoretical structure lying behind practical activity. (Sundqvist 2005)

This makes it difficult to make a distinction between how archival professionals see records, archives, and their work, and how it is depicted in archival science. The concepts in archival theory are used by professionals and archival scientists alike. In this meaning archival theory does not always meet scientific criteria. Reynolds notes that in everyday language

The word “theory” is frequently used to refer to a number of – – formulations, usually abstract, including (1) vague conceptualizations or descriptions of events or things, (2) prescriptions about what are desirable social behaviors or arrangements, or (3) any untested hypothesis or idea. To refer to any set of abstract concepts used to describe a phenomenon as a theory is an inappropriate

⁹⁶ Cf. Vakkari 1992:112–113 for the development of library science in Germany.

use of the word if only a set of concepts is presented (e.g. characteristics of a bureaucratic organizations). At best, these concepts can only provide a typology --.

(Reynolds 1971:11)

In the light of Reynolds' remark the concept of "archival theory" is certainly used here for the most part inappropriately. Ideas in archival professional literature often fall in the categories of "vague conceptualizations or descriptions of events or things", "prescriptions about what are desirable social behaviors or arrangements", or scientifically "untested hypothesis or ideas". Also conceptions of record provide often no more than a typology.

In archival handbooks "theory" may simply refer to a set of rules guiding one to a good result (Johansson 1997). For instance, the principle of provenance is sometimes used as a synonym for the "archival theory". It is nevertheless more a method or a description of how a fonds is formed than a proper theory (Gränström 1995), although there are different views on this (cf. Nilsson 1983:17).

Because ideas in archival literature are seldom systematized, it is hard to say whether there is actually one or more "archival theories". According to Gränström (1995:7) there hardly is any theory: instead of a general, free-standing archival theory, archival activities are governed by a set of principles colored by national traditions and legal practices.

Lindh notes that in archival literature there are sets of concepts that seem to be near each other or even identical, but the relationship of which is unclear (Lindh 1994a).⁹⁷ In addition, there are terms in the professional archival terminology which are understandable in another language only when one knows and fully understands the professional, cultural, legal, historical, and sometimes political background of the term (Ketelaar 1997:143). This "Tower of Babel of archivists", like Ketelaar puts it, makes comparison of ideas dangerous. Both differences and similarities may be illusory.

In an international archival seminar serious misunderstandings occurred, mainly because the English archival terminology and the technical terms used in records management sprang from a different tradition. The English terms frequently denote something quite different from their "equivalents" in the terminology of the other languages represented. (Menne-Haritz 1993:10)

Recordkeeping and archival management practices as well as concepts describing the internal structure of a fonds seem to be a major source of misunderstanding. In this study I do not go into those details.⁹⁸ Also — in the

⁹⁷ "Provenance, custodial history, controlling agency, (records) creator, office of origin" and "metadata, documentation, provenance information, context data".

⁹⁸ "The more precise a technical discussion is intended to be, the greater the risk that the participants talk about different things" (Menne-Haritz 1993:10). For instance, in Finland a

hope to repel misunderstanding — I have limited myself to archival literature in Finnish, Swedish, and English, and ignored literature in those administrative-cultural areas which I am less familiar with.⁹⁹ How the central concepts are understood in the literature used is discussed throughout the text.

3.2 Conceptions of records in archival theory

The concept of record has been to some extent unclear in archival theory, but in the past few years archival academics, professional associations, and archival public institutions have been converging toward a single definition. Most definitions of records now roughly state that officials who inscribe and prepare information or recorded communications for purposes related to the achievement of an organization's business have created official records. Also documents received for purposes related to business form official organizational records. (Brothman 2002:314) The most important distinguishing mark of a record is its connection to an activity (Lybeck 2006:13).¹⁰⁰

Descriptions of recordness have common denominators. Since the mid-twentieth century record has been seen as a transaction and as evidence of transactions (Cox 1994a:11). On the other hand, it is possible to find characterizations describing records in different terms:

A record may be defined as any information captured in reproducible form that is required for conducting business. — The determination as to what constitutes a record is based on the context in which the information is created. The standard dictionary may well be required for conducting business, but it was not specifically created by or for the particular organization using it. The only organization that would have a record copy of a dictionary would be the publishing company that produced it.

(Penn, Morddel, Pennix, et al. 1989:3)

Favorin (1975:39) suggests this definition: a record is recorded information so closely linked with the archives creator that it, when annexed to the fonds, essentially sheds light on the activities of the creator.

The best-known works that have had the most influence on both archival theory and practice are above all textbooks (Sundqvist 2005:19).¹⁰¹ Therefore, it

“series” refers to the internal structure of a fonds, whereas in France a “series” denotes a group of fonds having a similar origin (Lybeck 2006:221).

⁹⁹ *Writings from native speakers of other languages are used if they have been published originally or as translations in one of these languages.*

¹⁰⁰ *In Finland, the term “activity-based information” (toiminnallinen tieto) is even used as synonym for records (Lybeck 2006:13).*

¹⁰¹ *In this category Sundqvist includes “Handleiding voor het Ordenen en Beschrijven van Archieven” by Muller, Feith, and Fruin, Hilary Jenkinson’s “A Manual of Archive*

is not surprising to find them sometimes lacking in theoretical exactness, or to find conflicting or opposite formulations.

For example, what exactly is the relationship between “archives” and “records”? Jenkinson says that a newspaper is always part of the archives of the office of the newspaper. A copy of *The Times* filed in the Foreign Office, with a note that the Secretary of State wishes copies to be dispatched with covering letter, is a part of the archives of the Foreign office. In fact, “admissible to the class of archive” are not only “all manuscript in whatever materials made” but any material evidences, “whether or no they include alphabetical or numerical signs” if they are annexed to specific documents. Jenkinson notes that continental authorities prefer to send attachments of documents to museums and objects to this practice because “it cannot be carried out to its logical conclusion without damage to archives or archive quality”. He even raises a question, whether an elephant sent home by a Viceroy “with a suitable covering-note or label” is part of the archives, and answers affirmatively.¹⁰² (Jenkinson 1937:6–8)

However, simultaneously, Jenkinson maintains that the concept of record “is highly technical and narrow in its correct sense”. One must conclude that either in this narrow correct sense elephants and newspapers are records, or, strictly speaking an archives is not for Jenkinson a collection of — and only of — “records”? The latter assumption seems more plausible. Jenkinson’s definition of archives does not contain the word “record”. Instead, he speaks of “documents which may belong to the class of archives” (Jenkinson 1937:11).

Thus, for Jenkinson the concept of archives is broader than the concept of records. For Schellenberg it is the other way around: all records are not part of the archives. Duranti notes that Jenkinson treats records as a species of archival documents, whereas Schellenberg defined “records in a way even more limited than that in which Jenkinson had defined archives, and he redefined archives as a species of records” (Duranti 1994:238; Kolsrud 1996).

Livelton has noted that “a close study of professional literature almost inevitably reveals a lack of consistency and coherence between various definitions set down by different authors at different times for different purposes” (Livelton 1996:1).

A similar view has been expressed by Cox who notes, “a careful examination of the archival literature on the concept of record can leave one scratching his or her head”. (Cox 1994b:592). Conceptual ambiguities in archival theory have been noted also by other writers (Horsman 1994; Lindh 1994a). Also Finnish

Administration Including the Problems of War Archives and Archive Making”, Casanova’s “*Archivistica*”, “*Archivkunde*” by Brenneke, “*Modern Archives*” by Schellenberg, “*Manual d’archivistique. Théorie et pratique des archives publiques en France*”, and “*Arkivkunskap*” by Nils Nilsson.

¹⁰² Luckily for archives, “this is an administrative dilemma and not an archive one”, says Jenkinson, because administration has to solve the question of housing long before the label or letter comes into charge of the archivist.

archival discussion has not been free of terminological confusion (see Hyppönen 1988).

The criterion of intersubjectivity in science requires that the concept should have the same meaning among the scientists because of their shared impressions and experience. (Reynolds 1971:13–19) It is not entirely clear whether this is the case in archival science.

Also writers on records management are often bogged down with the problem of establishing or agreeing a comprehensive definition of records (Yusof, et al. 1998:97). Especially, defining records in an electronic environment poses conceptual problems:

On the one hand, Cox suggests that the functional approach is an excellent conceptual framework in which a practical means of managing records can be developed, whilst Duff holds that the transactional nature is the core concept in defining records. On the other hand, Bearman emphasizes the aspect of evidence. He firmly asserts the importance of the characteristic as central to the electronic records management issue. (Yusof, et al. 1998:105)

It has been said that traditional definitions and descriptions, which are based on the assumption that records are physical entities, do not work well in the electronic environment and handicap recordkeeping professionals' capabilities to function in organizations where system designers, information resource managers, and chief information officers require precision. (Cox 1994b)

What is a record in theory and what in practice has not necessarily been exactly the same thing. Guercio notes that archivists did not pay much attention to the theoretical definition of "record" as long as their work remained almost exclusively confined to the traditional world of paper media. Although definition of records in traditional diplomacy is quite strict — "a written evidence of a fact of juridical nature, compiled in conformance with a determined form, designed to make it trustworthy and to endow it with the force of proof." — Guercio says that "archivists have always used the concept in a broader sense, global sense, which includes cases not necessarily strictly limited to the formal records generally considered and studied in the traditional discipline" (Guercio 2001).

3.2.1 Ways of defining a record

From an archival perspective, one may advance different lines of argument to define records (Higgs 1998:102):

1. The physical definition: records are pieces of parchment or paper covered in manuscript or typed text.
2. The legal definition: records are objects defined as such by certain laws.
3. The bureaucratic definition: records are objects that have entered a repository according to certain recognized process of appraisal and transfer.

4. The representational definition: archives hold texts, which are used to set down a description of events or decisions in a storable form to facilitate subsequent remembrance or reference.

Higgs argues that all these definitions are lacking or partial.

The physical definition is attractive to both librarians and many archivists. For librarians “archives are, or should be, mere specialist book collections based on physical properties” and also many archivists are fond of defining records in terms of physical descriptions such as files, papers, rolls, and so on. However, many archives contain records, which in are, in fact, in the form of printed books (e.g. the various classes of Foreign Office Confidential Print at the Public Record Office in London) whilst libraries hold early illuminated books which were created in manuscript on parchment. (Higgs 1998)

Higgs notes that one cannot describe the meaning of a concept by enumerating all the objects falling under its scope. This approach fails to explain the criteria upon which the allocation of objects to terms works. (Higgs 1998)

Legislative and bureaucratic definitions must be rejected on other grounds. E.g. in Sweden central archival concepts and functions are given in the legislation and therefore the legal definition has had a great impact on archival discussion (Gränström 1995:7; Ulfsparré 1998). However, Higgs notes, “legal and procedural definitions depend on specific national contexts. They define what records end up in archives -- what are official or public records in certain contexts but do not help us to grasp the concept of record in general”. In principle, anything might be defined in legislation to be a “record”. Therefore, the core of the concept of the record has to lie elsewhere. Even if there were a law stating that a lamp-post is a record, the lamp-post would not function as a record. (Higgs 1998:103)

Legal and procedural conventions define what are official or public records in certain contexts, but do not help us to grasp the concept of record in general. Although they do not define “recordness”, they are important for determining the status of records, how they are treated in particular circumstances, and which are selected for permanent preservation. (Higgs 1998:103) Also Livelton states that legal definitions are not archival definitions (Livelton 1996:5).¹⁰³

Finnish archival textbooks draw the line between records and other information either on legal grounds or in such a pragmatic fashion that little is revealed about the theoretical premises behind the conceptions (Rastas 1990:24; Pureeko ajan hammas 2000:5; Rastas 1993). Still, archivists compare the legal concept to what they think is a record and when the legal definition is too far from the archival definition, archivists are alarmed, as a recent article (Orrman 2002b) shows.¹⁰⁴

¹⁰³ Cox asks if the current legal definition is “sufficient” (Cox 1994a:9).

¹⁰⁴ On the other hand, a legal definition fitting well to personal conceptions may be used in professional discussion as an argument against competing schools of thought (for an example, see Greene, Boles, Bruemmer, et al. 2004).

Higgs also rejects representational definitions. Although archives contain descriptions of events or oral communications, in practice many, or perhaps most, archival records are not representations of something else, they are “substantive communicative events themselves”. For instance, a letter sent from a widow of a sailor to the British admiralty asking for a pension is not a later record of some original spoken plea (representation of something exterior to the document), it is the act of supplication itself. (Higgs 1998:105)

Identifying records with “communicative events” comes close to viewing them as speech acts (a theory of which Higgs refers to). In both cases, a record ceases to be a representation of something external and becomes itself the focal point. In a similar vein Lybeck (2006:13) notes that a record does not merely document decision-making: it is itself the decision causing legal effects.

3.2.2 *Strong and weak sense theories of record*

According to Brothman (2002) one can discern in the archival community a number of conceptions of record ranging between “strong sense” and “weak sense” theories (see also Guercio 2001:242).¹⁰⁵ The strong sense theories feature highly limiting, exclusionary criteria of records and have a tendency towards positivism and idealistic essentialism. The weak sense theories are more open for different interpretations and have a broader vision of what can be accepted as a record. (Brothman 2002)

Table 15. *Features of weak and strong sense theories (summarized from Brothman 2002)*

	Strong sense	Weak sense
Record and events	Records embody events	Record and event may be separate
Context of records	Legal and business transactions	Any activity
Evidentiality and truthfulness	Features of a record	Interpretations of a record
Message in the record	Is permanent and defined by the creator	Can change and depends on the interpreter
Archivists’ mission	Manufacturing evidence	Preserving records
Archivists’ point of view	Future, record–maker	Retrospective, record–user

¹⁰⁵ *Different definitions of record have been analyzed for example in Schellenberg 1956:12–13; Erlandsson 1996; Livelton 1996; Yusof, et al. 1998.*

Brothman sees many differences between these two approaches. They are not limited to the conceptions of record, but also cover archivist's mission and interpretation of a record (Brothman 2002:315–6). I have summarized the characteristics found out by Brothman in the table above (Table 15).

Strong sense theories state that only documents made during the course of, or as a means of a legal or business transaction are records. The transaction and the record coincide and a record is, thus, inevitably true evidence of the transaction. The mission of the archivists is to make sure that evidential records are produced in the course of activity. The view of an archivist is the view of a record-maker, oriented to the future, towards records not yet created but which are to be produced in the course of the business activity.

Weak sense theories consider any documents relating to decisions or affairs of natural or juridical persons—and even private papers—as records. The task of an archivist is retrospective, it is to preserve records and assist users in their interpretation. “Truth” and “evidentiality” are some of the possible interpretations, not something that can be mechanically produced.

In strong sense theories a record embodies the (trans)action in which it is created and it witnesses about. In weak sense theories a record may also give information about some distant event which has taken place long before the creation of the document.

The existence of two lines of thought can be explained in several ways. The first explanation is historical. According to the Roman law only public authorities could have archives.¹⁰⁶ Archival documents created by public authorities in carrying out public affairs were endowed with public faith. Also documents created by private persons in carrying out private affairs could be attributed the same status if they were deposited by their authors or legitimate successors in an archive. Unbroken custody in reliable hands (which a public authority was by definition) guaranteed the trustfulness of documents and ensured the truth of their content. This has had a deep influence in archival theory and archival practice. After the third century preserving “archival-treasures” (records with certain legally prescribed form) in a safer place separately from “archives-sediment” (accumulated on the benches of the offices in the course of business) became common and left documents which “lesser value” susceptible to a gradual destruction. (Duranti 1994)

The second factor emphasizing strong sense theories is the technical revolution experienced during the last decades. In electronic environments recordkeeping professionals (records managers and archivists) can no longer passively wait aside and expect evidential, reliable and authentic records to be created. Therefore, they have been forced to focus on creation of records, whose evidentiality, reliability and authenticity seem important.

Thirdly, trends in the society —like the increasing importance of accountability, legalization of culture and waning of faith in public authorities

¹⁰⁶ The word “archives” is said to originate from the Greek word *arché* which means “office” or “authority” (Eckhart 1999:1; Jenkinson 1937:3).

and institutions—have made concepts of accountability and evidentiality increasingly important. Archivists have been eager to make use of this in their search for higher social status and power. The ability to manage “evidence” instead of “records” gives an aura of legitimacy and economic gain and social empowerment at the professional level. (Brothman 2002, see also Greene, Boles, Bruemmer, et al. 2004)

Thus, there are both ancient and recent factors contributing to the success of strong sense theories. The dominance of weak sense theories is in a way a temporary phenomenon. During the interval lasting from the early nineteenth century to the late twentieth century (from the emergence of historical archives after the French revolution in 1789 to the emergence of electronic record keeping) “historical-cultural notion of archives challenged the legal paradigm that long governed the concept of record” (Brothman 2002:321).

The dichotomy is also connected to the distinction between records managers and archivists: strong sense views are more suitable for records managers — and for archivists dealing with documents compatible with strong sense theories — than for persons having responsibility for older documents and cultural heritage at large. It is thus no coincidence that before the French revolution and the rise of the weak sense theories, archival professionals were closer to modern records managers than archivists (Duranti 1989b:8). David Bearman, one of the leading proponents of strong sense theory in recent years, has been described to be more a records manager than an archivist (Terry Cook, cited by Kilkki 2004:53).¹⁰⁷

Different conceptions of record become from this viewpoint a matter of personal experience, preference, and archival tradition to which one belongs. E.g. Hilary Jenkinson’s emphasis on records with legal character and records created in the public administration, as well as his trust on the neutral evidentiality of the records, has been explained by his personal background. Jenkinson was closely familiar with the corporate culture of the Victorian–Edwardian British civil service and “to the end remained a medievalist trying to cope with modern records” (Cook 1996:6). It has been noted that he “defined archives as corresponding to the ancient public records with which he was primarily concerned” (Schellenberg 1956:15). “Both Jenkinson and Schellenberg – – were greatly influenced by the circumstances surrounding themselves in the important formative years of their careers” (Stapleton 1983–84).

Strong and weak sense theories may be seen as what Wagner and Berger (1985) call “orienting strategies”. That is, they are meta-theories, discussion about theory; what concepts should be used and how they should be linked, more statements about values (e.g. about what an archivist should do or what is the value of the concept of evidentiality) than about empirical facts.

¹⁰⁷ *Although records managers and archivists have common roots, records managers in North America have long ago as a group seemed to have lost understanding of or interest in what archival records constitute (Cox 1995). Because the distinction is unknown in Finnish archival practice Bearman’s emphasis on the active role of archivists in record creation fits well into Finnish archival world (Kilkki 2004).*

Brothman's distinction between strong and weak sense theories is useful and important for the this study. However, I am going to use an adaptation of his concepts.

For Brothman strong and weak sense theories are about demands set to records by professionals. In strong sense theories documents deemed to have been made outside the pale of the event ("transaction") do not qualify as records. Brothman argues that behind this there are conceptions in which documents created in the event entail objective truth whereas other documents can only attain subjective truth.

It appears that for Brothman different conceptions of record are social constructions, or instruments used by archival professionals to conceptualize their environment and goals. What is essential is the epistemological position of the professionals behind the strong and weak sense theories, not the character of the materials described. Brothman notes (2002:318–321) that documents acceptable as records in strong-sense theories are created in public affairs, in business, or under constraints of public laws in general, and that "manuscripts arguably fall farthest from the epicenter of truth-telling conditions—those conditions that public laws create or animate". Still, he does not see any essential difference in documents classified either as (strong sense) records or manuscripts, except that the latter do not coincide with the event, like strong-claim archivists demand.

In contrast, my scientific world view is more inclined to realism: concepts are not only social constructions or instruments used to discuss and interpret the world around us (Töttö 2005): they have a relationship to the reality going beyond what we observe, although we may find it hard to say what the relationship actually is. Therefore, in contrast to Brothman, I assume that differing conceptions in "weak" and "strong" sense theories are a sign of difference in records themselves. Accordingly, I shall speak of "strong" and "weak sense" records (not theories of records) from now on, and later analyze their differences in the light of the speech act theory and this study.

3.2.3 *What are archives*

The concept of archives (archival fonds) is closely related to record and the principle of provenance. Records of the same provenance form one whole, an archival fonds, which is often described to be organic (for instance, Wilenius 1994). Also here a number of different conceptions and practices can be found inside the archival profession.¹⁰⁸ If it is asked, what does a fonds consist of, the answers can be roughly classified into four main categories (Nilsson 1977; Saarenheimo 1994; Pohjola 2002:336–339; Lybeck 2006:228):

¹⁰⁸ For concept of archives in other areas, such as computer science, see Cox 1995.

1. All documents created or received in the activities of public authorities (France, Spain, Greece, Italy, the Netherlands, Scandinavian countries)
2. Only those documents of public authorities that are selected for permanent retention (Germany, Great Britain, the United States)
3. Private documents if they are related to institutional activities (Great Britain, partly Germany)
4. All private documents (France, Italy, the United States, Scandinavian countries, partly Germany, The Netherlands)

The value of documents for later use is thus a relevant factor in some countries. In addition, legislation, division of labor between archives and libraries, and professional roles of records managers and archivists in the administrative culture determine what is in particular context thought to be “archives”. This applies also to the concept of record. Ketelaar shows how in Dutch, Italian, Spanish, and French archival terminology and legislation, a specific equivalent for the term “records” does not exist (Ketelaar 2000:322).

3.2.4 Characteristics of recordness

Assuming that what is said about archives tells indirectly something about records, we may sum up the characteristics of records by combining both.

Appendix A (p. 201) contains a list of excerpts from archival literature describing archival materials and the distinction between “records” and “non-records” either as individual items or larger groups. The excerpts were collected from textbooks, articles, glossaries, and other publications in English, Swedish, and Finnish languages. The journals used were *The American Archivist* 1970–2004 (3 excerpts), *Archival Science* 2001–2004 (1) , *Archivaria* 1976/77–2004 (4), *Arkistoviesti* 1970–2004 (1), *Arkiv, Samhälle och Forskning* 1991–2004 (1), *E-doc* (1), *Records & Retrieval Report* (1), *Records Management Journal* 1963–1975 (2), and *Records Management Quarterly* 1977–1998 (1). The rest (54 references) are from other professional publications. The library used¹⁰⁹ has the best collection of archival literature available in Finland. The sample should, therefore, be rather representative.¹¹⁰

Also descriptions of “manuscripts”, “personal papers” etc. were accepted as descriptions of recordness. If the source e.g. gave one definition for a “record” and another for “personal papers”, but stated that both are archival documents

¹⁰⁹ *The library of the National Archives of Finland.*

¹¹⁰ *Four of the seven English journals are predominantly records management journals. This may cause some bias. From the Finnish perspective, and the perspective of this study, however, the distinction between records management and archives is not meaningful. The two other journals, one Finnish and one Swedish, have both “archives” in their name, but they are targeted also at records management professionals in respective countries.*

(i.e. something that should be preserved in the archives and an archival professional should deal with), both descriptions were taken as one excerpt depicting either records or archives.

The purpose of conceptual analysis is to distinguish between the defining attributes of concept and its irrelevant qualities (Walker, et al. 1983:27–36). However, in qualitative research, methods are not well standardized and the intuition and imagination of the researcher are important (Valkonen 1981:10–13; Coffey & Atkinson 1996). Because the purpose was to find out how the archival professionals see the difference, definitions of records or archives taken directly from the law were ignored. Naturally, legal definitions may have affected the conceptions. Some definitions may also come directly from a law although it was not mentioned in the source.

Some authors have discussed the theme in several articles or books. If different writings contained different perspectives on record, the ideas have been summoned under the same “number”, so that every author describing either “records”, “archives”, or both counts as one excerpt. At most two excerpts from one author or association were analyzed: one for records and another for archives.

The total number of excerpts was sixty-nine. In 29 of them the explicit object of description was “archives” and in 34 either “record” or “records”. In six cases both concepts were used in the same excerpt. The excerpts were grouped into descriptions of “archives”, “records”, or “both” by their announced target, but often an author describing “records” seemed to actually talk about an archive. Perhaps for this reason, the division did not prove useful in the analysis.

An introduction to diplomatics was accepted in the group for several reasons: the article was published in an archival professional journal, diplomatics is in many countries a part of the archival curriculum, the author is a well-known archival theorist, and similar ideas were expressed also in the other texts without explicitly stating that they come from diplomatics.

The context of record creation was referred to in 57 excerpts. Because archival professionals often make a distinction between public and private activities as well as organizations and individual persons as record creators, it was first examined where and by whom record creation takes place. Are records created by public or private contrived (non-natural) organizations or by natural organizations (like family), and are the actors organizations or individuals either in organizational roles or in private capacity?

The concepts are classified here in six categories (Table 16, below). The number in parenthesis shows the number of occurrences in different sources. Most writers used more than one concept. Therefore, the total number of occurrences of individual concepts may exceed the number of excerpts analyzed. Asterisks (*) indicate the number of occurrences in which a distinction was made between the “public” and “private” spheres. However, in all cases both concepts were used together: e.g. it was stated that records (or archives) are created by “public or private organizations”.

Table 16. Context of record creation

<p>Contrived (non-natural) organization administration / administrative (9)*, administrative body (1), agency (7), association (1), business (3), community (1), corporate (2), corporate body (1), corporation (2), enterprise (6), establishment (1), executive (1)*, government (3), government agency (1), governmental entity (1), institution*** (14), juridical administrative framework (1), juridical person (3)*, manor (1), office (2), organization(al) (25), public agency (1)</p>	<p>56</p>	<p>Examples given in the text: government agencies, associations, companies, parts of organizations (departments, bodies) (1), agency, office, enterprise (1), government, agency, church, business, university, president (1)</p>
<p>Non-contrived organization family (3)</p>	<p>3</p>	
<p>Person (role or capacity undetermined) individual (7), people (1), person (5), personal (1), physical person (2)</p>	<p>16</p>	
<p>Person in a private capacity private individual (1), private person (6)</p>	<p>7</p>	
<p>Person in a public or organizational role individual in pursuance of legal obligations or in the transaction of business (2), an official of the administrative body (1), employee (1), juridical-administrative framework (1)</p>	<p>4</p>	
<p>Miscellaneous / other concurrently personal and corporate (1), human (1), public person (1)</p>	<p>3</p>	

In summary, if the context of record creation was explicated (57 cases), almost certainly a contrived (non-natural) organization was referred to (56 cases). The only exception was one source describing the context simply as “human” (categorized here as “miscellaneous / other”). Only in three cases a non-

contrived organization (family) was mentioned as a candidate for records or archives creation.

The linkage of records to contrived organizations is even stronger than it first seems. Also when stating that records are created by individuals, some writers made it clear that they are referring to persons in organizational or public roles: hence, although outwardly the emphasis is on an individual, there is, again, a contrived organization in the background. This idea may be tacitly shared also by others. For instance, a “private” person may create a deed of sale as the owner of his personal property, but the act implies membership of an organized society, that is, in a contrived organization.

Table 17 shows the concepts used to describe the activity in which records are created.

Table 17. *Concepts used to describe record creating activities*

Activity	36	"daily" (2), "day-to-day" (1), "office-like" (1), "practical" (1), "practical", "not created by individuals on their most private capacity" (1), "regular functional" (1), "regular, functional, organized" (1)
Transaction	22	"of business" (1), "substantive or facilitative" (1)
Function	15	
Business	12	"official" (1)
Process	7	"business" (1), "make the process progress", "not exterior to the process", "essential part of a process" (1), business, work, coherent (1)
Decision	5	
Conduct of affairs	4	
Chain of events	4	
Communication	3	"internal and external" (1)
Mission	3	
Operation	3	
Policy	3	
Procedure	3	
Pursuance of legal obligations	3	
Act	2	"legally relevant" (1)
Action	2	"series of action" (1)
Agreement	1	
Conduct of personal, professional, and private concerns	1	

Decision-making process	1	
Development	1	
Discussion	1	
Execution	1	
Fact	1	"legally relevant" (1)
Obligation	1	"economic or juridical" (1)
Performance	1	
Process of living	1	
Right	1	"economic or juridical" (1)
Task-assignment	1	
Transmission	1	
Work	1	
Working process	1	

Concepts related to contrived organizations are also here quite dominating. The concept of transaction is one of the most used but it is not without ambiguity. An administrative process starting with an application and ending with a decision duly notified to the applicant is clearly a transaction, says Lybeck, and asks then

What is the transaction, if a scientific research institute gathers, for instance, environmental data in its database? Or when a government agency collects information about the area that it works on, what is the transaction to which the information is linked? Are we talking about archival material here?¹¹¹

(Lybeck 1999:31)

The concept of transaction has perhaps been used in different ways by different persons. Henry (1998:314–5) claims that when Schellenberg said that records are created by any public or private institution “in pursuance of its legal obligations or in connection with the transaction with its proper business” he meant the whole activity of an organization and its conduct of business: the term is not the same as “‘business transaction’ which is a much narrower construct. For a non-native speaker of English similar nuances are hard to decipher, especially when the terms are largely used without definition in archival literature.

The second question was about the nature of the activity in which records are created. In 15 excerpts it was stated that the intention or purpose of creation is in some way significant for the record creation (Table 18).

Table 18. *Intention or purpose of creation*

¹¹¹ ”Kun tieteellinen tutkimuslaitos tallentaa rekistereihinsä esim. ympäristöhavaintoja, mikä silloin on transaktio, johon tiedot liittyvät? Tai kun viranomainen kerää taustatietoa jostain todellisuuden alueesta, johon sen toiminta kohdistuu, mikä on transaktio? Onko näin syntynyt tietoaaineisto ylipäänsä arkistoaaineistoa?”

Created for some purpose	5	"deliberately created to conduct transaction" (1), "to ensure evidence" (1), intention of creation or purpose is a distinguishing mark (1)
Not created for a user group	6	"for being read in the archives" (1), "for general posterity" (1), "for researchers" (1), "not for general use" (1), "not made for the public" (1)
Not created in some intention or for some purpose	10	"not an end themselves" (1), "not consciously created and widely disseminated to inform, educate, entertain, or enrich a general audience" (1), "not explicitly created", "no-one in an institution says 'today I think I will create some archival records'" (1), "not expressing feelings and thoughts" (1), "not for cultural and educational purposes" (1), "not for publishing" (1), "no purpose in themselves" (1), "to make information available" (1), not for publication (usually) (1), not merely instrument of communication or transmission of news "capacity to transfer information is an addition, not part of the intentional purpose for writing them down" (1)
Tools	3	
Used by posterity to other purposes	1	

Here the most baffling are the ten excerpts in which it was stated that records are not created in some intention or purpose. What exactly is being said and whether different authors have the same ideas is unclear.

The question has been discussed in the archival literature. Duranti (1994) claimed, "documents purposely created to provide evidence of oral actions must not be included in the societal archives [because] they do not constitute evidence but interpretation". She was then asked by a fellow archivist does she want to "throw out many critically important documents such as all written minutes of meetings conducted orally, all written memoranda of oral conversation, statements, or interviews – – all segments of written memories, biographies, or autobiographies that are based on 'oral actions', all written diplomatic, legal, economic, social, and political reports or memoranda based solely on what one heard or said?" (Sherer 1995)

In her reply Duranti (1995a) denied this: minutes, memoranda, and similar reports of oral actions are generated in the course of affairs, not to provide a

historical record for future researchers: they are needed for carrying out whatever activities the creator intends to carry out. Oral histories, on the other hand, are “purposefully generated for posterity, and therefore do not present the necessary characteristics of all archival documents”.

In 12 excerpts the relationships of records were emphasized (Table 19).

Table 19. *The relationships of records*

<p>Dependent on other records / related with other records (internal relationship)</p>	<p>8</p>	<p>"discrete items whose significance is [not] independent of their relationship to other items" (1), "gain significance and importance from relationships" (1), "archival bond -- links the each record to the previous and the subsequent one" (1), "interrelated materials brought together because of their function or use" (1), "interrelated" (1), "not separate independent actions by a wide variety of authors or compilers", "do not stand alone", "related items" (1), a relationship of "cause and consequence" (1)</p>
<p>Dependant on the context / related with the context (external relationship)</p>	<p>6</p>	<p>"can be understood only in the context of other documents created by the same activity over time" (1), "have context and meaning only as a product of business activity" (1), "must be viewed with the context of organization to be meaningful and have value" (1), "archival bond -- links records -- to all those [records] who participate in the same activity" (1), "functionally and/or organizationally related", "relationship to a creating entity" (1), "linked with activity" (1)</p>

The relationships described in the excerpts belong to four contexts, which according to MacNeil (2000:95) are relevant to non-electronic and electronic records alike. The contexts are the juridical-administrative context (i.e., legal and organizational system in which the creating body belongs), the provenancial context (i.e., the creating body, its mandate, structure, and functions), the procedural context (i.e., the procedure in the course of which the record is generated), and the documentary context (i.e., the internal structure of the

archival fonds of which the record forms a part).¹¹² However, in the excerpts the formulations are more vague. In many cases it is difficult to say, what context is or what contexts are actually referred.

Consequences of having records are listed below (Table 20).

Table 20. *Consequences of having records*

Evidence	18	"first-hand evidence" or "contemporary proof" (1), "legally valid proof of act or right" (1), "material proof" (1), evidential (1)
Value	9	"continuing" (1), "historical and continuing" (1), "juridical and economical" (1), "juridical" (1), "juridical", "economic", "historical" (1), "legal or business value" (1)
Documentation	7	
Support for activities	4	"conducting business" (1), "useful for continuing administration" (1), own use (1), support for "daily tasks" (1)
Research	3	
Reference	2	
Rights	2	"establishing and maintaining" (1)
Accountability	1	
Contextual retrieval	1	
Contribution to decision-making	1	
Extension of human memory	1	
Tangible connections with the past	1	
Use for political, legal and cultural purposes	1	

“Evidence” is used commonly in archival writings but it has different meanings. It may refer to a legally valid proof of some action or metadata or requirement required in an electronic environment for a record to have “evidential value”. It may be even used as a synonym for the record. (McKemmish 2001:337–8; Valtonen 2005b:33) For Bearman evidentiality makes a record: being evidence is the essential characteristic setting records apart from “other” information. Schellenberg saw evidence as connected with the value of records for historical research.

¹¹² *About the contexts, see also Duranti 1997a:217.*

Finally, there were a great number of other concepts used to describe records and archives (Table 21).

Table 21. *Other concepts used in the description of records and archives*

Information	17	"documented" (1), "indirect and often unintended" (1)
Organic whole or accumulation	15	"come together by natural process" (1), "derives not from a conscious act of intellectual creation" (1), "grow organically" (1), "made or received in the natural course of transactions" (1), "naturally accumulated -- not artificial collection -- not purposefully assembled from a variety of sources" (1), "organic" (2), "rise naturally" (1), created naturally (1), not a result of deliberate collection (1), ...of internal files (1), "an organic whole" (1)
Unique	8	"as documents" (1), "because of their relationships, function and place in the collection" (1), "in context and relationship with other documents, perhaps also as "intelligence of the world" (1), "not for publishing or distributing" (1), as collection if not as individual documents (1), as information (1), because of the "sequence or context" (1)
Documents	7	
Form	5	
Medium / inscription	4	
Impartial	3	
Authentic	2	
By-product	2	
Content	2	
Context(ual)	2	
Expression	2	"documentary" (1), "of interest and relationship" (1)
Product	2	
Residue	2	
Activity	1	not record of activity but activity [itself] (1)
Affected by custody	1	"custody affects authenticity, impartiality, and interpretation" (1)
Communication	1	
Contains signs	1	

Data	1	
Defined audience	1	
Event	1	
Exist in several copies	1	
Finite	1	
Fixed	1	
Form or medium oriented	1	
Include everything	1	"include potentially everybody and every conceivable human interest" (1)
Internal	1	
Legal purpose	1	
Managed by a specialist service	1	
Manifestation	1	"structure" (1)
Memorialized	1	
NOT about single-subject	1	
NOT contextual	1	compared to "information" (1)
NOT descriptive usage of language	1	
NOT information	1	"not information but..." (1)
NOT only official	1	
NOT open stack	1	
NOT representation	1	"of something else" (1)
Official	1	
Original	1	
Performative usage of language	1	
Persons	1	
Physical entity	1	
Published or unpublished	1	
Repository for items created within defined geographical region or administrative unit	1	
Representation	1	
Risk management	1	
Structure	1	
Tangible	1	

Unpublished	1	"by and large" (1)
-------------	---	--------------------

The great number shows that records evoke many connotations in archival professionals. The most common notion in this group (15 occurrences) was that records form an organic whole coming to existence naturally. This may be just another way of expressing the existence of inadvertent internal and external relationships that records have (Table 19, p. 92).

In eight sources it was noted that records or archives are “unique”, but there was less agreement on what is the basis of uniqueness: are we talking about the items themselves as objects, their information content, relationship to other items, connection to activity, place in the collection, or the collection as a combination of individual items.

The descriptions are partially conflicting. Although 17 sources described archival materials as “information”, one author noted that the “capacity [of records] to transfer information is an addition, not part of the intentional purpose for writing them down. Records are not information, they are only the source of it” (Menne–Haritz 1998:19). Likewise it was stated both that records are “representation of a legally relevant fact or act recorded” (Guercio 2001:241–243) and that they “are not representations of something else, they are substantial communication events in themselves” (Higgs 1998:104–105).

On one hand, the inadvertentness and non-deliberateness of record creation was emphasized: records are a “by-product” of activity, “not an end themselves”. On the other hand, it was stated that records are explicitly created to be “evidence”.¹¹³

3.2.5 *Context of record creation*

It is difficult to draw a whole picture. The concepts circle around “actors” who in their “activity” create “records” forming “archives”. Discussion can be perhaps summarized in three main questions: 1) What activity creates records and archives? 2) What actors create them? 3) How does the collection of archival documents come into being?

The first two are questions about the context of record creation. The last one is not about records *per se*, but it is often mixed with the previous two.

An agreement exists that an arbitrarily formed collection is never an archive: if a person or institution, for instance, systematically collects documents having

¹¹³ Etymologically the “record” (< Latin, *recordare*) refers to remembering and “has in addition [to the “document”] the connotation of deliberate creation and deliberate preservation (Bradsher 1988:16, fn. 2). In early English law “records” was to indicate something deliberately preserved, and often deliberately created, for future legal or administrative use (Bradsher 1988:4). Also writers having no archival background emphasize that records are often produced to document the performance of a given organizational task. In those cases, organizational members devote at least a part of their labor to the creation of desired impression as expressed by means of documentation. “All records presume an audience.” (Maanen & Pentland 1994:54)

historical value, the result is not a fonds. In addition, some writers expect a fonds to have, not only a “natural” origin, but also internal structure and cohesion. There are different views on whether a collection of personal papers can fill the criteria.

By some accounts, the type of the activity is decisive for recordness. This is the stand taken in the classic textbooks of Jenkinson and Schellenberg. Schellenberg says that the elements relating to tangible matters — to the form of archives, to their source, and to the place of their preservation — are not essential to “archival quality”. Archival materials may have various forms, come from various sources, and may be preserved at various places. What is important is how documents came into being. (Schellenberg 1956:13) He notes that “historical manuscripts” are usually the product of a spontaneous expression of thought or feeling created in a haphazard, and not in a systematic manner, unlike archives that grow out of “regular functional activity”. He then continues to say:

Whenever textual records that might otherwise be classed as historical manuscripts are created in consequence of organized activity — such as, for example, as that of a church, a business, or even, an individual — they may be referred to as archives — — Moreover, whenever historical manuscripts become part of the documentation of an organized activity — as, for example, when love letters are introduced as evidence in divorce proceedings — they also may be considered to be archives. (*Schellenberg 1956:18*)

Jenkinson has a similar example. Although a copy of *The Times* is usually not part of the archives by his account, it becomes archives if it “is filed in the Foreign Office, with a note that the Secretary of State wishes copies — — to be dispatched with covering letter to certain British Ambassadors”. In addition, a copy in the Office of the newspaper itself is “obviously part of the Archives of the Paper”. (Jenkinson 1937:4–8)

Schellenberg and Jenkinson may be reformulated to say that what would otherwise be a “non-record” or “less” a record is turned into a record when it is either created or used in an organized activity. There are also other writers emphasizing the linkage between records and processes. Thomassen (2001:374) has described records as “process bound-information, that is to say, information that is generated by and linked to work processes”. For Guercio (2001:248) records are “not produced or preserved as isolated entities” but are results of “a flow of activity”.

Another way to look at the question is to ask what entities (public—private, organizational—individual) create records. Here there seems to be less agreement. A question debated is whether individuals create records and have archives comparable to those of administrative and organizational units. Schellenberg found historical manuscripts “as a spontaneous expression of thought and feeling created in a haphazard manner” to be a different breed from records and archives. On the other hand, according to Eastwood personal archival documents arise in comparably functional ways to those in

administrative fonds. By this he means that “how a person conducts his or her practical affairs in the world will cultivate the structure of his or her archival fonds”. (Eastwood 1992a:7)

Whereas there are “public records” (records of the government or sovereign) and “private records” (records of non-governmental organizations and institutions), there are also “private or personal papers” which include natural accumulations of personal and family materials. Livelton describes this distinction between the private records and private papers more as a historical accident than a result of rational consideration. Also private papers may have “archival qualities” (Livelton 1996:108–109).

Bradsher notes that the line between organizational records and private papers is sometimes difficult to draw. Also private papers accumulate naturally and have an organic character. The distinction is mainly important from the point of view of life cycle management: while personal papers belong to and are subject to the disposition of an individual, records are generally subject to laws and regulations or corporate policies and procedures that authorize their disposition at a specific time and in a specific manner. Personal papers share certain characteristics with more formal archives and many of the same principles of management apply. However, “strict archival methods are not always applicable to the arrangement and description of personal papers”. (Bradsher 1988:2,8,11)

Bradsher also makes a further distinction between two types of collection: “personal papers” and “historical manuscripts”. Whereas personal papers are accumulated naturally and have an organic character, historical manuscripts “are collected artificially, frequently without regard to the source”. The difference does not limit itself to how the collection is formed or acquisitioned (in which case it would be of less interest here). Bradsher namely notes that historical manuscripts are generally regarded as “unorganized groups or individual documents of private nature, ordinarily created as the product of spontaneous expression of thought or feeling, such as personal letters or diaries” (Bradsher 1988:3).

Also Nilsson notes that archival character of private letters has been questioned. They have been regarded as some sort of confessions having biographic nature and a resemblance to books. But, on the other hand letters are typical archival material: messages interacting together and having a close connection to actions. Nilsson argues against the idea that only papers relating to a private person’s economical and juridical transactions belong to an archive, as it has been sometimes maintained. Papers with more “emotional” content — e.g. letters by scholars, authors and artists — should not be a part of archival fonds in this view. Nilsson, however, believes that a closer examination might reveal the archival character of these documents. (Nilsson 1983:39–41)

According to Floyd Desnoyers, archives and personal papers are “different yet similar types of material”. The first difference is the language used. Personal papers are grouped in collections and described in journals and catalogs. Records are grouped in record groups and described in inventories. The difference in terminology is often greater than the actual differences between the two media.

Both archives and personal papers are created or accumulated by individuals or groups while pursuing their interests and responsibilities. Archives are kept primarily to meet the needs of the creating organization. Personal papers are collected to foster the study of the subjects with which the repository is primarily concerned. (Floyd Desnoyers 1988:78–79)

The archival principles of respect des fonds, provenance, and sanctity of the original order are applicable also to personal papers. However, these principles of arrangement presume that the initial order was rational and bore a direct relationship to the work of the creating office, organization, or person, and this is less likely to be true for personal papers. (Floyd Desnoyers 1988:87)

If a collection of personal papers has been created spontaneously in the activities, the papers have a natural connection with each other and comprise (if they are correctly analyzed and ordered) an organic unity reflecting the activities and personality of the creator. Juridical persons, like societies, parties, religious communities, and enterprises create collections comparable to those created by public agencies, and similar archival principles should be applied in their arrangement. (Salmela 1956; Rastas 1964)

While collections of personal papers are not always deemed “archives” in archival literature, the difference appears to be more terminological than practical: if the collection is not arbitrarily formed, personal papers are seen as equal to archives proper and treated according to same archival principles.

3.3 Conclusions

Analyzing archival discussion has its value, but to go forward, we need more than typologies of actors and activities in records creation. We need to develop theories that explicate the relationship between actor, activity, record and archival principles.

The analysis shows that one can separate at least three different ideas about record creation. The most generally shared is that record creation takes place in contrived organizations. In fifteen excerpts it was stated either that the context of records is juridical or legal framework or that records have juridical significance. In nine excerpts it was stated that records are a part of a chain of events or processes.

The findings are not surprising in the light of the archival literature. The three areas of activity were implied already by Schellenberg:

How documents came into being is – – important. If they were produced in the course of purposive and organized activity, if they were created in the process of accomplishing some definite administrative, legal, business, or other social end, then they are of potential archival quality (Schellenberg 1956:13)

Later in the study it will be argued that the concept of rule-bound speech acts joins these three areas (legal and processual activities and activities in contrived organizations) together and explains why it is necessary to apply archival principles to speech acts taking place in these environments.

4 Reasons for applying the principle of provenance

It has already been noted that the principle of provenance—either as the respect de fonds or together with the registry principle—forms the generally accepted core of the archival practices. What reasons do the archival professionals see for following it in their work?

Archival writers are quite vague in explaining why archivists work with records in the way they do. The question is discussed, but usually at a general level without making detailed statements. A reason for this may be that both the “recordness” (in some sense of the word) and the principle of provenance (again, in some sense of the word) are generally acknowledged as corner stones of the profession. It has been left open for debate how one should define them and what they imply for archival practice. These questions have been reoccurring subjects in archival theory, e.g. the themes of two international seminars (The Principle of Provenance 1994; The Concept of Record 1998).¹¹⁴

The principle of provenance is much more than just a method or technical detail to be followed in the work. Preservation of contextual information, which is almost a synonym of the principle of provenance (Duff 1996:30), has been considered the distinguishing mark of the profession. Horsman (1994:57) states “it is this very acknowledgement of the importance of context that will distinguish the archival profession from others”.¹¹⁵ Thus, the principle lies in the heart of the professional identity. Discussion about the principle’s significance is easily mixed with questions about moral grounds and purpose of the archival profession.

Although the ideas are often not very explicit and detailed in archival writings, one may outline at least the following arguments for applying the principle of provenance.

1. Practical argument: the division of work and methodological differences between libraries, museums and archives are a result of historical development, different professional identities, and practical questions.

¹¹⁴ The newest addition to discussion is Öberg & Borglund 2006 which discusses the concept of record in archival theory compared to what actually is defined as a record in organizations.

¹¹⁵ Cf. Nilsson who says that taking into account relationships among records is the central feature in archival work (Nilsson 1983:20)

2. Essentialistic argument: records have characteristics making the principle of provenance necessary.
3. Hermeneutic argument: context preserved by the principle of provenance is needed for understanding and critical examination of a document, as well as for finding new uses and interpretations for it.
4. Verificative argument: following the principle of provenance guarantees the quality of a document.
5. Sui generis -argument: a fonds is more than a sum of the individual items it contains and valuable as such.

These arguments are examined in detail in the following chapters.

4.1 Practical argument

The division of labor between archives and libraries is affected by institutional, historical and cultural circumstances. In the United States librarians have also played a role in the development of the archival profession (Schellenberg 1965:3–4). Librarians have often been custodians of archives and many archival institutions had their beginnings in manuscript divisions of libraries (Schellenberg 1956:21–22). In 1937, the completion of the new National Archives removed many of the public records and manuscript materials from the Library of Congress (Harris 1995:267–268).¹¹⁶

The first possible argument for the division of work and methodological differences between libraries, museums and archives is that they are a result of historical development, different professional identities, practical questions, etc. Protecting professional identity requires principles and methods distinct from those of other professions and the characteristics of the materials play only a small role in this.

Archival theorists do not advocate this argument. In general, it is silently rejected. Still, there are some statements perhaps hinting to this direction. It has been claimed that the existence of archival theory serves the need of separating the archival profession from others (Roberts 1994; Ivanović 2002) and that archives and records are not “special enough” to require a theory of their own distinct from the other sciences (Johansson 1997).

Applying the principle of provenance can be defended by practical considerations. The practical reason for adopting the principle of provenance was the difficulty in rearranging the growing bulk of archival material (Nilsson 1983:12–13; Grånström 1994). In general, it would be impossible to return to the

¹¹⁶ For discussion *In Finland about the relationship between archives and libraries*, see Järvinen 1983 and Mäkinen 1987.

principle of pertinence¹¹⁷ (Eriksen 1994:136), even if it were desirable for some reason.

Because of the huge number of archival documents, describing the documents one by one at item level is rarely possible. Description at a higher (such as fonds or series) level is then the only possible alternative. Also libraries have utilized a similar technique when cataloging certain kind of publications, like pamphlets (Hensen 1997:293; Lacy & Mitchell 1997). Also appraisal of groups of records is easier than appraisal of individual items (Lybeck 2006: 224). Thus, from this, one might draw the conclusion that the quantity is the essential factor: you have to resort to archival methods once the number of individual items exceeds a certain limit.

The registry principle brings about many practical benefits. When it is followed, rearranging a fonds becomes unnecessary and the material is immediately accessible after the transfer to an historical archive. The value of registers as retrieval instruments is not destroyed because the fonds is not re-arranged by subject. Because no re-arrangement is done, archival professionals in historical archives and administration have common methods and it is easier for them to work together. It is understandable that in the countries with registry traditions, the registry principle has prevailed as the theoretical base for archival arrangement and description of public records (Nilsson 1983:13; Pohjola 1994:91; Ulfspärre 1998:58; Lybeck 2006:222,224).

The place of a record in a net of archival fonds (and often even the place of the record inside the fonds) can be determined on the basis of jurisdiction, regulations and administrative procedures. For this reason, following archival principles makes item level description largely unnecessary, which is a great advantage (Eckhart 1999:46). It also makes it possible to detect missing documents (Lybeck 2006:224).

Respecting the original order of records has also been defended by saying that it does not favor any group of researchers by selecting the arrangement they prefer as the right method to be used in archival arrangement (Horsman 1994; Lybeck 2006:224).

The principle of provenance also makes classification and description easier. Duchein (1983:68) says that *respect des fonds* offers the archivist a sure base for his work of classification and description. According to him other than by applying *respect des fonds*, all archival work must be arbitrary, subjective, and inexact, simply because almost all the documents could be classified by subject in two or three different ways.

¹¹⁷ “A principle of arranging records based on content, without regard for their provenance or original order” (Pearce-Moses 2005).

4.2 Essentialistic argument

The second argument for applying archival principles is based on characteristics that records or archives, in contrast to other materials, are presumed to have. Already Muller, Faith, and Fruin defended (1898) the principle of provenance by claiming that a fonds should be respected as an organic unity having its own personality (Lybeck 2006:223). Essentialist arguments, which state either individual records or the collection of records to have characteristics calling for the adoption of archival principles, have also been used later:

Archivists' understanding of what they do, how they do it, and why it is important all turn on a core group of concepts and ideas. Most of these derive from the particular nature of archival materials. Because records and manuscripts have certain characteristics, because they differ from other forms of recorded information, archives are perceived as to require certain methods and techniques, and not others. (*O'Toole 1994:633*)

The argument has been put forward especially by those who Mortensen (1999) calls “essentialists” in archival science. The essentialists—to whom Mortensen classifies most notably Luciana Duranti and Terry Eastwood—argue that archives have a distinct nature and this nature can be seen in varying degrees throughout the history of archives. The purpose of archival theory, methodology and practice is to “treat archives in consonance with their nature”, as Terry Eastwood has put it (Mortensen 1999).

Essentialistic views are not accepted by all, and their argument may be criticized for several reasons. It has been stated, most famously by John P. Roberts, that archives are all unique: therefore, there is no common “essence” on which a theory could be built (Mortensen 1999).

The essence has been characterized in different ways. Attributes like “unique”, “original”, “organic”, “authentic”, “impartial”, “permanently valuable”, “interdependent”, “interrelated”, “natural”, and “voluminous” have been used to describe the nature of records and archives (O'Toole 1994; Guercio 2001:250, fn. 31; MacNeil 1994). O'Toole states that “of all the core archival concepts, none has been more central or more frequently identified than the idea of uniqueness”. Uniqueness may refer to records, information in the records, processes generating the records, or aggregates formed by the records (O'Toole 1994).¹¹⁸ Records are impartial, authentic, natural, interrelated, and unique (Eastwood 1994:127–128).

A record is “any document, created, meaning made or received, and set aside, either for action or as reference, by a physical or juridical person in the course of practical activity as an instrument and by-product of it”. A record consists of eight components. There is medium, content, physical and intellectual form, action, entities transacting business, archival bond, and context. (Duranti

¹¹⁸ *For the concept of record, see also Duranti 1994, Duranti, et al. 1996; MacNeil 2000:90–97.*

2001:43–44) In diplomatics archival bond preserved by the principle of provenance is seen as an essential component of the record. The archival bond is “the link that every record has with the previous and subsequent one in the conceptual net of relationships among the records produced in the course of the same activity - - records are necessarily composed of documents and the complex of their relationships“. The archival bond comes into existence when the record is created. It exists for every record and is determined by the purpose of the record. Besides being “originary”, “necessary” and “determined”, the archival bond is also “incremental”: it is in continuing formation and growth until the activity is completed. With traditional records, the bond is implicit in the physical arrangement of records and annotations made in records. In electronic environments it needs to be made explicit. (Duranti, et al. 1996:53; MacNeil 2000:94)

The essentialist argument is appealing but lacking. What is missing is a theory explicitly connecting the “nature” of records and the way they are treated.¹¹⁹ Both records and archival principles have been described in archival literature, but how one thing logically follows from the other is not explained.

The connection between archival principles and the characteristics is in part easy to understand, but not entirely obvious. If documents are, for instance, “interrelated”, “interdependent”, or have an “archival bond”, it probably makes sense to keep them together. However, there is a gap to be filled. One should state, how they are interrelated, why this interrelation exists only for some documents, and why it should be preserved. A reference to a common “process” or “function” is not sufficient.

Likewise, if something is “unique”, it seems natural to keep it safe from alteration. Still, also other kinds of documents besides records — for instance, books in a library — are protected from alteration, if possible. Unlike libraries, archives emphasize the importance of the “integrity”, “reliability”, or “authenticity” of documents. Again, one may ask, why the difference?

4.3 Hermeneutic argument

Perhaps the most common argument in archival literature for applying the principle of provenance is that contextual information preserved¹²⁰ by it is

¹¹⁹ *The argumentation is sometimes perhaps not far from a circle. A record is defined to have certain parts or characteristics. This is then used to state that those parts or characteristics must be preserved. This would be more convincing, if the parts or characteristics would not have been found out by looking at records in the first place.*

¹²⁰ *Postmodern archival writers have emphasized the active role archival professionals have: they are not neutral guardians, but themselves actively influence on what are archives, records, and their interpretation (see e.g. Cook 2001a; Cook 2001b; Thomassen 1999). Also Meehan (2006:143) points out that “at a very basic level, the archival treatment of records effectively*

needed for the use, interpretation and understanding of a document. The different conceptions falling into this category are called here “hermeneutic argument”. However, also it is more a set of loosely related conceptions than a single argument.

The hermeneutic argument has many forms. Sometimes it seems that the document might be understandable even without the context, but the context complements the document and opens new possibilities for its interpretation and use. In other cases the context is seen as an indispensable tool without which a document becomes totally unintelligible. A third variant is to state that the context is needed for critical examination of a document.

For instance, Bob Krawczyk asks why archivists divide governmental records into fonds and responds that the context of the creation of the records is the central principle of archival arrangement. There is a

need to provide the administrative context in which records were created, without which the archival record suffers in meaning and authenticity --- arrangement by provenance ensures that relationships to other documents created within the same record-keeping environment are maintained, allowing for the further discovery of meaning and evidence that this provides.

(Krawczyk 1999:131-2)

It is stated that without context a record cannot be fully understood (e.g. Jenkinson 1937:42). Menne-Haritz cites approvingly Hedstrom who notes, “users must be able to link the record to the larger context of its creation and use, so that they can interpret its content and understand its meaning” (Menne-Haritz 1998:16). A record gains its meaning from the larger entity: an individual item without connection to the other records produced in the same process has no evidential value. Therefore, a record must be a part of the archives of the records creator. (Valtonen 2005b:33) A single record gets “a full meaning” only when it is looked at in its context (Lybeck 2006:15).¹²¹

One might understand this kind of statement in several ways. One way is to assume that it literally refers to understanding what the words in a record actually mean. Records are typically created in communication taking place between two — or at most a small group of people — and a single record may be a part of a longer dialogue, whereas libraries preserve mainly mass publications which usually have no dialogic nature and which are directed by definition to the largest possible audience (Severin, et al. 1965:67). Discourse analysis might give

constitutes them as a matter of evidence”, but I am not going to discuss here to what extent archival principles actively create possibilities for interpretation instead of merely preserving them.

¹²¹ *Instead, the meaning of a book does not depend on its “environment”, notes Lybeck (2006:15).*

concepts and tools for analyzing how e.g. these differences affect message content (see for instance Brown, et al. 1983:27–67).¹²²

There are questions that one may pose about almost any document or other remnant of the past. For instance, one may ask, if a letter was really sent and received by the recipient marked in the letter, or it may be unclear which person or organization is responsible for authoring a document. The answer may be found by looking at the archival fonds of which the document is a part. In that case contextual information, preserved by the archival methodology, complements and gives a background to the document.

In other cases information given by the context has no clear connection to the document and, therefore, when lost one may not know to miss it. Schellenberg gives as an example a case where a map pertaining to the Lewis and Clark expedition (1803–1806) is buried in a geographic file without connection to the expedition. Although historians may perhaps restore the connection, and even enjoy fitting together separate pieces of evidence, “it is not the function of an archivist to create jigsaw puzzles”, says Schellenberg (Schellenberg 1961:153). Duchein notes that the map constitutes, in itself, an important historical particular about the expedition; the same map taken from the archives and placed in a collection of maps loses a great deal of its interest (Duchein 1983:67).

Schellenberg does not specify why the connection to the expedition is valuable. If we assume that the map has a title, date, name of the author, and geographical places clearly marked on it, and it was not drawn during the expedition but only used in its planning, then the context purely has an “additive” function. The document is understandable and usable even without the context (which can be ignored if the user is not interested in the expedition). The context of expedition also does not help in evaluating the accuracy and truthfulness of its content, but knowing that it was used in the expedition gives new meanings and uses to the map.

One may find similar examples in almost any fonds. For example, newspaper clippings in the archives of the Governor General of Finland (1808–1918) can be used without any regard to the context of the Chancellery of the Governor General. On the other hand, for a person interested in the activities of the Chancellery, the clippings reveal what affairs in the society the Governor General—as the highest representative of the Russian throne in Finland—followed closely.¹²³

User needs clearly affect what kind of contextual information about the document is required, if any. This is not problematized in archival literature. The

¹²² *One might assume that linguistically records contain more references than mass publications where the referent remains unknown without the knowledge of the context. For example, a private note saying “Dear John, meet me in the cafe near the Market Square to discuss about what you told in your last letter, Lydia” can naturally be fully understood only if words like “John”, “cafe”, “the Market Square” and “Lydia” are tied to some context and the other letter is also available.*

¹²³ *E.g. many clippings tell about political activities deemed anti-Russian.*

idea seems to be that whatever is the information need, the archives are best equipped to provide an answer if the context is preserved with the document. The principle of provenance guarantees that the value of the records is preserved in the fullest, like Nilsson states (Nilsson 1983:23–25). Bradsher notes that maintaining archives according to basic archival principles provides evidence about the nature of their creator and evidence as to how and why they were created and used (Bradsher 1988:6). Preserving the document in the archival fonds guarantees the maximum range of possible interpretations.

One strand of the hermeneutic argument is to emphasize the need for critical evaluation of a document. This requires information about the context. Source criticism is a basic method of historians. External source criticism tries to define the authenticity and historical environment of document creation. It is directed to finding out when, where, by whom, to whom, and in what purpose the document was created.

The purpose of internal source criticism is to find out a document's reliability: the relationship between the document content and the reality. One asks questions like "is the writer circulating rumors or has he personally witnessed the event he writes about?", "what is the author trying accomplish?", "what was his frame of mind: is it likely that he is telling the whole truth?" etc. The purpose of a document always affects the information content. Even if the writer is not consciously distorting or omitting facts or making his own, what is written in a document is dependent on the purpose of the document. (Renvall 1947:77–95, 105–114; Renvall 1965:165–217; Topolski 1976:434–453; MacNeil 2000:59–63; Howell & Prevenier 2001:60–8)

For instance, information about property owners is not necessarily up-to-date in the Finnish 16th and 17th century lists of collected land tax. This is because for the bureaucracy it was sufficient to know that the tax had been collected from a farm identified with a certain name, who actually currently owned it was less important.¹²⁴ (Renvall 1947:77–95, 105–114; Renvall 1965:165–217) To understand this you must know the circumstances of document creation and use: the contextual information serves as a tool in the critical evaluation of what the document tells, or does not tell, about the reality. Thus, the principle of provenance has great value for the source criticism (Nilsson 1983:26; Orrman 1987:22).

It has been emphasized that a record has value in source criticism only when it remains in its original place. If the original place is disturbed, there is a danger that the record loses both its meaning and its internal connection to the function. (Vartiainen & Sihvonen 1983:149) It has, however, also been observed that the main difficulty resulting from subject-based re-arranged archival collections in Sweden was not weakened evidential value but problems in retrieval (Tarkiainen 2002:190).

In linguistics, pragmatics, discourse analysis and philosophy of language the importance of context is well known. Outwardly, the same utterance may have

¹²⁴ For concepts of authenticity and reliability, see Topolski 1976:433–434; Duranti 1989a:17; Duranti 1995b; Duranti 1997c.

different meanings depending on the context. Discussion, which does not seem to make “sense”, may be rational, if the context is known. For instance, if a person asks you “what time is it?” it makes perfectly good sense to answer “the bus just went by” if you are both at the bus stop waiting for the bus passing at 7:45 every morning (Mey 1993:39–40). “Can you pass me the salt” is in most contexts a request and not a question (Mey 1993:48). Context determines both what one can say, and what one cannot say: only the pragmatics of the situation gives meaning to words. It may also make the words to become ironic (Mey 1993:60). Context both limits the range of possible interpretations and supports the intended interpretation (Brown, et al. 1983:37). Petrey (1990:13) says that it is impossible to know whether a performative works without situating it: the only way to decide whether “I bet ten dollars” performs a bet is to relate the words to the betting conventions observed in the circumstances where the utterance is performed.

From this perspective, preserving information about the context together with the document seems natural. It is more surprising that with non-archival documents there is no conscious effort to do it. The main weakness of the hermeneutic argument is that it does not provide grounds for determining when and why there is a need for preserving contextual information.

Undoubtedly, looking from another domain, records may be evidence of past activities and events and without context we are unable to recognize the event or activity later and know what it is evidence of. But, it may be asked, why does one want to know the activity or the event later?

Every document is born and used in some context. All human activity (and, in fact, non-human as well) takes place in some context, and we may always ask later, what the context was. Thus, having a context is not a distinguishing characteristic of records, and merely the fact that there is a context cannot justify preserving information about it.

Why should one then apply archival principles to preserve the context together with the document? One may suggest two alternative answers. Either the activities and events, of which we would like to have “evidence” in the form of records, have some common characteristics which make the preservation of the context necessary (which is the line of argument later in this study), or there is no such connection. In the latter case, the decision to preserve the context together with the document is perhaps arbitrary, in some sense. It is based, for instance, on our set of values—what context is important enough to be documented—or conceptions about the user needs. In other words, a document is “a record”, because the event is in some way important or future researchers will presumably have interest in the context. Except for this there is nothing in the event or document making the preservation of the context necessary: if our values or the assessment of the future use were different, other documents would be classified as “records” instead.

Defining recordness in this way has been objected to by Jenkinson:

Potential value for research is no doubt the reason why we continue to spend time and money on preserving archives and making them available: but the fact that a thing may be used for purposes for which it was not intended — a hat, for instance, for the production of a rabbit — is not a part of its nature and should not, I submit, be an element in its definition —.

(Jenkinson, cited in Kolsrud 1996:69)

In general, recordness is also not defined by use in archival theory. Some appraisal theories have ideas coming close to this direction—Jenkinson was polemic against Schellenberg to whom archives consisted of records deemed permanently valuable for secondary purpose¹²⁵ (Nilsson 1983:38)—but appraisal is a method for deciding which records have more than ephemeral value; not for determining what documents are records in the first place.

In short, hermeneutic argument gives valid reasons for preserving contextual information, but it does not explain why contextual information is preserved only in the case of records. In chapter 5 (“A framework for archival principles: rule-bound speech acts”, p. 113) an answer is proposed to this question.

4.4 Verificative argument

In some cases the context does not give you anything new but serves as confirmation of what the document tells.

One idea of the Roman law was that unbroken custody of archival documents in reliable hands (by public authority) would protect the documents from corruption, guarantee their trustworthiness and ensure the truth of their content. This has had a considerable influence in archival thinking (Nilsson 1983:29 ff; Duranti 1994).

The importance of continuous custody has been emphasized by Jenkinson, who writes, “archive quality is dependent upon the possibility of proving an unblemished line of responsible custodians” (Jenkinson 1937:11, 32–38, 43; Bastian 2002). Even if there is no straight-forward legal significance, the fact, that a document is part of an archival fonds in the custody of an archival institution, may serve as an assurance of the authenticity and reliability of the document. “So great is the value of custody that the constant effort of private forgers in all periods has been to get copies of their forgeries enrolled in some public series, because they knew that the authenticity of the enrolment would never be called in question”, says Jenkinson (1937:10).

¹²⁵ Cf. “We have said that archives are social creations. We now propose that they be appraised on the basis of an analysis of the use to which are put to by the society that created them -- All past and present uses of archives provide the ‘data’ on the basis of which the appraiser attempts to induce a sense of future usefulness on behalf of the society” (Eastwood 1992b:83–4).

The verificative argument received less attention than the previous ones in the literature studied. This may be due to legal traditions in different countries. In Finland, custody in an archival institution does not give to a document any special status.¹²⁶ However, also in Finland it is stated, that the principle of provenance ensures the evidential value of a record (Lybeck 2006:14,222,224). It is hard to say, whether this is a form of verificative argument; it depends on why evidential value is presumed to lessen unless the record is a part of archives. If the reason lies in the difficulties in understanding and interpretation, there is a hermeneutic argument in the background. The statement may also imply that a record alone reveals less about the past actions than together with other documents. In that case, we come close to the “Sui generis”-argument introduced next.

4.5 Sui generis –argument

An archival fonds may also be seen as more than a sum of the individual items it contains, as something having value by itself (as an aggregate) and not just as a tool for using and analyzing individual documents belonging to it.

Orrman notes that archival structure, how records are grouped and arranged, often gives information about business and work processes that is not found in the documents. It also reveals the relationships that existed between different records creators and how intense those relationships were (Orrman 1994:20; Lybeck 2006:224). This may be also implied by O’Toole when he states that “large accumulations of records are more valuable than individual items” (O’Toole 1994:633). Lybeck (2006:224) says that information about the past is lost if documentary relationships are broken. If they are kept intact, the same material may be used for different research purposes.

It is also stated that the information given by a record is largely indirect and often non-deliberate. This is because records have in general a “process character” and are steps in a chain of events. In addition to the content of a document, its place in the archives also reveals information about past events (Nilsson 1983:23–25).

Also the sui generis -argument was seldom brought up in the literature. This may imply that archival professionals deem it relatively insignificant compared to others.

¹²⁶ *Strictly speaking the verificative argument has two lines of thought. The first one is that an archival document must be kept “in reliable hands”. By itself, this does not necessarily entail following the principle of provenance: also individual documents might be in the custody of a public authority. The second idea is that a document must (additionally) be part of a fonds.*

4.6 Conclusions

One may find in the archival literature various reasons for following archival principles. They point to very different directions: to practical advantages, to characteristics of records, to need of assessing, understanding and interpreting them, to guaranteeing the quality of records, or to the value of having larger collections instead of individual items.¹²⁷

The arguments provide different grounds — or almost no grounds at all — for defining what documents are to be preserved in archives in accordance with the principle of provenance, or how to distinguish between recordkeeping and information systems.

Judging from the lack of discussion, the answers are obviously adequate for archival professionals. From the point of view of this study, they are less satisfactory. Most importantly, the archival literature does not provide clear explanations for why applying archival principles is necessary in some cases. At best, the answers beg new questions. For instance, if it is stated that “understanding” records requires a documentary context, it only leads to a second question: why records, in contrast to other documents, are dependent on the context in this way. This is the question tackled in the next chapter.

¹²⁷ *Some conceptions, like David Bearman's, are hard to classify. In Bearman (1993) one may find both essentialistic (e.g. “archives are records of transactions”) and hermeneutic (“meaning of archives derives from the context in which they were created — evidential value is determined by the degree to which that context is still discernible”) arguments.*

5 A framework for archival principles: rule-bound speech acts

In this chapter, two research questions are examined: why is it necessary to follow archival principles when archival documents are in question and in what way do archival documents differ from other documents?

The starting point is again in speech act theory. In addition, Searle's theory of the construction of social reality plays a central role in the framework. Its origin was in the now classic study of speech acts by Searle (1969). A framework of ideas is constructed to explain why documents created in juridical, processual or organizational activities (i.e. "records") should be a subject to archival principles. The assumption in the background is that the archival principles help to preserve information about the speech act context. Thus, the main function of the framework is to explicate why preserving this information is necessary in case of speech acts made in juridical, processual, or organizational context.

The central idea in the framework is the concept of a rule-bound speech act. It is a methodological concept, similar to Weber's ideal-type, designed to assist a social science researcher in understanding and explaining social phenomena. An ideal type is not a description of reality, but gives a coherent and unambiguous meaning to elements, which would otherwise seem incoherent and chaotic. An ideal-type is "ideal" in the sense that it is never, or very rarely, encountered in all its purity in real life. (Freund 1968:63)¹²⁸

A rule-bound speech act is the ideal-type of a record-creating speech act. The concept can be used to explain why archival professionals preserve documents the way they do, and why certain ideas and concepts are used in connection with records. It also helps to understand, how "weak and strong sense records" (see chapter 3.2.2, p. 82 ff.) differ and what they have in common.

The chapter starts with an introduction to ideas forming the framework. Austin's distinction between constatives and performatives serves as a starting point for an examination of records. Searle's theory of institutional facts is introduced next. Then records are compared to different kinds of illocutionary acts and it is discussed how "strong" and "weak" sense records might be joined by thinking of them as speech acts having deontic results because of the rule-environment. The features important for record creation are summed up: the conclusion is that the existence of rules is common to rule-bound speech acts, i.e. juridical, processual and organizational records, and there is an attempt to define

¹²⁸ *About ideal-types, see also Hekman 1983; MacNeil 2004:216.*

what kind of rules there are. The difference between legal and moral rules is examined, to explain why actions governed by moral rules do not seem to create “records”. Finally, there is a discussion on preservation of rule-bound speech acts and the division of records and non-records in the light of the framework suggested.

5.1 The components of rule-bound speech acts

5.1.1 *Constatives, performatives and illocutionary acts*

Austin noted that we use language not only to describe some state of affairs or state some fact, but also to “do things with words”; give commands, instruct other people, apologize for someone etc. Austin started the development of his ideas by calling the former (speech as information about the facts) constatives, and the latter (acts accomplished by the speech), performatives. “Madrid is the capital of Spain” is a constative. “I name this ship Queen Elisabeth” is a performative. (Austin 1955:1–11)

There is an essential difference between constatives and performatives: constatives can be analyzed on true–false scale, performatives not. Performatives are not descriptions which makes evaluating their truthfulness pointless.¹²⁹ If somebody cries “help”, it does not make sense to ask if what he is crying is true. Performatives can fail and be—using Austin’s terminology—“unhappy” or “infelicitous” in several ways (for example, one may be crying for help only as a joke) but truthfulness is not one of the criteria (Austin 1955:6).

The dichotomy of constatives and performatives was later subsumed in Austin’s thinking by another conceptualization locution/illocution/perlocution (Taylor, et al. 1997:411). Searle divided the locution into two parts: utterance and propositional acts.

Searle asserts that the propositional act can not occur alone: one can not just refer or predicate without making an assertion or performing some other illocutionary act (Searle 1969:24–25). This emphasizes the active nature of all lingual communication. Using language is always “doing” something: informing, arguing, stating etc. Thus, “Madrid is the capitol of the Spain” and “I name this ship Queen Elisabeth” are both illocutionary acts, but only of different kind. Therefore, there is no absolute difference: constatives are also implicitly performatives (Levinson 1983:231).

¹²⁹ This is a controversial issue. E.g. Hervey states that promises are descriptions of what will take place in the future (Hervey 1982:101). The same view is shared by the non-philosopher Biddle (1979:129).

5.1.2 *Institutional facts and role of status–functions*

Facts in our world can be divided into at least two categories.¹³⁰ There are facts of the physical world, like the fertility of the soil, the sweetness and texture of an apple, the location and size of a house, snow and ice near the summit of Mount Everest, and one electron of hydrogen atoms. On the other hand, there are also facts of other kinds: that the soil belongs to my neighbor, a house is mortgaged, a piece of paper in my pocket is money, I am a citizen of a certain country, and Mount Everest is a part of the state of Nepal. Rowe calls facts of the first kind “physical facts” and facts of the second category “social facts” (Rowe 1989:1). Searle (1995:1–2) calls them “brute facts” and “institutional facts” respectively.

Both Rowe and Searle agree that institutional facts are dependent on human institutions, unlike brute facts, which exist independently of them. In order, for example, that a piece of paper should be a five-dollar bill there has to be the human institution of money. Institutional facts exist because people believe them to exist. They are still real and objective in the sense that they are not a matter of one’s preferences, evaluations or moral attitudes. In other words, institutional facts are ontologically subjective and epistemically objective. (Searle 1995:1–2, 27; Searle 1969:51; Moural 2002)

Institutional facts are possible because of three things. The first is collective intentionality, which means that we do not only engage in cooperative behavior, we also share intentional states such as beliefs, desires and intentions (Searle 1995:23–26).

The second precondition is constitutive rules. Many rules regulate already existing activity. Regulative rules control the manner in which a particular activity should be performed, but the activity can also be easily carried out without conformity to any conventions whatsoever, observing only the practical exigencies of the situation. Thus, for instance, we have conventions for polite eating, but one can eat also with one’s bare hands, or even attack the food with mouth and teeth. Constitutive rules, on the other hand, do not only regulate, they make activity possible. For example, rules of chess make the game. They were not invented because there were people pushing pieces of wood on cardboard and one had to prevent collisions. Without the rules, there would not be the chess (Searle 1995:13–29; Hervey 1982:108).

If rules are purely regulative, behavior in accordance with the rules can be given the same description if the rules exist or not. If they are constitutive, that is not possible. For example, a game of football cannot be described without explaining what the rules are (Searle 1969:33–36). Like regulative rules, also constitutive rules regulate behavior (Shimanoff 1980:84–85). Constitutive rules come as systems, and the individual rule or the system collectively has the form

¹³⁰ Searle notes, that there may be others: like the category of mathematical facts. For a summary (which does not pay much attention to speech acts, though) of Searle’s theory of institutional facts, see Moural 2002.

“X counts as Y” or “X counts as Y in context C” (Searle 1969:35–36; Searle 1995:13–29).

The idea of constitutive rules is closely connected to what Searle calls “status–functions”, and which are the third necessary component for institutional facts. We have an ability to impose functions to entities where there is no function prior to imposition. For example, a painted line on a street may perform the function of a borderline if we assign to it the status of a physical barrier. This assignment of status–function can also take place unconsciously and once the function is imposed it is (so to speak) “invisible” (Searle 1995:13–29).

Status–functions fall into four broad categories in Searle’s analysis. Firstly, they enable us to create meaning where there originally is no meaning (e.g. assign meaning to a term, or make a white line to mark a border of an area). Secondly, they empower statuses (like awarding a medal or defeat in a game) to be valued or disvalued for their own sake rather than just for their actual consequences. Thirdly, status–functions create rights and obligations. Fourth, within institutions status–functions are used to assign procedural stages toward the achievement of either rights and responsibilities or honors and disgraces (e.g. “Clinton was nominated the Democratic candidate for President”). (Searle 1995:99–102)

For this study, the most interesting categories of the status–functions are the last two¹³¹, where status–functions are explicitly¹³² used to create deontic rights and obligations, or as procedural steps.

Deontic rights and obligations define what an agent can do, what he or she must (or must not) do, and what he or she is enabled or required to do. The third category of status–functions are used to impose rights, responsibilities, obligations, duties, privileges, entitlements, penalties, authorizations, permissions and other deontic phenomena.¹³³ An agent may be endowed with some new power, certification, authorization, entitlement, right, permission, or qualification granting the ability to do something he or she could not otherwise have done. He may also be required, obligated, be duty bound, penalized or enjoined or otherwise compelled to do something he or she would not otherwise have had to do—or, what amounts to the same thing, be prevented from doing something that otherwise would have been doable. Here are some examples given by Searle (1995:101):

John has one thousand dollars in the bank.

Tom is a citizen of the United States.

¹³¹ *The order in which Searle presents them is slightly different.*

¹³² *I use the word “explicitly” because according to Searle in the final analysis all the categories are deontic. Searle classifies institutional facts into symbolic, deontic, honorific, and procedural and then notes “the classification cannot stand as a well–motivated taxonomy because, roughly speaking, everything turns out to be deontic” (Searle 1995:109–110).*

¹³³ *A forbiddance is taken here as one form of an obligation: it is an obligation to refrain from doing something.*

George W. Bush is President.

Sam got divorced.

Nixon resigned from office.

All the examples have effects on a person's rights and obligations. For instance, the first one assigns John the right to buy things and the duty to pay taxes on interest earned by the money. The third gives Bush the right to veto legislation. Within institutions we can also assign procedural stages toward the achievement of either rights and responsibilities or honors and disgraces. For example, being nominated for the Democratic candidate for President is a step on the way to becoming the president. At the same time it gives a person new responsibilities and rights and is a great honor. Thus, one institutional fact can involve many preceding features (Searle 1995:100–103). Institutional facts assigning rights and responsibilities can also be destroyed or eliminated in various ways: money can be lost, rubles become worthless through inflations, a president resign from his office, a married man get divorced, etc. (Searle 1995:101).

Rowe states the idea of connection between institutional facts¹³⁴ (although he speaks of “social facts”), like ownership, and deontic effects aptly:

Exchange [of goods] is not a ‘physical fact’. It is not the same as, nor does it even require, the physical movement of objects from one person to another. The exchange of goods is a social fact because what is exchanged are agents’ rights to behave in certain ways with respect to certain objects, and such rights have meaning only within the social institution of private property.

(Rowe 1989:13)

Status–functions can be iterated and interlocked and as structures they operate through time:

I do not, for example, have just *money*; rather, for example, I have *money* in my *bank account* that I *spend* by *writing a check to pay my state and federal taxes as a citizen of the United States* as well as a long-term *resident* and an *employee* of the *State of California*.

(Searle 1995:35, 80–81)

Searle states that all the italicized expressions above express institutional facts, and the facts reported presuppose systems of constitutive rules operating through time.

For this study it is important that a very large number of institutional facts (though not all) can be created—and functions imposed—by performing explicit speech acts. In such cases, the speech act is itself an instance of a status–function

¹³⁴ Rowe calls them “social facts”.

imposed on a status–function used to create new or alter old status–functions. For example, a marriage ceremony consists of a series of speech acts, which create a new institutional entity, the marriage, and impose status–functions marked by the terms “husband” and “wife” to the principals. In order to do that, the speech acts have to have status–functions that go beyond the literal meaning of the words uttered, which is already a status–function. Other examples are “I give and bequeath my entire fortune to my nephew” or “war is hereby declared”. These utterances create the very state of affairs that they represent, and the state of affairs is in each case an institutional fact (Searle 1995:81–82, 115–116).

The more important the new institutional status is (like declaring a war or attaining presidency), the more we are, according to Searle, inclined to require that it must be created with explicit speech acts performed according to strict rules (Searle 1995:116). However, the creation of institutional facts is not always a result of deliberate action or a set of actions. This is true in some special cases, like when new legislation is passed, but usually creation of institutional facts is a matter of natural evolution. Once the fact is created, it may stay in existence until it is formally dissolved, or loses the collective acceptance (Searle 1995:117, 125–126).

Institutional facts presuppose language for many reasons, for example, because the newly created facts must be communicable from one person to another when even the fact itself is invisible. You must be able to tell others that you are married, you are the chairman, or the meeting is adjourned if the system is to function (Searle 1995:77).

Searle notes that there seems to be no institutional facts without brute facts. Institutional facts exist “on top” of the brute facts. Often the brute facts are not physical objects but sounds coming out of peoples’ mouths or marks on paper—or even thoughts in their heads (Searle 1995:34–35).

Status indicators, like passports, drivers’ licenses, wedding rings and uniforms, are needed because institutional facts cannot usually be read from the brute facts in the situation. There are exceptions to this, like war—Searle remarks dryly “people killing each other in large numbers may make official indicators unnecessary”—and money (which is self-documentating: you do not need a separate certificate for every note and coin). Of course, having a police officer’s uniform does not constitute being a police officer but symbolizes it. Symbolization, in some form or another, is essential to the existence of a status–function (Searle 1995:119–120).

5.2 Records as rule-bound speech acts

What has this to do with records?

Why are documents important? At a functional level, documents provide evidence, over space and over time, of rights and obligations. My grandfather owned this house. I paid my 1997 income tax. I am a war veteran and you owe

me a pension. I have a residence permit to live in this city. I am a member of Winnebago tribe.¹³⁵

(Huskamp Peterson 2000:42)

This suggests that there is a close connection between records and institutional facts described by Searle in his theory of social construction. What Huskamp Peterson gives as examples of documentary evidence might as well be used to exemplify institutional facts. She also brings forward the strong deontic aspect of records; their connection to rights and obligations, which is also noted elsewhere in archival literature (e.g. Duff 1996:29)—also a feature of institutional facts.

To understand the connection between records and institutional facts one must first take a closer look at what kind of speech acts there are. If all use of language is making speech acts, also using language in a record is making speech acts.¹³⁶ The interesting question is whether the acts found in records have some common characteristics distinguishing them from other speech acts.

According to Searle there are twelve significant dimensions of variation in which illocutionary acts differ from another (Table 22, below).

Table 22. *Variations of illocutionary acts (Searle 1979:2–8)*

1. The point (or purpose) of the (type of) act	e.g. the point of order is trying to get the hearer to do something and the purpose of description is that it is a representation of how something is
2. The direction of fit between words and the world	whether words match the world (e.g. assertions) or world the words (e.g. promises)
3. Expressed psychological states	expressing a belief, an intention, a desire etc.
4. The force or strength with which the illocutionary point is presented	e.g. "suggesting" and "insisting"
5. The status or position of the speaker and hearer as these bear on the illocutionary force of the utterance	e.g. whether it is the general asking the private to clear the room (in which case we have an order or a command), or vice versa (which is likely to be a suggestion or a proposal)
6. The way the utterance	e.g. differences between boasting and

¹³⁵ Huskamp Peterson adds, "at a cultural level documents help to form social identity".

¹³⁶ For simplicity, I assume that there is only one speech act in every document. The reality is likely to be more complex: one document may contain speech acts from different authors (e.g. original document and annotations by another person) or a text from one author may be interpreted as several speech acts.

relates to the interests of the speaker and hearer	lamenting, or congratulating and offering condolences
7. Relations to the rest of the discourse	e.g. relying, deducing, concluding, objecting
8. Propositional content that is determined by illocutionary force indicating devices	e.g. you can report only about present or past and predict about the future
9. Acts that must always be speech acts, and those that can be, but need not be performed as speech acts	e.g. classifying can be done either by speech or throwing things in different boxes
10. Acts that require extra-linguistic institutions for their performance and those that do not	e.g. blessing, excommunicating, christening, pronouncing guilty, calling the base runner out, bidding three no-trumps
11. Acts where the corresponding illocutionary verb has a performative use and those where it does not	most illocutionary verbs have performative uses, e.g. “state”, “promise” and “order”, but not all: one cannot e.g. perform an act of threatening by saying “I hereby threaten”
12. Style of performance of the illocutionary act	e.g. announcing and confiding may involve only a difference in the style of performance of the illocutionary act

However, this does not mean that the spectrum of illocutionary acts is very broad. E.g. “insisting” and “suggesting” are not altogether different illocutionary acts; they only mark different degrees of intensity with which the same illocutionary point is presented.

In the end, Searle’s taxonomy makes use only of four of the twelve differences listed above: (1) point or purpose of the illocutionary act, (2) direction of fit between words and the world, which can be one of the three alternatives: words-to-world (descriptions), world-to-word (e.g. commands, promises), or simultaneously both (performatives), (3) psychological state constituting the sincerity condition for the illocutionary act, and (4) the type of proposition of which a given type of illocutionary force may be a function of (i.e. propositional content). Of these, the first, the point or the purpose of the illocutionary act, is most crucial (Hervey 1982:122; Eriksson 1999).

There are only five classes in Searle’s classification of speech acts. Hence, basically, there are only five things one can do with language: tell people how things are (assertives), try to get them to do things (directives), commit oneself to doing things (commissives), express one’s feelings and attitudes (expressives), and bring about changes in the world through one’s utterances (declarations) (Searle 1979:12–20, 27–28; Eriksson 1999; Searle 2002):

Table 23. *Classification of speech acts (Searle 1979:12–20, except for examples of records in italics in the rightmost column)*

Class	Illocutionary point	Expressed psychological state	Examples (<i>of records</i>)
Assertives	to commit the speaker to the truth of the expressed proposition	a belief	statements, explanations, assertions (<i>reports, memos</i>)
Directives	an attempt from the speaker to make the listener to perform an act	a wish or desire	orders, requests, commands (<i>orders, commands, laws</i>)
Commissives	the speaker commits himself to perform an act	an intention	promising, vows, threats, pledges, contracts, guarantees (<i>contracts</i>)
Expressives	to express the speakers psychological state		apologies, thanks, congratulations
Declarations	successful performance guarantees that the speech act corresponds to the world	no expressed psychological state	declaring war, pronouncing somebody man and wife, adjourning a meeting (<i>letters of resignation, drivers' licenses</i>)

If we compare speech acts in general and speech acts in records, at first glance it seems that there is no difference. All basic types of speech acts in Searle's classification¹³⁷ can be found—and not only—in records. In most cases, it is easy to point out a certain category of records especially fitting into the illocutionary point and expressed psychological state of the speech act class (see my examples in the rightmost column). In the case of “expressives” this is perhaps not possible, especially if we think of records in the strong sense, but I take it as obvious that one can find expressions of psychological states also in records. For instance, a state may express its condolences to the families of the people lost in a natural disaster. Thus, it first seems that classification of speech acts does not bring us closer to understanding the difference between speech acts in records and in other documents.

However, a closer examination of records reveals some interesting aspects. They become evident when we look at the last category in Searle's classification,

¹³⁷ For Austin's classification see Austin 1955:151–152, Searle's critique of it can be found in Searle 1979:12–20. For details and comparison between the classification of Searle and Habermas, see Eriksson 1999. There are also other rivaling classificatory schemes (Levinson 1983:240–1), but Searle's classification is sufficient for my purposes.

“declarations”. Declarations is the group of speech acts, which according to Searle may create new institutional facts (Searle 1995:34,54–55). A successful performance of a declaration guarantees that the speech act corresponds to the world. For example, “I hereby declare a war” is a declaration. If a war is declared correctly, there is a war; what is said becomes the state of affairs. Other prime examples of declarations are excommunicating, christening and firing from employment (Levinson 1983:240).

Declarations bring about some alteration in the status or condition of the referred object or objects. It is also remarkable that they usually¹³⁸ require an extra-linguistic institution, and generally, a special position by the speaker and the hearer within that institution in order for the act to be performed. This is not the case with speech acts in general. Linguistic competence, which comes from obeying the rules of language, is enough to, for instance, make a statement that it is raining, or to promise to come for a visit.

Extra-linguistic institutions required by declarations are systems of constitutive rules, says Searle. As examples of this kind of institutions he gives the church, the law, private property and the state.¹³⁹ Usually both the speaker and the hearer must have a certain position or status within the institution, but not all differences of status derive from institutions (Searle 1979:5–7, 16–20).¹⁴⁰ Thus, declarations have a strong social character. One gets married (or divorced) by saying publicly, solemnly, and loudly certain words, only if there exists a “conventional”, in this case among other things legal, “effect”, in which the uttering of those words has its recognized place (Warnock 1989:110).¹⁴¹

Some members of the class of declarations overlap with assertives. In certain institutional settings, we not only ascertain the facts but also need an authority to lay down a decision as to what the facts are after the fact-finding procedure has been gone through. It is for this reason that we have judges and umpires. “You are guilty!” is on the other hand a declaration; for legal purposes you are guilty if the judge finds you so, regardless of the actual facts. On the other hand, it is the judge’s assessment of what really has taken place. Assertive claims may need to be issued with the force of declarations in order that the argument over the truth of the claim can come to an end and next institutional steps can proceed. (Searle 1979:19)

¹³⁸ There two exceptions to this rule: supernatural declarations (e.g. God says “Let there be light”) and declarations that concern the language itself, like defining, abbreviating and naming (Searle 1979:18).

¹³⁹ Tuomela (2002:296) criticizes Searle for not giving a conceptionally precise account of social institutions.

¹⁴⁰ Searle has the following example: a robber with a gun in his hand has the status to give an order as opposed to e.g. request, entreat, or implore victims to raise their hands.

¹⁴¹ Austin is in this respect quite ambiguous. Sometimes he emphasizes the social aspect, the importance of institutionally grounded conventional procedures and the appropriateness of the persons and circumstances for the carrying out of a performative. At other times ‘conventions’ are quasi-linguistic in character, and no longer otherwise social. (Taylor, et al. 1997:414) See also Warnock 1989:116–9.

Goldkuhl notes that acts may take place combined: for example, an order of goods is both an instruction to deliver them to the client (i.e. “directive” according to Searle) and commitment to pay to goods when they have arrived (“commissive”) (Goldkuhl 1996; 1998)

5.2.1 *Strong sense records—institutional facts*

Now the next question is, how do records fit into all this. It has already been noted (p. 119), there seems to be a connection, but what exactly is it, and—considering the various conceptions of record—what group of records does it cover?

For one part, the connection has already been noted in the archival literature. Brothman has claimed—referring to Austin—that from the point of view of strong sense theories in archival theory genuine record making is in the best cases “performative—acts of speech in which ‘saying makes it so’” (Brothman 2002).

It has been stated above that distinction between “performatives” and “constatives” is not problem-free, because all use of language is making illocutionary acts. Also, like the specification of illocutionary acts (Table 23, p. 120) shows, “acts of speech in which saying makes it so” are only one class of illocutionary acts in Searle’s classification, i.e. declarations. It is true that declarations are often also archetypal records: wills and court verdicts are prime examples of both. But, even in the strongest sense, the group of records is hardly limited to declarations expressed in writing. In addition, returning to the research question, records containing declarations are not the only documents to which archival principles are applied. Therefore, equating records and declarations can only be a one part of the solution.

To broaden the horizon, one must summarize briefly the main points of Searle’s theory: firstly, there are facts in the world, which exist by human agreement objectively in the sense that they are not a matter of someone’s preferences, evaluations, or moral attitudes. Status–functions lie behind these facts. Because of them e.g. a piece of paper may give a right to drive a car, a pole in the land may serve as a landmark between two countries, and a person can be a judge. Status–functions are basically deontic: they are about what is right, wrong, obligatory or permissible. For instance, passing a landmark on the border without a valid passport is wrong, and persons with the status of border guards have a permission and obligation to arrest breakers of the rule. Status–functions are often imposed and new institutional facts created by performing explicit speech acts. This is possible because of constitutive rules, which make such activity possible.

Searle says that declarations are the class of illocutionary acts creating new institutional facts (Searle 1969:34). This view sounds too narrow. At least, whether only declarations may create new institutional facts depends on what

entities in the world we see as institutional facts, that is, “existing objectively by human agreement”.

It can be argued that other types of illocutionary acts may also create institutional facts in this meaning. E.g. a contract between a company and a building contractor creates an objective set of duties and rights to both parties, although what we basically have is a commissive.¹⁴² Likewise, a command by a proper authority for a person liable for military service to enter the service—a directive—creates a compulsion (which is again not a matter of preferences, evaluations, or moral attitudes) to enroll on the given date.

There are important observations to be made at this point. Firstly, as it has already been stated, institutional facts created by declarations are based on status–functions, which are essentially deontic. Secondly, linguistic capabilities are not enough to make declarations, also extra-linguistic institutions (systems of constitutive rules) are required and usually both the speaker and the hearer must have a special position within the institution. If we compare a declaration (like a court verdict) to two examples given above (a contract and call-up papers), we note that these features are common to all three. We have constitutive rules stating e.g. that person X in context Y counts as Z (judge, accused, constructor, client, officer, conscript) and his or her utterance as R (verdict, contract, command). In all cases there are sets of rights, permissions, prohibitions and duties defining the performance of the speech act (right to give a verdict and make a contract, obligation to find a criminal guilty or non-guilty, call conscripts at proper age to the army, etc.) and resulting from a successful execution of the act (obligation to keep a person in a jail, construct a building, pay for construction, etc.).

Therefore, it seems that the common feature of the strong sense records is that they explicitly either change institutional facts or objective deontic state—the set of existing permissions, obligations etc. which are not a matter of someone’s preferences, evaluations, or moral attitudes—of the persons and organizations in the society.¹⁴³

5.2.2 *Weaker sense records—work and roles in organizations*

However, creation of institutional facts and objective deontic consequences seems to account only for some records. Many documents found in archives are not contracts, orders, laws, governmental decisions, last wills etc. What about

¹⁴² One may question, whether it is an oversimplification to see individual sentences, like “I promise”, and documents containing perhaps hundreds of pages of text equally as “speech acts”. I do not think this is too far fetched. Although individual sentences in a document can be classified into different illocutional categories, the document is as a whole — when we think of examples given here — a certain kind of illocutionary act.

¹⁴³ This is often, if not always, essentially the same thing because institutional facts like “marriage”, “money”, “bank account” can be broken up to consequences at the deontic level according to Searle (1995:100-103, 109-110).

e.g. internal memos and other operational material created in an organizational activity or documents created as part of some work process?¹⁴⁴ In addition, there are classes of illocutionary acts, most notably “assertives” — which commit the speaker to the truth of the expressed proposition and express a belief — which does not seem to have any deontic effects. Do they fit in this?

Clearly e.g. a report by an ambassador about the political development in the country he is posted to does not explicitly create new rights, permissions, obligations. However, when we look at the case closely, it still may have deontic effects because of the roles we have and the nature of the organizations.

Not all groups of people are organizations. Organizations are groups of persons grouped together around the pursuit of specific goals. Usually organizations have quite clear boundaries so that it is possible to say who is a member of an organization and who is not. The members are subject to a shared body of rules and procedures.

Sofer notes that an organization can be seen as role-system, where each person is allocated a specific role in a work system and division of labor.¹⁴⁵ At least the broad outline duties associated with each role are prescribed or commonly accepted or understood by the role occupant and other members of the organization. Roles also have discretionary content since it is impossible to provide for all contingencies that may arise. The discretionary scope is particularly important at the senior levels of the organization where tasks are particularly diffuse and possible lines of approach are more open to uncertainty and debate. (Sofer 1972:2–4, 220–1; Allardt & Littunen 1979:262–3)

Communication is essential for an organization: it is its lifeblood (Goldhaber 1979:2–3). Any interpersonal communication is dependent on four preconditions. The first one is a common language, the mutual acceptance of communicative “coin”, or tokens. These may be written or spoken words, pictures, musical tones, gestures etc. The second is either an intention or purpose to communicate, or a conscious or unconscious “appetite” to be communicated with in some way (or perhaps both). Thirdly, at least one of the persons involved in the communication must have a conscious or unconscious conceptual model of the assumed relationship. Status and prestige are common relationship factors, as are superior–subordinate, expert–novice, husband–wife etc. The fourth precondition is rules, which must be followed. Some of them are obvious and easily overlooked, like the fact that one must use an understandable language and speak so that the hearer may hear the speaker. (Thayer 1986:77–81)

Some rules are usually referred to as a role. A person, who “plays” a role follows the rules: he or she fulfills the requirements of a particular social role as

¹⁴⁴ The concept of “weaker sense record” is used here as a narrow meaning excluding private papers (documents that are not created as a member of a contrived organization).

¹⁴⁵ Organizations usually have both a task structure and an authority structure, but not always: for instance, the Masons have a magnificent authority structure and only nominal tasks, if any. Some communes may have a task-oriented social system without an authority structure (Biddle 1979:273).

he comprehends them. These rules take the form of “recipes” or guidelines or prescriptions for evaluating (either in advance or retrospect) the appropriateness of one’s own or another’s behavior in specific situations according to the role or roles one assumes he (or the other) is supposed to be playing out in those situations. (Thayer 1986:79)

When these four preconditions are met, interpersonal communication is possible. The basic phenomenon in communication is still ultimately intrapersonal. The process of attributing meaning or significance or messageness to raw sensory data only occurs within, and never between, individuals. (Thayer 1986:76–81)

The essence of any organization — “natural” (such as a total society or an informal group) or “contrived” (such as a business enterprise) — is, in fact, the structure of the relationships between and among the people and/or departments, and the rules by which their behavior vis-à-vis is regulated. The significant difference between the nature of a government agency (or a military unit or business enterprise), and the nature of the organization of any interpersonal relationship (or family or informal small group) — besides sheer size and complexity — is that relationships and rules are imposed upon the constituents of contrived relationships. In a contrived relationship (such as between fellow workers on an assembly line), the rules and relations presumed necessary or desirable to the purpose of the relationship are formalized or standardized, whether explicitly or implicitly (Thayer 1986:94–95).

The rules guiding task performance in a formal organization can be referred to as constraints. The function of the constraints is to limit the degrees of freedom relative to any particular task-function, which an individual might otherwise exercise. A constraint is a rule of the following form: under these circumstances, do X, under those constraints, do Y, and so on. A manager’s task is to make changes in the system of constraints when needed. (Thayer 1986:94–99)

It is obvious that the information the individual has (or does not have) is one part of the circumstances in a constraint described by Thayer. E.g. if a person working in a sales department of a vendor gets an order from a client, no doubt constraints require him or her to process the order by sending the merchandise and an invoice to the client.¹⁴⁶

Because of the constraints, a message may implicitly create an obligation to the employee, despite the fact that the sender has no authority, or the message purpose, to create new obligation. If the constraints are non-existent or different—for example, because of the recent bankruptcy of the vendor, or the fact that the item ordered is no more in production—the sale person’s obligation to act is non-existent or calls for another kind of action.

Because of the organizational roles and constraints governing them, deontic effects and types of illocutionary acts became separated: all illocutionary acts

¹⁴⁶ Another example: *the police have an obligation to receive and record information about law-breaking activities and also to start immediately a pre-trial investigation, if necessary* (Valtonen 2005b:136–138).

may have (at least) indirect deontic results. Not only messages from the upper hierarchy create responsibilities and obligations—although they may be the only ones creating new constraints or institutional facts—but any impulse from inside or outside the organization may change the status of what a person should, or should not, do next. Also the utterer’s deontic status may be changed by the speech act, if an obligation is satisfied by it. For instance, the Foreign Office is obliged to protect the citizens. This obligation may be fulfilled in part by publishing a list of areas in which traveling is hazardous.

Likewise, to return to the example in the beginning, a report by an ambassador about the political development in the country is a speech act that a person in his organizational role is expected to do. The act changes the deontic status of the ambassador by making an obligation fulfilled: he is no more obliged to report facts already reported. On the other hand, the report may also create new obligations: the Foreign Office may be e.g. obliged to change the foreign policy because of the report, or to sack the ambassador for the poor information given.

5.2.3 The common elements of records—duties and obligations created by rule-bound speech acts

It is crucial to note that, firstly, Thayer’s constraints and Searle’s institutional facts both work in the same way: they define a person’s deontic status. Secondly, how the deontic status is changed is dependent on factors exterior to the message. What has been said is significant, but the consequences do not exist because of proper linguistic expressions or right illocutions alone. They exist, because addressor, addressee, or both, are tied by rules making changes in the deontic status possible.

For instance, even a flawlessly formulated and sincerely made order of goods does not oblige the recipient to take actions to deliver if the order is left at a library desk (wrong addressee). Likewise, a court is not obliged to take into account a complaint of a person, who is according to the law not entitled to speak in the matter (wrong addressor). The societal context is essential for institutionalized speech acts. Mey (1993:171–172) says “if the societal conditions for a particular speech act being realized are not met, there simply is no speech act, no matter what is being said or written”. In the legal tradition, for instance, ‘promises under duress’ are not counted as promises at all. Other speech act categories show similar examples, according to Mey. Naturally, in cases where there is no speech act no matter what is being said or written without a proper societal context, the context is of prime importance in understanding and reconstruction of the speech act: without it one cannot say what was done in the act.

The third important thing to note is that the same information may also have bring about different deontic changes for different professionals in organization depending on what are the existing constraints and roles.

For instance, different personnel groups use information systems for the administration of medical care in a hospital for different purposes. Physicians' primary use is retrospective; they want to know what has happened over the last 24-hour period. Nurses, in contrast, need prospective information about the activities, which they will need to carry out (Reddy, Dourish & Pratt 2001). The information that a patient already got his medication may create an obligation to a physician to change the medication (because the patient is not getting any better) and a forbiddance for a nurse to give the medication (because the patient already got it for the day).

Thus, even if "new" obligations, permissions, rights, or forbiddances are not created by the speech act, some of the existing ones may be (de)activated by it. This is an important consequence. Not all rules attached to organizational roles are always active and some may exist in principle only, never to be actualized in the real work of an organization.

Altogether, this suggests that both strong and weak sense records change the deontic status of persons and institutions. Both also require an extra-linguistic institution, and generally, a special position by the speaker and the hearer within that institution in order for the act to be performed successfully.

From the above said, one may infer what kind of rules govern speech acts creating records, that is, "rule-bound speech acts". In rule-bound speech acts there are rules:

1. defining what roles there are and who is in which role (e.g. president, citizen, salesman)
2. stating what actions are possible, permissible, obligatory, or forbidden in the roles (signing a treaty, reporting taxable income, making an offer to a customer)
3. defining how to act in a situation (take action against the reported threat of terrorist activity, send report of taxable income, deliver ordered goods)
4. making actions possible (declare a war, apply for status as a war veteran, make a contract with the customer)
5. defining deontic consequences the act has (the state or company is bound by new obligations, the administration has to take the next step in the handling of the matter)

If the rules require a certain kind of behavior in a situation, either the action creating the situation or the action one should take (or refrain from), or both may be speech acts:

Case A: non-speech act => speech act

Situation: A forest ranger sees a fire in the forest

Obligation: Make a report of it to his superior or a fire brigade

Case B: speech act => speech act

Situation: a person entitled to a passport submits a petition to a passport agency

Obligation: Write a passport

Case C: speech act => non-speech act

Situation: A military commander gives a command to his troops to attack

Obligation: Start the attack

In every case the speech acts involved are generally seen in archival theory as records, if they take place in writing.

This suggests that “recordness” is not a characteristic of documents as a residue of the action, nor something attributed to them because of their later use, but it arises from the speech act taking place.

5.3 Legal and moral rules in the creation of rule-bound speech acts

The connection between records and law is brought up by many descriptions of records. In strong sense theories, a document’s juridical importance is even seen as essential for its recordness. Therefore, if the aforementioned rules are important for rule-bound speech acts, one should find them in legal systems. On the other hand, moral rules cover almost every human activity, including creation of private papers. Private papers are not considered as “records” by many accounts: thus, one would expect that moral rules do not fit into the description of rules creating rule-bound speech acts.

In this chapter, both questions are examined. The analysis is based almost entirely on the writings of H. L. A. Hart, who was Austin’s colleague as a teacher at Oxford University. Despite similarities in their thinking, it is hard to say who influenced whom. Hart sometimes seems to anticipate even Searle. (Helin 1990)¹⁴⁷

5.3.1 Legal rules

Hart notes, “the most prominent general feature of law at all times and places is that its existence means that certain kinds of human conduct are no longer

¹⁴⁷ Iacovino (1998a) notes, “there are a number of legal theories that we can adopt as frameworks for understanding the recordkeeping/law nexus. In legal theory there is often a question as to the relationship of law and morality, and whether ‘institutions’ or ‘norms’, or both, pre-exist the creation of a legal system. There is also debate about what characteristics define an institution. The recordkeeping perspectives will be influenced by the legal theory that is adopted”.

optional, but in some sense obligatory”. Laws are different from other rules because they are backed up by force: the conduct is obligatory because one is forced to obey the law. But the law is also connected to the morality: its congruence with the principles of morality or justice is essential, and this makes it more than a pack of orders coupled with threats (Hart 1997:6–8, 82). Moral acceptability and juridical validity are, however, two different things.¹⁴⁸ A rule may be e.g. juridically valid and morally non-acceptable, vice versa, both juridically and morally valid, or both morally and juridically non-valid (Wiberg 1988:11, 40).¹⁴⁹

The essence of law is the union of what Hart calls “primary” and “secondary rules”. A legal system exists if ordinary citizens show obedience and secondary rules are accepted by officials as critical standards of common behavior (Hart 1997:117, 155).

“Primary rules” impose duties to abstain from certain kind of conduct. Rules found in criminal law are examples of these. We either obey or disobey these rules. If we disobey, we “break” the law, and there is usually a punishment attached to the violation. (Hart 1997:78– and passim.)

“Secondary rules” have an altogether different function. They define the ways in which valid contracts, wills, or marriages are made. Such rules do not require persons to act in certain ways whether they wish to or not. Instead, they provide individuals with facilities for realizing their wishes by conferring legal powers upon them. These rules are about minimum capacity or personal qualification (such as being an adult or sane) which those exercising the power must possess. They also may detail the manner and form in which the power is exercised, or delimit the variety, or maximum or minimum duration, of the structure of the rights and duties, which individuals may create by such acts—in-the-law. Failure to comply with the rules is not a breach or violation of any duty, but it nullifies the legal effect or force the act would otherwise have. (Hart 1997:26–29, 81, and passim.)¹⁵⁰

Both primary and secondary rules constitute standards by which particular actions may be critically appraised (Hart 1997:33). Both types of rules are necessary in a society.

One needs secondary (power-conferring) rules for three purposes. Firstly, when there is doubt about what rules exist and what is the scope of a given rule, a procedure is needed for settling the doubt, either by reference to an authoritative text or to an official (rules of recognition). Such a procedure and the acknowledgement of either authoritative text or persons involve power-

¹⁴⁸ Cf. ideas of Dworkin (Hart 1997:268).

¹⁴⁹ There are even more variations: Wiberg shows that one gets 27 combinations, if different moral evaluations of acts (“indifferent”, “allowed”, “required”, “denied”, “supererogatory act”, “omission of supererogatory act”, etc.) are combined with “the most trivial possible juridical dichotomy” (“required”, “forbidden”, “indifferent”) (Wiberg 1988:39).

¹⁵⁰ Public law contains mostly rules about authority, jurisdiction and powers, and there are not always official sanctions attached to the rules of public law (Jyränki, Perttunen & Vilkkonen 1972:13).

conferring rules. Secondly, power-conferring rules give a society the means for deliberately adapting rules to changing circumstances, either by eliminating old rules or introducing new ones (rules of change). Thirdly, power-conferring rules make it possible to have authoritative agencies, which define when a violation of rules has taken place and impose sanctions (rules of adjudication). (Hart 1997:91–9)

It has been suggested in this study that one set of rules characteristic to rule-bound speech acts are those defining how one should act in different situations. It is interesting that this feature has also been seen as essential to law. It has been claimed “law is the primary norm which stipulates the sanction”. According to this view, all “genuine” laws are essentially of the form: ‘if anything of a kind X is done or omitted or happens, then apply sanction of kind Y’. Thus, they are essentially conditional orders to officials to apply sanctions. There is no law prohibiting murder: there is a law directing officials to apply certain sanctions in certain circumstances to those who do murder. Also power-conferring rules are actually mere fragments of the real complete laws, which can be discovered by asking: “what persons does the law order to do things, subject to penalty if they do not comply?”. For instance, legislation making contracts legally possible creates a duty for officials to punish a certain kind of behavior (i.e. not fulfilling the clauses of the contract). What is usually thought of as the content of the law and designed to guide the conduct of ordinary citizens, is according to this theory merely an ‘if-clause’ in a rule actually directed to the officials.¹⁵¹ (Hart 1997:35–38)

In summary, sets of rules characteristic for the rule-bound speech acts (p. 128) may be found in a legal system. Hart’s “secondary rules” define what actions are possible, when, to whom, and under what conditions, and what are the rights and duties that individuals may create by such acts. Although legal rules are only one special case from the perspective of the rule-bound speech acts, they have as a system characteristic making them perhaps the clearest example of rules governing rule-bound speech acts. This also explains why records are felt to have a strong connection to the juridical sphere.

Legal rules are usually created by rule-bound speech acts, but they also make rule-bound speech acts possible. Legal systems consist of both regulative rules and constitutive rules. It is possible to enact, change, repeal and enforce legal rules with deliberate acts. Legal rules are not private; on the contrary, they are shared and institutionalized to the degree that they have existence and force “objectively” independent of individual valuations and feelings.

These features are very important for the rule-bound speech acts. Because of them, it is (at least in principle) possible to say, by looking at the communication, what rules there are in existence at a certain moment, what

¹⁵¹ Hart (1997:38–42) does not accept this view: “— the uniformity imposed on the rules by this transformation — conceals the ways in which the rules operate, and the manner in which the players use them in guiding purposive activities, and so obscures their function in the co-operative, though competitive, social enterprise which is the game.”

speech acts are inside the framework of rules authorized and valid, and what consequences they should have. Because of the objective and shared nature of the rules, the partakers of the speech act, as well as outside observers, have at least in some sense a similar interpretation of the act (i.e. a judge and other members in the society know the consequences of a court verdict). If there are different interpretations, or different acts seem to be in conflict with each other, the legal system offers rules for making new speech acts defining the “correct” status or “right” interpretation.

5.3.2 *Moral rules*

If the rule-environment makes it necessary to preserve contextual information by means of archival principles, how about moral rules, which are not part of the legal system and do not result from a division of work in a process or role in a contrived organization? Moral rules of some kind exist in every society. They also govern all kinds of activities. Still archival literature often ignores units not based on organizational or legal rules (like families) as “fonds-producing entities”. Neither do individuals in their private capacity (as friends or family members) create records according to many archival scholars, albeit moral rules also regulate actions of private individuals. Thus, it seems that moral rules are not “sufficient” to produce a “record”. Why is this?

The basic mechanism working in the communication is sometimes quite similar, regardless of whether we are talking about legal or moral rules. For instance, a promise creates an obligation regardless of whether it is given under a moral rule (as a friend) or as member of the legal system (in a legal contract). A speech act under a moral rule may also change deontic status. For instance, a letter from your close one asking for financial assistance may create an obligation to help.

Speech acts covered by moral rules alone are in general socially less important than those regulated by the law. Accordingly, from the point of view of the community at large, there is less need to take care that evidence of those actions is preserved correctly. Thus, one might argue, that although speech acts in personal papers are not fundamentally different from speech acts in records, the former are not records because the society does not have to ensure their proper preservation: the result of this negligence (e.g. loss of accountability for individual actions breaking moral rules) is tolerable for the society as a whole.

This may be one part of the answer. However, in addition, moral and legal rules have, from the perspective of rule-bound speech acts, essential differences, which may provide a better explanation.

First, moral rules are less institutionalized and formalized, and, thus, more private in nature. Consequently, one perhaps might state that under moral rules one cannot create objective institutional facts that are “not a matter of one’s preferences, evaluations or moral attitudes” as Searle described them (Searle 1995:1–2, 27; Searle 1969:51). However, this is debatable: judging from the writings of Hart there is no such difference: Hart claims that both “moral and

legal obligations have in common that they are conceived as binding independently of the consent of the individual bound, and supported by serious social pressure for conformity” (Hart 1997:170–2).¹⁵²

A second difference is the mutual independence of moral rules and speech acts. A characteristic of a legal system is that new legal rules can be introduced and old ones changed or repealed by deliberate enactment. In contrast, one cannot bring into being, change, or eliminate moral rules in this way. Of course, moral rules may change—and they are changed by human beings—but it would be senseless to say e.g. that “On 1 January this year it became immoral to do so-and-so”. (Hart 1997:175–8) A moral rule cannot be explicitly changed by a speech act, although speech acts have an affect on what is considered morally acceptable in the society. If a moral rule *is* changed by a deliberate speech act (e.g. a high priest defines some acts to be immoral and forbidden), we step into the sphere of institutionalized speech acts, similar to those taking place in legal and organizational settings.

Thirdly, moral rules are regulative, not constitutive. Moral rules do not make actions possible: they only say what actions are good or bad, what is permissible, obligatory, desirable, or forbidden. There may be a rule stating that you should not call other persons by names, or demanding you to say some consoling words to a person in sorrow, but the possibility of doing these actions with certain illocutionary force is not dependent on there being a moral rule or partakers having some institutional role or position.

Fourthly, the moral rules are universal: if something is a morally wrong thing to do, we expect everybody to avoid doing it at all times and places (Airaksinen 1994:134). This makes acts governed by moral rules less context-dependent: one does not need to know “who” and “when” to say whether the rules are broken or the act is rule-compliant. (One may still need contextual information for the correct interpretation, but this is a different question.)

Together this means that the speech acts governed by moral rules seem to lack many of the features characteristic for rule-bound speech acts. It also means when it comes to speech acts governed by moral rules the context has less importance: what act there is, or what deontic consequences the act should have, are less dependent on the persons, places and time of the act than in the case of acts constrained by legal rules or rules in contrived organizations in general.

5.4 The preservation of rule-bound speech acts

Rule-bound speech acts explain the need for information about the document context. If there is a rule-bound speech act, a document by itself does not always show, how and if institutional facts and deontic status have been changed. The

¹⁵² Cf. *diplomatic theory, which sees legal and moral rules as equal in record creation (see chapter 6.1, p. 143 ff.)*.

change is dependent on factors extra-linguistic and external to the act. Therefore, to evaluate the changes, one needs to know the participants and circumstances of the act. A correct linguistic expression (or other content communicated) alone does not make a change, and a change may take place even though there is nothing in the document suggesting it. Evaluating the change, thus, requires information about the context. The information needed is not always in the document and documentary context may preserve some of it.

Brothman (2002) explains the existence of strong and weak sense theories in archival discourse by arguing that in strong sense theories one believes in records that capture incontestable organizational truthfulness. He states that there is confusion which is manifest in the mixing of normative and descriptive accounts of making and keeping records and evidence. He notes:

This normative perspective speaks from the “strong” view and concerns record making: normative approaches aim to prescribe how creators should make records, and how properly made records exhibit certain properties that will convince others of their objective truthfulness or single meaning.

(Brothman 2002:326)

In the light of the speech act theory I see this differently. Primarily this is not a question of truthfulness. I believe that the normative perspective noted by Brothman tries to guarantee that there is sufficient information available for the future user to recognize and understand the speech act made. This is needed, because the acts may have socially important deontic consequences. I agree with Brothman when he says that it is not possible to guarantee truthfulness of records and limit their interpretation to one single meaning. However, it is possible to limit the range of plausible interpretations on what kind of act there has been (i.e. what was done in the speech act), and this is by itself important because of the institutional facts created in strong sense records.

Menne–Haritz (2004:55) has an example, which shows how difficult it may be to interpret and understand a speech act without contextual information. In German administration, marking “pr” (for *praesentatum*) in a letter received carried a lot of information. The marking indicated that the responsible minister had opened the letter and had knowledge of its content. It also showed that he had accepted it as belonging to his department, and that he himself had assigned it to someone to work on. Menne–Haritz notes that in some cases administrative files may be void of information in the form of messages: instead they contain operations required and expected (in a form such as tasks lists) supplemented with corresponding check marks showing that the task has been completed. A common language, consisting of signs and abbreviations and their syntax, offers possibilities for rapid understanding but makes it difficult for an external observer to interpret record without information about the guidelines and the actual practice of writing task lists or placing check marques. (Menne–Haritz 2004:132, 159).

The concepts in the speech act theory help to reformulate the Menne–Haritz’s statement: the utterance act is sometimes almost non-existent in administrative

speech acts (e.g., only the letters “pr”). Still, there is a propositional act, an illocutionary act, and a perhaps a perlocutionary act. They are not evident by looking at the utterance. The rules in the situation, who was entitled to make a speech act, whether the act was correctly made, and what was the expected outcome of it, are not part of the message. This makes it difficult to reconstruct and understand the act without additional information external to the document.

Petrey (1990:9) notes that to know whether a marriage has been formed, or bet has been made, or war has been declared, we have to know the conventions observed by the community where the words are spoken. According to Petrey, the context is “consequently a vital constituent to apprehend an utterance’s performative strength”. In the case of archival documents, archival context plays a role in making the community recognizable: the place of a document in the archival collection helps a user to see, in what circumstances the act was made and whether it was completed, i.e. the document was actually received by the receiver. This is important when e.g. deontic consequences of the speech act are assessed. In addition, perlocutions may be of special interest here. The documentary context may help to see what actions have been taken because of the speech act. The actions, or their absence, may be necessitated by the rules in the situation.

Mambrey and Robinson have tried to understand the role of documents in a hierarchical flow of work by studying how a ministerial speech was prepared in a German ministry. They say that even in straightforward tasks documents and folders cross a rather large number of boundaries (a “boundary” is for example the change of incoming letter to an official letter). The status of the folder changes at each boundary crossing. This is signaled by a change in its inscriptions. E.g. marking “711” in the folder means that the Head of the Section has seen the folder and assigned the task of the speech preparation to the subsection 711. Mambrey and Robinson note that although the organization was highly formal and bureaucratized the workflow is largely constructed “on the fly”. They also say that “each status change is a change of obligations and responsibilities”, and that

-- the folder was registered, or externally logged, only four times in the 22 steps, sufficient for the accountability, but not for ‘tracking’ the document. Put the other way round, it is relatively easy to determine who is currently responsible, but not where it is, or what is currently happening to it.

(Mambrey & Robinson 1997:123–125)

Mambrey and Robinson (1997:125) conclude, an “electronic document was more than a file encoding a certain content, which was sent up and down the hierarchies. Dependent on the steps [in the workflow] it provided different information and triggered different actions which could not be foreseen at the beginning”.

A fonds is from this point of view a reservoir of current and past organizational and individual rights, obligations and responsibilities. This

explains why archival theorists have made the demand that records must be created for all business transactions. One of the requirements defined by the research project of Pittsburgh University was that records must be “comprehensive”: records must be created for all business transactions. Specifications of this requirement state

“5a. Communications in the conduct of business between two people, between a person and a store of information available to others, and between a source of information and a person, all generate a record. 5b. Data interchanged within and between computers under the control of software employed in the conduct of business creates a record when the consequence of the data function is to modify records subsequently employed by the people on in the conduct of business.”

(Duff 1996)

The requirement is usually too costly to be followed in detail.¹⁵³ Why does it then exist? Duff explains the requirement by stating that “if the creation of records is arbitrary rather than comprehensive, it casts doubts about why a particular record exists and therefore calls into question the credibility of the records” (Duff 1996:34).

However, rule-bound speech acts offer another explanation. Because rule-bound speech acts modify deontic status and institutional facts, records give a possibility for a later reconstruction of the past. If the existence of an institutional fact, obligation, or permission is dependent on the existence of a speech act of a certain kind and all the acts have been “recorded”, then one may establish the current social reality simply by looking at the records. If non-current records have been preserved, one may also reconstruct the past reality with the help of archives. Both are important for accountability processes.

The requirement that records must be created for all business transactions, means that a fonds (if records are preserved) can also be used reversely: if an obligation or a right to act or refrain from acting is created by communication, then the absence of the record conversely implies that there has been no obligation or right to act, or reason to abstain.

Capturing all the communication is never possible. Still, if certain messages are always captured and preserved as records (for instance, commands to a lower agency, or appointments to a post), the archives as a whole give from the selected point of view a comprehensive picture of rights, obligations, or institutional facts in existence at a certain moment.

The protection of archival fonds and original order is a way to ensure that the right deontic state can be reconstructed later. For instance, if an application was rejected by a government agency because some of the documents are misfiled

¹⁵³ *Preservation of all the records was not required. The project hypothesized that the functional requirements for archival management of electronic records are the same as for traditional records, but that traditional records systems do not satisfy all the requirements: for instance, few paper-based systems maintain evidence of who used records in the course of what decision-making.*

(and it seemed that not all the required documents were enclosed), the decision becomes incomprehensible if documents are later returned to their right place (Orrman 1987:25).¹⁵⁴

Barr gives a similar argument. She states that the provenience to be “respected” is the whole origin, use, and custody of the materials. If, for instance, one official deliberately withheld letters from a set of records transferred to a historical archive, but another official later did transfer them, and if it was discovered that they had been missing at a time they were needed for a court case, it would be important to link them to their specific donor. Having been held back from prior transfer would now be part of their provenience. (Barr 1989:141–142)

5.5 The division of records and non-records

The questions posed by Cox show (p. 15) that it is not always easy to say whether a document is a record. The difficulty may actually lay in defining whether, and to what extent, the speech act is rule-bound. This study suggests that the group of records and the group of rule-bound speech acts coincide. Both groups are without clear-cut borders.

There is a large scale of variations of rule-bound speech acts. In some cases, there may be rules belonging to all the five categories (p.128), in other cases only to some.

Records of different strength differ also. Whereas the strong sense records create new institutional facts, which must be respected by everyone in the society until they are abolished or lose their acceptance, the weaker sense records may create only local and short-lived obligations, generally having little importance once the process has taken one step further.¹⁵⁵

The second difference is the degree to which the rules are explicit, formalized, sanctioned. In the case of strong sense records, rules tend to be very formal and explicit, the breaking of them is rigorously sanctioned, and it is hard to question the validity or existence of the rules because they are published as laws. In the creation of weaker sense records, the rules may be less explicit and formal, they have only limited validity (e.g. inside an organization), questioning them may be possible, and breaking them is mildly sanctioned or even tolerated to some extent.

The identification of a rule-bound speech act may be hampered by other factors, too. A traditional paper document may be a “carrier” of several speech

¹⁵⁴ *The example is from Elio Lodolini.*

¹⁵⁵ *Menne–Haritz notes, that in the German administration written tasks lists expressed expectations and reactions to the expectations. “What is important at the moment prior to its accomplishment becomes neglected after its purpose has been fulfilled”. (Menne–Haritz 2004:73)*

acts working at different levels. Menne–Haritz describes how, in the Austrian Imperial bureaucracy, marks and abbreviated annotations for secretaries were made on the letters by the councilors during the session (e.g. “fiat” indicated that a positive reply to the matter could be drafted).¹⁵⁶ (Menne–Haritz 2004:37–38)

Thus, in this case there are at least two speech acts in the document: the original letter and the annotation. Both have a different context, the addressor and the addressee. Also rules and deontic consequences are different. A similar structure may be found e.g. if a newspaper clipping with an annotation describing an action to be taken is preserved in the archives. Thus, the document may contain, or may not contain, a rule-bound speech act, depending on what speech act one evaluates.

The same speech act may also be simultaneously a “record” and a “non-record” depending on the selected point of view. For example, this study is both. On one hand, I am here making assertions about the archival theory and the world we live in. Because this is a scientific study, there are several issues I try to assure you about: that I am a reliable and competent person capable of making statements about the subject that I am well acquainted with, that I have personally made the study using approved scientific methods, and that I report to you results honestly without concealment or trying to mislead you in good faith believing myself in them (Marja-Liisa Kakkuri-Knuuttila, cited in Kinnunen & Löytty 2002:8).

Nothing makes the act from this perspective “rule-bound”: there are rules, but they are not similar to those required for rule-bound speech acts (see p. 128). Although, in practice, making scientific research limits itself to the group of academic professionals, the possibility of making the act is not limited to any role. In principle, a perfect amateur might make a scientific study, albeit probably a poor one by academic standards. The consequences of the act are also largely undefined. A reader, if he is a scholar, is expected to refer to the work when needed, but the deontic effect (who should do what and when) is largely undetermined.

At the same time, however, as a thesis and a precondition for a university degree this work is something quite the opposite. Making it is possible only for a person in the role of a university student at a certain stage of study. There exists a constitutive rule making a speech act counting as a “dissertation” possible. When I leave the manuscript for inspection, the faculty is obliged to take the next step in the process. The inspectors are obligated to follow scientific criteria in their work. The author has a right to call for a fair evaluation. Finally, if the thesis stands up to close inspection, a new institutional fact (i.e. Doctorate of Social Sciences) is created by a speech act.

Thus, from the point of the rule-bound speech acts, one can see this study as either a “record” or “non-record”. In my experience, and not accidentally,

¹⁵⁶ *The use of marks and annotations was not formally regulated but it was the normal practice. Secretaries understood what they were supposed to do from these signs. Later the marginalia developed into standardized instruments for the organizing of the handling of each matter*

original copies of similar works are in the borderline of library and archival materials. For instance, new post-graduate works done in the National Defense College are in the custody of the library whereas the older ones are transferred to the Military Archives of Finland. Although for an archivist or librarian there may be no question of whether a post-graduate work is a record or material belonging to the domain of a library, as a speech act it has a double-role. On one hand, a post-graduate work is a scientific study and a non-rule-bound speech act. On the other hand, it is a speech act having deontic consequences when made in a proper context by a right person: thus, it is a record in need of contextual information.

Although it may be rare to find a communication in which there are explicit rules belonging to all five categories (p. 128), it is notable that in mass communication constative rules especially seem to be absent. The mass communication is also in a sense “role-free”. It may be important to know who is the writer of an article and what is his relationship to the newspaper to evaluate the reliability and accuracy of the content, but this knowledge is not a requirement for a valid speech act to exist.

People making newspapers have roles like “journalist” or “editor”. Readers are “subscribers”, “customers”, “readers” etc. Some roles are, or may be, strongly regulated: e.g., the position of a journalist may be based on constitutive rules stating that person X counts as a journalist of a newspaper. Nevertheless, this is irrelevant for the communication. One does not have to be a journalist to make a speech act in a newspaper article, and correspondingly you may be on the receiving end of the communication process without any special status: all that is needed from the partakers is normal linguistic capabilities.

An example is given by a study showing that a major Swedish newspaper acquired 1886–7 its material from tens of different sources: from its own editorial board, news agencies, foreign newspapers, and “news hunters” (*nyhetsjägarna*), who were people supplying newspapers with small items of news for a fee. A popular myth is that news hunters spent their days in Stockholm’s small restaurants and paid the bill with the income received from notes scribbled in a hurry and sold to a newspaper. In fact, news hunters were largely small officials, accountants and sales agents who wanted to have some additional income. (Tarkiainen 2003:51–57)¹⁵⁷

In a similar manner, the internet has made it possible for almost anybody to function as “a foreign correspondent” and keep the outside world informed about events in the native country by maintaining a webpage or a blog (Nousiainen 2003). This is possible, because the speech act requires only linguistic capabilities and is not tied to institutional roles. Although a highly respected newspaper might be considered a more reliable information source than the others, having “cognitive authority” (Wilson 1983) and enjoying “perceived

¹⁵⁷ The source used by Tarkiainen is Karl-Hugo Wirén’s “Från skilda håll. Aftonbladets textanskaffning 1886–7” (*Stockholm Studies in History*; 25. Stockholm : Almqvist & Wiksell, 1979).

trustworthiness” and “perceived expertise”, i.e. “perceived credibility” (Fogg 2002:122–123), there is no constitutive rule making the speech acts possible only for persons in certain institutional positions.

A close examination of records of a fonds probably reveals that not all records have deontic consequences, or at least, there are documents which seem to have none. Drawing a line between rule-bound and other speech acts depends eventually on the interpretation given to the act. Whether and what consequences there are may be hard to judge, especially, because in rule-bound speech acts, the message content does not always make possible deontic consequences apparent.¹⁵⁸ Usually it is not for an archivist or archival institution to make such a judgment. The question is evaluated in other forums; in courts, media or discourse in the science of history, perhaps as a part of an accountability process (see chapter 6.2.2, p. 157).

Thus, in principle an archivist or an archival institution cannot ultimately make a distinction between speech acts actually changing the deontic status and those unimportant in this respect, or valid rule-bound speech acts and speech acts only appearing to be so. From the archival professional point of view, if an act is possibly a rule-bound speech act, then archival principles should be applied to the document.

5.6 Conclusions

The concept of rule-bound speech acts gives answers to many research questions in the study. While it explicates what is common to various records, it simultaneously leaves room for different conceptions.

Both strong and weak sense records have deontic consequences because of the rule environment in which the speech act takes place. They differ in permanence of the consequences created by the acts and the scope and nature of the rules guiding and constituting the acts. While the strong sense records have generally long-lasting effects and take place in a framework of rigorously sanctioned formal rules (i.e. laws) binding the society at large, weaker sense records create temporary obligations limited to some place, time, and person: the rules are less formal and less sanctioned and apply only inside an organization or a process. In both cases, it may be necessary to preserve information about the speech act context, because the deontic consequences are essentially dependent on matters exterior to the message: they exist, not simply because something has been said, but because of the partakers, the time and the illocution of the speech act.

Archival literature has so far recognized only the connection of records in strong sense theories and performatives. This study enlarges our perspective by showing that speech acts of different kinds can be combined to record creation at

¹⁵⁸ *An example of this would be how nurses and physicians use information systems used for administration of medical care in a hospital (see p. 128).*

large. Declarations create institutional facts, which have deontic consequences, but in the environment usually seen as the background for record creation—juridical, organizational and processual activities—also other speech acts may have deontic consequences because of the roles and constraints governing what a person should do in different situations.

The framework presented here has clear strengths. Despite its simplicity, it joins different areas in archival theory. It also links them to another scientific field. On one hand, it does not make the identification of records easier. On the contrary, it suggests that the boundary between records and non-records is bound to be ambiguous and open to different interpretations.

Some groups of archival documents are also problematic or left without a proper explanation. The first group is documents where the addressor and the addressee are the same person, for instance, personal notes made by a prime minister in his office. Whatever a person happens to “say” to himself is not usually considered binding: one cannot create a new obligation by writing something down. In some cases it perhaps fulfills a moral obligation (e.g. when the person has promised to make a note of something), but as we have seen, moral rules lack the characteristics needed for rule-bound speech acts.

There are at least two ways to answer this argument. The easiest one is to note that some archival theorists (e.g. Bearman 1994:40)¹⁵⁹ deny that a document not communicated to others might be a record.

The second alternative would be to say that there is no problem: if we can discuss whether a certain document is a record or not, the document has been “communicated to others”, and it may begin to propagate deontic consequences, whatever was the original intention of the addressor. For instance, a personal diary of the prime minister might show that he had lied in his speech before the Iraq War and, thus, create an obligation for re-evaluating his actions.

Another weakness of the concept of rule-bound speech act is that it does not account for personal papers, like personal letters between friends or other private papers having no affiliation to roles in contrived organizations of any kind. It does not clarify why these documents should be subject to archival principles. Possibly this can be explained by stating that unless the archival principles are applied, a document user may have difficulties in reconstructing and understanding the speech act, but this hypothesis cannot be accepted without further studies (see p. 60).

¹⁵⁹ “Purely private information, not shown to others, is not a record” (Bearman, 1994b, 40). This and similar views are considered too narrow by others (see Greene, Boles, Bruemmer, et al. 2004).

6 Rule-bound speech acts compared to ideas in diplomatics and concepts of transaction, accountability and reliability in archival theory

The speech act theory and the concept of rule-bound speech acts give new tools for conceptualizing records, archives and archival activities. In this chapter, both are compared to some ideas in diplomatics and in archival theory. This serves three purposes. Firstly, it measures the compatibility of the new ideas discussed in this study with existing ones. Secondly, it may bring new light to discussions on archival literature. Thirdly, if the concepts discussed could be joined to the framework suggested here, we would get a more comprehensive view to archival discussion in general.

The chapter has two parts. In the first (chapter 6.1, below) it is examined, what diplomatics has to say about rules, acts, and record creation. Diplomatics was chosen for examination, because it has a rather developed conceptual apparatus and some ideas in it bear a resemblance to speech act theory and findings in this study.

In the second part (chapter 6.2, p. 153 ff.), concepts of “transaction”, “accountability” and “reliability” are analyzed. The concepts are frequently used in connection with records and archives in archival literature. It also seemed that the speech act theory and the idea of rule-bound speech acts might be meaningfully applied to these concepts.

Initially I also considered including a fourth commonly used concept, “authenticity”. However, approaching authenticity in terms of speech act theory did not seem to lead to anything new, or at least, not to anything that would not be discussed in the connection of reliability (see chapter 6.2.3, p. 164 ff.). Looking back this seems natural: the speech act theory is largely orally focused. Both oral and written speech acts have the moment of “creation”, but unrecorded oral acts have no permanence. Reliability and the methods for guaranteeing it are linked with creation, whereas authenticity involves ensuring that the record remains unchanged through time.¹⁶⁰ (Duranti & MacNeil 1996:56)

¹⁶⁰ “Authenticity is – – protected and guaranteed through the adoption of methods that ensure that the record is not manipulated, altered, or otherwise falsified after its creation – –” (Duranti & MacNeil 1996:56).

Making a comparison with the existing conceptualizations is often not easy. Archival literature often neither explicitly supports nor contradicts the results in this study. At other times, there seems to be a similarity or connection, but this may be deceptive. Concepts in archival theory are often left undefined, because the discourse takes place inside the profession and does not aspire to scientific exactness. Therefore, differences and similarities to this study depend to some extent on the interpretation given of what an archival writer says.

6.1 Records, acts, and environment of record creation in diplomatics

Some ideas in archival theory have a resemblance to what has been stated here about the importance of rules in record creation. These ideas are either part of the conceptual apparatus of the diplomatics or influenced by it.

Like archival science, diplomatics also studies records. Diplomatics was born in the seventeenth century as an analytical technique for determining the authenticity of records issued by sovereign authorities in the previous centuries (MacNeil 2000:66). The purpose was to separate authentic documents from forgeries mainly for legal purposes. The birth of diplomatics is also closely connected to the development of historiography. Modern diplomatics is defined more broadly as “the discipline which studies the genesis, forms and transmission of archival documents, and their relationship with the facts represented in them and with their creator, in order to identify, evaluate, and communicate their true nature” (Duranti 1989a:12–13; MacNeil 2000; Howell, et al. 2001; Setälä, Suvanto & Viikari 1983:46–7; InterPARES 2001:I, 3).

Whereas archival science is focused on aggregates of records, like series and fonds, diplomatics studies individual records. It is open to question whether diplomatics is an auxiliary science to archival science or an integral part of it. (Johansson & Justrell 1995b:43). Historically speaking, archival science was born in the nineteenth century as an extension of diplomatics (MacNeil 2000:67) Here diplomatics is seen as a part of archival science and its ideas as part of archival theory.

By “diplomatics”, I refer in this study specifically to what is known as “contemporary diplomatics” or “contemporary archival diplomatics”. The contemporary diplomatics was born in the 1990’s in Canada around the writings and teaching of Luciana Duranti. Its roots are in the traditional diplomatics, but the concepts and ideas have been developed and adjusted both for the North-American public and electronic records (Duranti 1998; MacNeil 2000:89–90; InterPARES 2001:I, 3–4; MacNeil 2004).

The reasons for confining here to contemporary diplomatics are both practical and theoretical. Finnish archivists are largely in the same position as their North-American colleagues. The central administration of Finland dates from the period after 1809 and the number of medieval documents in the country

is minimal in comparison to older European states.¹⁶¹ Therefore, and not surprisingly, diplomacy is not a part of the archival curriculum in Finland. Writings in the contemporary diplomatics are one of the few introductions to general diplomatics available in English. They are also theoretically convenient, because contemporary diplomatics is adopted for dealing with traditional and electronic records of modern bureaucracy and it integrates theories and methods of both archival science and diplomatics (Duranti 1998:22; InterPARES 2001: I: 4).¹⁶²

From the perspective of this study, there are at least three questions in diplomatics deserving attention: the concepts of “archival document”, “record” and “act”, their mutual relationship and the role played by rules in the creation of records. They are discussed in the next chapters.

6.1.1 Archival documents, records and acts in diplomatics

The object of diplomatics is not any written document, but only what Duranti (1989:15) calls “archival document, that is a document created or received by physical or juridical person in the course of a practical activity”. Excluding personal papers (see cit. p. 149), Duranti explores diplomatic theory only as it applies to documents created in public or private administrative activities. Hence, “archival document” is in practice identical to what is commonly understood as a “record” in archival theory. Guercio (2001) says that in diplomatics the connection between record and “a fact of juridical nature” is considered to be an essential characteristic of record, which is reflected also in some definitions in archival theory.

Concepts of “fact” and “act” are also basic for the diplomatic theory. Acts in diplomatics are, however, different from those in speech act theory.

A fact may be either a natural event or human activity. Both take place in a collectivity (“juridical system”) organized on the basis of social rules (“legal system”). If the human activity is contemplated in the rules, it is “juridically relevant”. If the purpose of the activity is to produce the result produced, it is an “act”, which again (as a subspecies of the fact) may either be juridically relevant or irrelevant.¹⁶³ A fact may be unintentionally produced, an act not. (Duranti 1989–90)

¹⁶¹ *There are only 66 original medieval documents in the custody of the National Archives of Finland. In addition, there are 223 copies from a later period (Arkistonhoidon opas 1980:11).*

¹⁶² *This completes a circle: originally, archival science emerged out of diplomatics (Duranti 1997b).*

¹⁶³ *Duranti also says, that when “a juridical system takes into consideration in its body of rules not only the effects of human conduct but also the will determining it, we call that conduct a ‘juridical act’”. In another passage she states only, that if the intentionally produced effect has “juridical nature”, a juridical act has been generated. Her treatise (Duranti 1989–90:5–7) does not entirely clarify the difference between acts and facts. In the example, a driver speeds in front of a school where a police car is stationed. Duranti analyzes seven cases. The analysis shows,*

The outward form of an act may be either oral or written. Written form is required if an act can come into existence only by means of a document, or it is oral but needs a document as proof of its existence. A document may refer also to an act when neither of the conditions exists and the written form is therefore discretionary. (Duranti 1989–90)

The study of diplomatics has concepts for describing the relationship between the document and the act attested by it. If the purpose of a document is to put into existence a juridically relevant act, the effects of which are determined by the writing itself, the record has traditionally been called “dispositive” in diplomatics. Contracts and wills are examples of dispositive records. On the other hand, if the purpose of a document is to produce evidence (e.g. like a certificate or receipt does) of a juridically relevant act that was complete and came into being before being manifested in writing, it has in traditional diplomatics been called “probative” (Duranti 1989–90:7–8).

In modern diplomatics one has distinguished two further types because of the complexity and the volume of modern documentary production. “Supporting” records constitute written evidence of a juridically relevant activity. Their written form is not required. A supporting record is one on which an action is based, but which is not necessary for the action to occur and which does not constitute a proof of its existence. Most electronic records belong to this category. “Narrative” records constitute written evidence of a juridically irrelevant activity. They serve as memory of action without participating in its formal development and without linkage to the action (an example would be an employee’s electronic daybook or journal). In neither of these two latter groups does the activity result in a juridical act. (Duranti 1989–90:7–9; Duranti 1990; MacNeil 2000:93) Today juridical acts, and specifically those defined as transactions, often result from a combination of related acts, juridical and non-juridical, each of which has produced documents. As a corollary, many documents refer to the same act. The will determining the act may also belong to many persons. Duranti (1989–90)

Hence, there are four categories comprising all documents:

- 1) Documents constituting a juridical act (dispositive);
- 2) Documents constituting written evidence of a juridical act which was complete before being documented (probative);

that the act or the fact is juridically relevant only when the police give a ticket for speeding, but the distinction between facts and acts remains blurred: in all cases classified as “acts” (cases B, C and G) and half of the “facts” (A and F) there is intention to speed. There is intention to get a ticket in one case (“act”, case B), no such intention in four cases (case C, “act”, cases A, D and E, “facts”), and the driver does not care whether he gets a ticket in two cases (case G, “act”, and case F, “fact”). Thus, it is unclear, how intentions help to draw a line is between “facts” and “acts”.

3) Documents constituting written evidence of a juridically relevant activity which does not result in a juridical act (supporting);

4) Documents constituting written evidence of a juridically irrelevant activity, whether or not such activity will end up in a juridical act (narrative).

(Duranti 1989–90:8–9)

The first two embrace the major part of documents which in North America are defined as “records”, says Duranti.¹⁶⁴ (1989–90:9,13).

In conclusion, “acts” in diplomatics and in the speech act theory are not similar, although the distinction may be hard to make in the case of dispositive documents putting into existence a juridically relevant act.

The concept of act in diplomatics and speech act theory has several differences. Between acts and documents, diplomatics sees a one-to-many relationship. The will determining the act may belong to many persons (Duranti 1989–90:8). The person competent to document an act may be different from the author of the act itself: for instance, acts accomplished by private persons often have to be documented by public officers, lawyers, or notaries (Duranti 1990:6). Albeit also a speech act may perhaps stretch to several documents (depending on how it is defined), one act cannot consist of several utterances made by different writers. An “act” may even be something non-communicative (like speeding with a car).¹⁶⁵ Although a diplomatic act may be done by language, it is not the act of using the language itself, as in the speech act theory. All this makes the concept of act in diplomatics quite different from the concept in speech act theory.

6.1.2 Rule environment in diplomatics acts

As in this study, diplomatics also emphasizes the rule environment (“legal system”) in which the activity takes place. The legal system and the juridical system are key concepts in diplomatics. According to Duranti

A social group founded on an organizational principle which gives its institution(s) the capacity of making compulsory rules is a juridical system. – – The system of rules is called a legal system. – – Because a legal system includes all the rules that are perceived as binding at any time and/or place, no aspect of human life and affairs remains outside a legal system. For example, even the

¹⁶⁴ *The latter two groups consist mainly of documents called “manuscripts”. Duranti says, “records are recorded transactions”. Her definition of a transaction is “a declaration of will directed towards obtaining effects recognized and guaranteed by juridical system” (Duranti 1989–90).*

¹⁶⁵ *However, it is hard to see how diplomatic analysis might be applied to non-linguistic or non-communicative actions.*

most spiritual form of love is penetrated and ruled by ethics, natural law, morality, religious beliefs, customs – –.

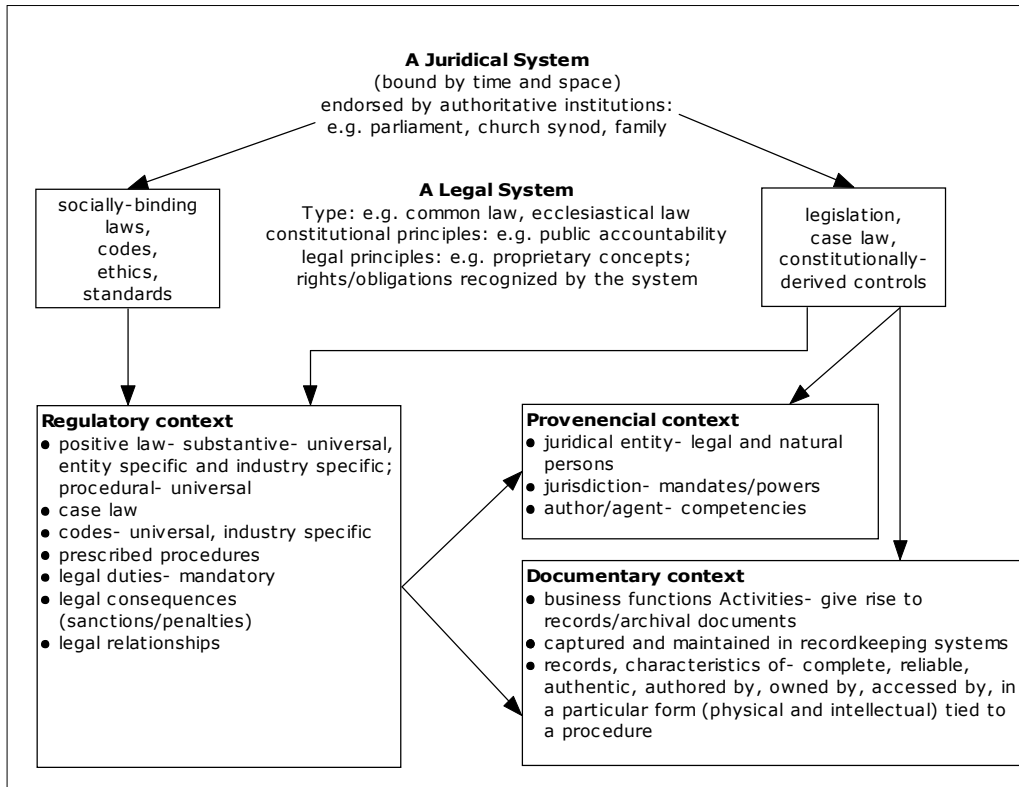
(Duranti 1989–90:5)

A juridical system is the necessary context of record-creation (MacNeil 2000:87, 141, note 14). There is a tight relationship between diplomatic and legal concepts. One may learn general diplomatics without referring to any specific legal system, but absorbing concepts is impossible without a solid understanding of legal thinking. Using the concepts in diplomatics in a new way requires a good general knowledge of current law (Duranti 1998:7–8).

Iacovino (1998a) has created a juridical model (Figure 1, below) which utilizes diplomatics and concepts used by Duranti. She asserts that recordkeeping and law are intrinsically linked and that this linkage provides the underlying rationale behind the recordkeeping/law nexus. She states that records form an integral part of the governance of legal and social relationships, support legal rights and obligations within the legal system, are required to regulate business and social activity, provide evidence or proof of a particular activity, and contribute to personal, organizational and democratic accountability that underpins the legal system. The transactional nature of recordkeeping effectively alters the relationship between two or more parties and creates rights and obligations between them each time that a transaction takes place.

Ambience

The juridical system through time and space - continuity, corporate or personal memory



(c) 1996 Livia Iacovino

Figure 1. *The juridical context of recordkeeping (Iacovino 1998)*

According to Iacovino the juridical model provides (among other things)

- a conceptual framework for understanding the socio-legal context of recordkeeping;
- a means of exploring legal issues and their relationship with records;
- a particular theory of law that includes all the rules which are recognized as binding within a given socio-legal system; and
- a framework for the relationship of law in societies that have oral laws and oral recordkeeping.

Legal system includes all the rules that are perceived as binding at any time and/or place. In the Australian context the legal system includes not only positive law and its authoritative sources — legislation and case (common) law — but also professional, personal and corporate ethics, and industry codes of conduct and practice as regulatory controls. The juridical model builds on the concept that all legal systems exist to protect the rights and obligations of individuals and groups in the system, and that records participate in actions that are recognized as binding within that system. In any organized society the origin of recordkeeping arises from the practical needs to maintain a collective memory of

the actions of members of the society. These human actions operate within a socio-legal system (juridical system) that provides laws or rules of acceptable behavior that are enforceable by social groups in a given society at a particular place and time. Records provide evidence of the obligations and rights of members within that juridical system. (Iacovino 1998)

It has been stated in this study that moral rules differ from legal rules and rules governing organizational and procedural activities (that is, rules in contrived organizations in general) and that this explains the difference between records and non-records: moral rules do not have characteristics which require management speech acts created under them as “records”. Diplomats do not recognize such a difference. In Iacovino’s model (Figure 1 above, p. 148) “family” is included in the group of authoritative institutions endorsing among other things ethical rules. Likewise Duranti (1989–90, see cit. p. 146) sees ethics, natural law, morality, religious beliefs, and customs as parts of a legal system comprised of compulsory rules. However, it is not explained, how ethical rules or customs are compulsory.

Diplomats see a linkage between document creation and existing rules. Duranti says that diplomatic analysis cannot be well applied to personal documents:

– – the principles and methods of diplomacy can be extended to documents expressing feelings and thoughts created by individuals in their most private capacity. – – But the inner freedom of human beings is such that a strict observance of rules cannot be expected in a personal context, so that a diplomatic study of forms may reveal little about the real nature of, for instance, an amateur photograph or a mother’s message.

(Duranti 1989a:15)

When many persons intervene in the creation of a document, it may be difficult to identify their individual roles. In the identification of persons a diplomatist looks at who has the responsibility for the act and competence for making it. “Responsibility” is the obligation to answer for an act. “Competence” is the authority and capacity of accomplishing it. For instance, a diplomatist has to ask, who was competent to accomplish the act put into being or referred in the document. (Duranti 1990:8)

Although diplomatic concepts are in many ways different, here you find connections between diplomacy and rule-bound speech acts. The research project of the University of British Columbia (UBC) “The Preservation of the Integrity of Electronic Records” used concepts and methods of diplomacy. Its findings showed that there are four contexts relevant to non-electronic and electronic records alike:

1. The juridical-administrative context (i.e., legal and organizational system in which the creating body belongs)

2. The provenancial context (i.e., the creating body, its mandate, structure, and functions)
3. The procedural context (i.e., the procedure in the course of which the record is generated), and
4. The documentary context (i.e., the internal structure of the archival fonds of which the record forms a part)

(MacNeil 2000:95)

Except for the documentary context, the contexts are essentially formed by systems of rules belonging to five groups listed above as characteristic for rule-bound speech acts (see p. 128),¹⁶⁶ status functions and speech acts creating new institutional facts and deontic consequences in the framework of these rules. Both a juridical-administrative and provenancial context depend on persons acting on roles defined by rules making some actions possible, permissible, obligatory, or forbidden. This is also how the procedural context is largely created: one action triggers the constraints in the situation and obligates the next step to be taken in the process.¹⁶⁷

Another connection to this study is found by looking at the persons participating in a record creation according to diplomatics. Diplomatic doctrine maintains that only three—either physical or juridical—persons are necessary for record creation, although there may be many more taking a part in it (Duranti 1990; MacNeil 2000:93–4):

1. The author is the person who has the capacity to issue the record or in whose name, or by whose command the record has been issued. The author may be e.g. the testator in a will, the King in a letters patent, or the university in a honorary degree diploma.
2. The writer has the authority and capacity to articulate the content of the record. The author may also be the writer.
3. The addressee is the person (or persons) to whom the record is directed or for whom it is intended: e.g. heir in a will, the beneficiary in a concession, the appointee in a letter of appointment. The addressee of a document may also be a group of people, or the author himself (in case of a private diary, for instance).

At first glance this may sound like a description of participants in any communication process taking place in writing: there is somebody creating a

¹⁶⁶ *A single record cannot fully communicate all these contexts, but MacNeil says that it may provide clues and pointers to them.*

¹⁶⁷ *MacNeil (2000:104, 109) notes, that the model developed in the UBC project is strikingly consistent with Weber's ideal-type bureaucracy, which has an unambiguous hierarchy, rationalization of offices, specialized labor and specific competences, rules, policies and procedures, and formalized activities.*

message (perhaps in the name of some institution) and someone receiving it. This is one way to look at it. However, there is more. Consider this (Duranti 1990):

- a) The author is the person with the authority to create documentation. E.g. the private law may require that acts accomplished by private persons are documented by public officers, lawyers, or notaries. A chancery or an office cannot be the author if it acts in the name of the person it serves.
- b) The writer and the author can be the same person, but often the writer is a delegate, a representative, an officer (if the author is an abstract body) or a member (if the author is a collective body) of the author. A clerk or a secretary is the writer only if they have delegated responsibility for the act.
- c) The addressee of the document does not need to be notified of the action (e.g. an heir does not need to know that a last will has been just created).
- d) The addressee in a land property registration is the owner of the property although the addressee of the document is the city holding jurisdiction over the land, likewise the addressee of a license, a permit or a patent is the person mentioned in the document although the document is addressed to anybody who is concerned with the fact attested in it.
- e) Each party may be both the addressee and the author if “a reciprocal obligation is involved”.

This clearly suggests that what we are talking about are rule-speech acts. There is a constitutive rule making it possible for an act to change institutional facts or deontic status. In other words, a rule states that the “writer” as the author’s representative may make a speech act counting as a change of institutional facts or deontic status.¹⁶⁸ The “addressee” is not necessarily the person who is communicated to, but the person whose obligations or rights are changed by the act.¹⁶⁹

In diplomatics a distinction is made between the document and the “fact” or “act” attested by it, whereas from the perspective of the speech act theory there is only one entity: the act where language is used. This is perhaps the most

¹⁶⁸ Cf. distinctions between “actant” and “actor”, and “principal” and “agent”. An actant is “an abstraction that expresses general properties that we associate with the performance of given act”. An actor is a real person in some situation. An agent is a person who acts but does not commit himself personally because his intentions are not his or hers but principal’s (e.g. an ambassador signing a treaty commits the government he represents) (Taylor, et al. 1997:426–7).

¹⁶⁹ Diplomats maintains that, in addition, in electronic environment it is necessary to identify two other persons: the record’s creator (the person whose archival fonds the record in question belongs) and the originator (the person owning the electronic address or space from which the record is transmitted or in which it is complied or saved) (Duranti, et al. 1996; MacNeil 2000:93–94).

profound difference between the conceptual apparatus in diplomatics and the ideas in the speech act theory. For instance, in speech act theory a will is a speech act whereby property is bequeathed to an heir. In diplomatics the will only attests of the act in which the property is bequeathed. In diplomatics “(f)act” and “document”, “moment of action” and “moment of documentation”, “the will producing an act” and “the will creating document related to the act”, etc. are conceptually different matters.¹⁷⁰ Acts and documents may coincide but they may also be separate.¹⁷¹

The difference is significant and understandable considering the original purpose of diplomatics, documentary criticism. In diplomatics it is important to ask, what the document reliably tells about the world. The speech act theory is not suitable for critical examination of documents. Where diplomatics sees a forged and unauthentic document, the speech act theory sees a speech act made by the forger. Because the speech act theory is orally focused, it has no tools for analyzing “tampered” speech acts or speech acts “appearing” to be something else than they actually are.

6.1.3 Conclusions

The connection between the diplomatics and the speech act theory has not been studied before. Neither has Searle’s theory of the reconstruction of the social reality combined with diplomatics.

The conceptual apparatus of diplomatics has some similarities to speech act theory and to ideas in this study. There are also differences, which can be in part explained by the differing background and purpose.

The ideas supplement each other to some degree. The speech act theory and the concept of rule-bound speech acts may expose deeper mechanisms lying in the background of diplomatics. For instance, Iacovino (1998a) says that there is a need “to maintain a collective memory of the actions of members of the society”. In the light of this study, the reason for this is that the “actions” referred to by Iacovino are speech acts creating institutional facts and having deontic consequences. This is also why records “participating in actions that are

¹⁷⁰ For the facts and acts in diplomatics, see chapter 6.1.1, p. 144. “Fact is not to be confused with content, the latter being the manifestation of the former through writing” (Duranti 1989a:26, note 21).

¹⁷¹ Early diplomatists believed that it was possible to go directly from document to the (f)act that generated it. Their methodology presupposed a bilateral one-to-one relationship between each document and the fact it is about. In modern bureaucracy, many documents refer to the same act and, therefore, there is not only a linkage connecting the document and the act but also a bond between documents participating in the same matter. The modern basic unit of administrative activity is a dossier, not an individual document as in medieval times (Duranti 1989–90; MacNeil 2000:88–9)

recognized as binding within that system -- provide evidence of the obligations and rights of members with that juridical system”, like Iacovino (1998a) notes.¹⁷²

6.2 Analysis and discussion of concepts of transaction, accountability and reliability in archival theory

6.2.1 *The concept of transaction*

Susan McKemmish and Frank Upward have stated that “for anyone not familiar with the term, the archival document can best be conceptualized as recorded information arising out of transactions — it is created naturally in the course of transacting business of any kind, whether by governments, businesses, community organizations or private individuals” (McKemmish 2005:12). The concept of an archival document as evidence of a transaction, as envisioned by the Australians, is synonymous with the notion of a record in the English-speaking archival literature. Therefore, understanding the concept of transaction is important for records management professionals. (Duff 1994). This brings up the question whether the concept of transaction is compatible with the idea of rule-bound speech acts.

Different writers conceptualize the relationship between records and transactions differently. To Bearman (1994) “records are recorded transactions”. Cook (2001) talks of records as “evidence” of transactions. Cox (1995) says (citing Jay Atherton) that “records are created to serve an administrative purpose, usually to document a transaction or decision”. Menne–Haritz (1993) notes, “to the transmission of information the action carried out with the help of this information has to be added. Both together constitute a record, which can be understood as communicated transaction”. Eastwood (1992b:73) says that records are a “part of transaction”, which implies a tight connection. In another passage, he also says that records are “evidence of transactions”, which makes the two separate, and that they are “evidence of observance of transaction or related to actions taken in support of transactions”, which makes the transaction and record even more detached.

Transactions and records seem conceptually separate, although archival theorists are not always very specific in their characterizations of the relationship between records and transactions, and perhaps have differing views on this. Thus, there is some incompatibility compared to speech act theory, similar to the one noted in diplomatic theory. From the point of view of the speech act theory, it would be natural to assume that a transaction is accomplished by making a

¹⁷² Iacovino also states, that “the juridical system circumscribes the boundaries in which records have authority and endows records with trustworthiness and authenticity”. This seems to imply that records are trustworthy and authentic only in relationship to some system of rules.

speech act, and there would be one speech act for each transaction. However, neither is necessarily true.

Another complication from the point of view of this study is the relationship between transactions and actions that is often “one-to-many”: one transaction may be comprised of several actions. In legal terms, one transaction may consist of several interconnected acts or agreements. All of the acts connected in a logical relationship and giving rise to the same cause of action, are part of the same transaction. Likewise, in the business environment one transaction may consist of two or more agreements, and in the computer environment of several messages. To preserve evidence, records managers must ensure that links are maintained among the elements of a transaction and between the transaction and the subsequent records documenting it. For example, the hiring of an individual involves a number of separate acts and can create many different documents. (Duff 1994)

As in the case of diplomatics, the similarities are based on the rule-environment.

Archival theorists use the concept of transaction often without explication,¹⁷³ which makes it hard to say whether the concept is used by different authors in the same meaning. McKemmish notes that in the Australian continuum theory the concept seems to be broader than in the thinking of David Bearman (McKemmish 2001:337–338). The concept of transaction is rather complicated and it may not be easy to see what constitutes a transaction (Lybeck 1998:279, fn. 4).¹⁷⁴

Besides archival theory, the term “transaction” is used in several disciplines and environments, each of which has endowed it with specific meanings. Duff (1994) has analyzed the usage from the point of view of archives:

Table 24. *Conceptions of transaction (adopted from Duff 1994)*

Discipline or area	Conception of transaction
Diplomatics	<p><i>Definition:</i> a declaration of will directed towards effects and guaranteed by the juridical system. In a transaction, a person administers his/her own interests with other persons. Therefore, a transaction is an expression of autonomy of a physical or juridical person, who self-disciplines his/her own conduct in a binding way</p> <p><i>Example(s):</i> marriage</p> <p><i>Preconditions:</i> involvement of more than one person,</p>

¹⁷³ In a similar manner, business dictionaries do not define the term, but prefer instead to describe specific types of types of transactions, e.g. contracting, leasing, selling, etc. because they are so common and numerous (Duff 1994).

¹⁷⁴ Native speakers of Finnish may especially have problems in this because the Finnish language has no equivalent concept.

	<p>parties partaking a transaction must have a legal autonomy, be legally responsible and able to legally commit himself to the effect of transaction</p> <p><i>Notes:</i> transaction creates some legal obligation or an effect recognized by legal authorities</p>
Business environment	<p><i>Examples:</i> contracting, leasing, selling</p> <p><i>Notes:</i> most business dictionaries do not define the term, but give examples instead because transactions are so numerous in business environment: they are at center of almost every type of business activity. One transaction can consist of two or more agreements</p>
Accounting	<p><i>Definition:</i> an external event involving a transfer of something of value (future economic benefit) between two (or more) entities</p> <p><i>Examples:</i> (reciprocal:) purchase or sale of goods and services (nonreciprocal:) liability or transfer an asset</p>
Computing environment	<p><i>Definitions:</i></p> <ol style="list-style-type: none"> 1) in and online-system: an exchange between a terminal operator and a computer, including the processing performed by the computer: the interchange may involve a single message pair or multiple messages in one or both directions 2) A term sometimes used synonymously with an enquiry (an incoming transaction) 3) A term sometimes used in a place of “job” or “job step” in relation to batch processing or remote job entry 4) In a business sense, single instance of obtaining and paying goods or services (often overlaps with that of first definition) 5) In some systems: a record that causes the amendment, creation, or deletion of a record in the master file <p><i>Notes:</i> involves an exchange between two parties (albeit one of the parties is now a computer), can include more than one message</p>
Legal environment	<p>Conduct of business or actions involving one or more parties, and affecting their legal relationship or giving rise to a course of action</p>

Definitions of different professions reflect actions with significant consequences to a particular profession, like Duff (1994) notes, but they are at one level quite compatible with ideas in this study. Except for some usages in the computing environment, examples—marriage, contracting, leasing, selling—refer to speech

acts changing institutional facts or deontic status. A transaction changing legal relationships usually implies a change in the rights and obligations as well (it is hard to imagine a change in legal relationships that would not). Transactions in accounting change institutional facts by transferring “something of value” from one entity to another.

As it has been noted, deontic status and institutional facts go together: institutional facts are according to Searle basically deontic, and, for instance, having money entitles a person to a right to do something which would otherwise be impossible for him to do. The usage in diplomatics makes the deontic aspect especially clear: a transaction is “a declaration of will directed towards effects and guaranteed by the juridical system” and “creates some legal obligation or an effect recognized by legal authorities”.¹⁷⁵ Duff (1994) says that the legal meaning of the transaction is “perhaps the most significant because corporate records are preserved to meet the legal and administrative requirements of the organization”.

One usage in the legal environment noted by Duff is problematic from the point of view of the ideas in this study: it is transaction as “a cause of action”. The transaction is in this case a fact or facts giving a person a right to juridical relief: it is not what gives the right of action, but what causes a liability or violation. This may be incompatible with rule-bound speech acts. A cause of action does not have to be a speech act, or even a communicative act of some kind. For instance, trespassing—clearly not a rule-bound speech act—is a transaction in this sense, if it violates another person’s rights.

Transaction as a cause of action includes every method by which one person can derive impressions of another and cause harm. An example of this would be a case in which a person is hired (or not hired) because of the information in a database. The particular database view affecting the decision might be preserved as a record, because if the database is altered after the consultation, and the earlier information erased, the data forming the employer's impression would no longer exist, although it might be extremely important if a cause of action arose over the hiring. Invasion of privacy, and writing a report contents of which could cause harm are other examples of cause of action given by Duff (1994).

Although a cause of action does not have to be a speech act, and even less a rule-bound speech act, sometimes the two concepts can be combined. A rule-bound speech act might be a cause of action, for instance, when the speech act creates an institutional fact conflicting with other facts (e.g., a person is married twice in a monogamist society, or the same property is sold to two separate buyers). If a person is hired (or not hired) because of the information in a database, the database serves as a justification for the action. Information in the

¹⁷⁵ *Diplomatics makes a distinction between “mere acts” and transactions. A transaction is directed towards securing of effects guaranteed by the juridical system, while “a mere act is an act with no intention of effects other than the act itself”. For instance, a marriage is a transaction because it has effect above and beyond the act of marriage ceremony itself (Duranti 1989–90:7).*

database changes the deontic status of the employer and is, therefore, important to preserve.

In the beginning it was noted that the concept of an archival document as evidence of a transaction, as envisioned by the Australians, is synonymous with the notion of a record in the English-speaking archival literature (Duff 1994). As in diplomatics, also here a distinction is made between a record and the event: “records” are not identical with “transactions”. Ignoring this distinction, transactions seem to have a connection to actions changing deontic status and institutional facts in the society. However, at the same time, the concept also has meanings and uses that are less compatible with the idea of rule-bound speech acts. These include some uses in the computer and legal environments.

6.2.2 The concept of accountability

The concept of rule-bound speech acts supposes explicit or implicit rules that are accepted in the environment where the act was made. From this, there is a short step to two questions.

The first question is what actually are the rules in any given situation? For instance, according to Menne–Haritz (see p. 135) the minister in the German administration was expected to write the letters “pr” in a letter received to show four things: that (1) he had opened the letter, (2) had knowledge of its content, (3) had accepted it as belonging to his department, and (4) assigned it to someone to work on it. This leaves a number of details open. Did the minister actually delegate the task to his assistant? Who was supposed to know what the letters “pr” mean? What was the next step to be when there was such a marking, or it was missing? What was to happen if the minister erroneously failed to communicate his intentions as the established procedure required?—Rarely, if never, all the rules governing the act are explicit and commonly shared. The written regulations may reveal some of the rules. Others may belong to the tacit knowledge of the organization. Some questions are probably without any answer because they never came up in the daily work of the organization.

The second question is the rule-compliance of the actions. Let us assume that we know what the rule was. The next question is, was it followed: For instance, did a minister accept something as belonging to his department, although this was not the case? Or, if the official practice was that the minister was to assign the tasks personally, did his secretary actually delegate the tasks?

Both questions may have social importance, but from the preservation point of view they are less important. It has already been noted that it is usually not the task of an archivist or an archival institution to make a distinction between speech acts actually changing the deontic status and those unimportant in this respect, or valid rule-bound speech acts and speech acts only appearing to be so (p. 140). The questions of interpretative use lie outside the bounds and concern of archival theory, as Eastwood has stated (1994:127).

Still, archival professionals are well aware of the fact that records can be used to evaluate past actions. Schellenberg's famous distinction between evidential and informational value of records is sometimes misinterpreted to mean that evidence is to be found at higher levels where decisions about procedures and policies are formulated. Menne–Haritz (1994:113–4) notes that this is not the case. Evidence means patterns of processes, aims and mandates, procedures and results, as they can be observed. It consists of signs, of signals, not primarily of words. Only the processes themselves show us how they worked, and who was actually responsible for which decision, in spite of all regulations, planning it this way or perhaps in a different way.

Because of the framework of rules defining behavior in roles, speech acts may work as impulses and generate new actions. However, what actually takes place in an organization is more complicated than this mechanistic view suggests. For instance, a person may do things (or refrain from doing them) only because he is asked to do them by another person he (dis)likes or fears. Menne–Haritz can be interpreted to say that archives are not only about “rule-compliant” speech acts. In other connection she notes¹⁷⁶

Organizational documents such as regulations express expectations, but they do not describe actual proceedings. The procedures actually used are apparent in the records, where they can be compared with the regulations. Every distribution of competencies is only an expression of expectations of how concrete matters in a particular area will be handled.

(Menne–Haritz 2004:73)

For Menne–Haritz, “recordness” of texts depends in a very direct way on their use as communication tools in the course of processes and not as recorded in minutes about them. Texts are records only if they made the process progress and are not exterior of the progress, but are part of it, even the essential part, without which there would be no processes. “That is the meaning of the principle of provenance. Original order or functions are only auxiliary concepts for static situations”, she adds and concludes—citing David Bearman—that archiving is not information processing: “you do not have records when you save databases; whether you snapshot them weekly, monthly, or minutely, they will not be records”. (Menne–Haritz 1998:17, 19)

...Records are not information, they are only the source of it. Archiving is not information processing. – – record-keeping systems are completely different or even opposite to information management systems, because – – records are about transactions. It might even be useful to go one step further and say that records are transactions and not information.

(Menne–Haritz 1998:19)

¹⁷⁶ See also Menne–Haritz 1993:18.

Thus, although archival theory seems to be especially interested in situations where a framework of rules exists, records are not records, because the speech acts in them actually comply with rules. Records have value, because documents together with the information communicated by the documentary context give information about the workings of an organization as it really took place.

To what extent a speech act or other actions have followed the official or unofficial rules is a question to be examined as a part of an accountability process. Accountability is one of the concepts frequently used in connection with records (see for instance Bearman 1994; Lybeck 1998; Mason; Meijer 2001; Pederson 1995) and closely connected to the concept of transaction. Records are said to “provide accountability” (Duff 1994). Archives “serve public accountability” (Duranti 1994:338). Archivists and records managers serve their organization by “ensuring organizations maintain accountability through the protection of their evidence captured in transactional records” (Cox 1994a:11). The connection of records and accountability is recognized also in non-archival studies (Buttny 1993:7; Hertzum 1999:2; Maanen, et al. 1994).

Accountability has recently moved to centre stage as a rationale for maintaining archival programs, pushing to the sidelines the more traditional emphasis on heritage and history. This is a result of the proliferation of information technology and its resultant electronic record products; the phenomenon of organizational downsizing and restructuring; and the emergence of a more cynical public, increasingly assertive in its exercise of individual and group rights (Dirks 2004:32).

In ordinary language the word “accountable” originates from the metaphor of “keeping an account” of one’s conduct (Buttny 1993:7). Wagner notes that it is common to general terms that it is impossible to formulate a single definition and maintain that this is what a term means, or find a definition that conveys all that is implied by it. There is considerable variation in meaning among antecedent terms from which the concept of accountability evolved. According to one authority account can now imply “a statement of explanation one’s conduct: a statement or exposition of reasons, causes, grounds, or motives”. (Wagner 1989:7–9) The term accountability can be used to imply being “obligated to give an account” or being “subject” to doing so. There is a difference if a candidate for political office is considered morally and legally obligated to periodically publish the names of his financial contributors and the amounts of their contributions, and if he is to face a congressional subcommittee or the public via the media to justify why certain amounts were accepted from certain parties, or reported in a certain manner. Expectations in these two situations can not be satisfied by the same considerations or by the same form of accounting.¹⁷⁷ There is a distinction between reporting the constituent elements of an event and justifying their existence, both of which are forms of “giving an account”, and

¹⁷⁷ Wagner formulates a theory about varying “decrees of accountability” (Wagner 1989:11–6).

differences in what is expected and in the degree of discretion the person held accountable has in meeting the expectations. (Wagner 1989:7–9)

A record management standard defines accountability as “the principle that individuals, organizations, and the community are responsible for their actions and may be required to explain them to others” (ISO 15489–1 2001:2). This, like other definitions, does not reveal, who is accountable for what, to whom, in what manner, under what circumstances, and why.

There are a variety of forms of accountability. In democracies, political leaders are accountable for their actions to the public. A physician may be accountable to the professional community for his actions as a doctor. An employee is accountable for use of resources in his work. A company management is accountable to the shareholders, and so on. (Day & Klein 1987) The concept of responsibility is closely connected to accountability; in fact, responsibility is commonly synonymous with being accountable (Buttny 1993:7). Accountability, even at its simplest in the relationship between individuals, presupposes agreement both on what constitutes an acceptable performance and about the language of justification to be used by actors in defending their conduct (Day & Klein 1987:5).

Wagner states that the concept of responsibility is one of the minimum conditions necessary to validate the assignment of any accountability obligation and whatever inter-agent relationship it may entail. Any obligation is usually contingent upon identifying the person or parties responsible for the act creating the obligation, but a responsibility for an act may exist without the necessary implication of accountability. The concepts of accountability and responsibility are, thus, related but not synonymous. The second minimum condition for accountability obligation is entitlement: there also has to be someone who, by virtue of some manner of entitlement, is to receive the account rendered. Parties soliciting the account must have a definite connection or valid interest in the affairs it is about, and this interest must be something more than curiosity. (Wagner 1989:47–59)

The word “accountability” has passed into ordinary language only relatively recently. There is no generally accepted definition, but six general elements of accountability processes can be distinguished:

1. Trigger: an event that triggers the accountability process. For a legal accountability the trigger may be that a citizen sues a government organization for inadequate decision. A political accountability process may be triggered by press coverage or a disaster.
2. Accountable person: someone is accountable or is held accountable for what has happened.
3. Situation: there is an action or situation for which a person or an organization is accountable. For example, a minister may have to explain why a certain decision was taken.

4. Forum: there is an accountability forum to which a person or an organization is accountable. It may be Parliament, a court of law, the media, citizens, peers or scientists.

5. Criteria: accountability processes require that criteria are applied to judge an action or a situation.

6. Sanctions: in some cases sanctions may be imposed on the person or organization. A minister may be sacked, a government organization may be forced to take another decision, or fines may be imposed.

(Meijer 2001:362)

The accountability process can be conceptualized by dividing it into three separate phases. In the first phase the forum gathers data and reconstructs what has happened. In the second phase actions are discussed and judged according to certain norms and criteria. In the third phase sanctions can be applied. The availability of records is a primary concern in the first phase. (Meijer 2001:363)

The connection between accountability and rule-environment is noteworthy. Meijer's analysis implies that at its fullest it takes place on several levels. Firstly, there are rules defining who is accountable (2), for what (3), and what behavior was acceptable (5). Secondly, there may also be rules stating to whom the accountability exists (4) and what sanctions may or should be imposed (6).

The obligation to account is, like any obligation, normally generated by the acts of individuals or groups in conjunction with those institutions and practices of a society that define such acts to be obligating. Institutions of law, conventional morality and various bodies of rules and principles by which people govern and regulate their affairs are usually acknowledged. Various social institutions play a role in identifying what acts are obligating, and those acts constitute at least prima facie grounds for saying that an obligation exists. The matter of which legal or moral institutions (or perhaps both together) define particular acts, performances, or responsibilities to be obligating influences the validity and effectiveness of accountability relationships (Wagner 1989:48, 57).

The concept implies that somebody is accountable for something. In addition, accountability entails that there is action or situation, for which a person or an organization is accountable, and rules (criteria) that are applied to judge the action or the situation. These rules must be relevant to what is being judged, and, generally speaking (although not necessarily) they should be known by the person or the organization accountable. Otherwise the idea of imposing sanctions would feel unjust.

Buttny says in his analysis of accountability that human conduct can be said to fail in various ways. There are instances of defective skill or ability, insufficient care or effort, and improper intentions, for example cheating (Buttny 1993:3). All these forms of failure presuppose some sort of legal or moral rule being broken. Buttny sees only two forms of accounts: excuses and justifications. Excuses serve to account by admitting the negative significance of the event, but

denying all or some of the actor's responsibility for it ('I was held up by heavy traffic on the way over'). Justifications involve claims in which the actor implicitly accepts responsibility, but denies the offensive character of the event in question. For instance, to account by saying, 'I needed to finish that project before I left the office', attempts to justify by arriving late due to the higher consideration of completing work. (Buttney 1993:17) Like Wagner has noted, one can also account by simply reporting what has happened without making an excuse or finding a justification. Often also these cases seem to be about rule-compliance: efforts to show that one has either taken the actions required, executed them correctly, or detained from those one is obligated to detain.

Rule-bound speech acts have many evident connections to accountability. The rules defining what roles there are and who is in which role (e.g. president, citizen, salesman) usually imply accountability for actions taken in the role. In rule-bound speech acts there are also rules stating, what actions are possible, permissible, obligatory, or forbidden in the roles (signing a treaty, reporting taxable income, making an offer to a customer), how to act in a situation (take action against the reported threat of terrorist activity, send report of taxable income, deliver ordered goods). Thus, there are both rules defining who is accountable and the rules for judging the actions for which the accountability exists.

The idea of rule-bound speech acts can be used to explain mechanisms behind the accountability. Thanks to constitutive rules and status-functions, speech acts may be used as a justification or an excuse for what has (or has not) been done. For instance, an order for arrest from the right authority serves as a justification for a policeman to make the arrest. Both the authority and the policeman may be accountable for the action (order, arrest) taken, or not taken.

The saved communication not only reveals the information communicated, but also what was presumably known by the addressor or addressee. This information, combined with the knowledge of rules, roles and constraints in existence at the moment of communication, makes it possible to evaluate the subsequent behavior and conclude whether it was appropriate. This evaluation may take place in the court in an accountability process, but more customarily as a part of the management work inside the organization.

This is reflected in the emphasis that is put in archives in preserving the original appearance of messages. From the point of view of an information user, the original appearance is not always an advantage.

Usability of information may differ considerably in different formats. For instance, a diagram may be more illustrative and make it immediately clear to anyone that the quantity measured is rapidly increasing, whereas it is much more difficult to draw conclusions from a table containing the same data in a non-visual format. Although a user might find the diagram much more informative, one may still want to preserve the information as a table, for instance, because the figures are more exact than graphical presentation.

For rule-bound speech acts there is another reason: if the rules in the situation require a person viewing the information to make a "right" interpretation and react correspondingly, assessing the behavior, determining sanctions and finding

out the reason for the possible failure requires viewing the data in the same format as it was seen by the person assessed. Thus, accountability may demand preserving information in an original and perhaps less usable form.

Rothenburg (2000) has demonstrated this by examples of information on the space shuttle O-ring damage and air temperature prior to the disaster of Challenger. Whereas it is hard to see any connection between these two when the data is presented numerically in a table (Table 25 below), the graphical view reveals that increasing damage is related to cooler temperature (Figure 2 below).

**Space Shuttle O-ring damage vs. temperature
Prior to Challenger**

Levels of O-ring damage	3	1																
	2										1							
	1		1	1	1					2								
	0					1	3	1	1	2	1	1	1	2	1	1	1	1
		53	57	58	63	66	67	68	69	70	72	73	75	76	78	79	80	81
	Temperature °F																	

Table 25. *Space Shuttle O-ring damage vs. temperature Prior to Challenger (Rothenburg 2000)*

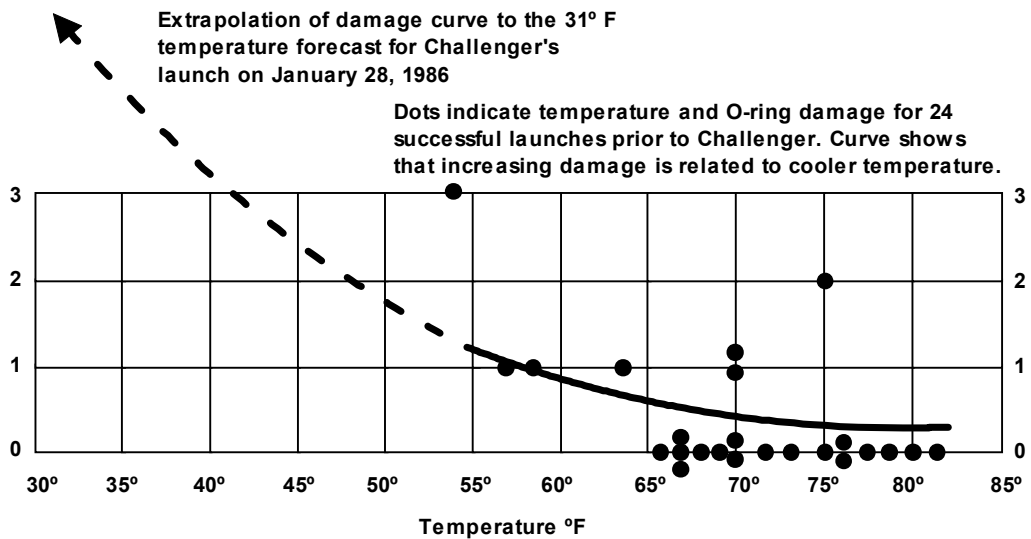


Figure 2. *Revealing view of Space Shuttle O-ring data (Rothenburg 2000)*

A report made for the European Commission provides another example of the importance of original appearance. Lack of “presentation fidelity”¹⁷⁸ may have dangerous effects. On June 27, 1988, a train crashed into the Gare de Lyon in Paris at high speed and without braking. More than fifty people were killed and a considerable number wounded. The accident was found to be caused by the coincidence of two badly formatted intended instructions in the maintenance manual. (Valoris 2004:21)

Each decision in administration has a well defined author, who has written, signed, and dated his contribution before it is moved to the next phase in the process, and he did it because the next phase could not happen without his contribution. This individual responsibility makes the administration accountable as a whole (Menne–Haritz 1998:18).

Although the concept of accountability seems to have a clear connection to rule-bound speech acts, the concept is also used in archival literature in a broader sense, which is less compatible with the concept of rule-bound speech acts. In this broader sense accountability seems to denote almost everything that can be accomplished by evidential records (see McKemmish 1998; McKemmish & Acland 1999).

For instance, McKemmish (1998) “defines the role of recordkeeping in relation to accountability as: facilitating good governance, underpinning accountability mechanisms, constituting corporate, national and societal memory, constructing individual, community and national identity, [and] providing authoritative sources of information”. — Construction of national identity, to take one example from this list, does not seem to have the elements of the accountability noted by Meijer (“trigger”, “accountable person”, “situation”, “forum”, “criteria”, and “sanctions”) or have a connection with the concepts in this study.

6.2.3 *The concept of reliability*

According to Wilson, relatively little attention has been given in information science to the quality of information stored and retrieved. Instead of being concerned with quality, information scientists have focused on subjective utility, i.e., what an individual user will find valuable and useful (Wilson 1983:171–5). Soo (2002) notes that a number of studies of relevance criteria, particularly in the 1990’s, identified various aspects of “quality” and “authority”. Also “reliability” is one of the concepts used in this connection (see Schamber 1991).

In archival theory the question of “information quality” has received much more attention. Reliability and authenticity have often been discussed in archival literature, especially in strong sense theories (see chapter 3.2.2, p. 82), in which producing authentic and reliable evidence is seen as a duty of recordkeeping

¹⁷⁸ “We define presentation fidelity of a document format its ability to preserve the original layout of the document, regardless on which platform or computer the document is opened” (Valoris 2004:21).

professionals. In studies of information science (Wilson 1983, Schamber 1991, Soo 2002) information quality is a matter of user evaluation: it is asked how users make judgments about the information quality and what kind of information they find to have “quality”. In archival literature user conceptions have played little role: authenticity and reliability have been often seen as intrinsic qualities of a record (Brothman 2002). Hedstrom, Lee, Olson, et al. (2006) have recently studied this issue. They note that although authenticity has been analyzed extensively from theoretical, legal, and procedural perspectives, there has been little effort to understand how users of digital objects judge their authenticity.

The concept of rule-bound speech acts helps to explain the emphasis on reliability and authenticity. If records are construction blocks of social reality, i.e. speech acts that alter deontic status, create and communicate institutional facts, authenticity and reliability became especially important. If they are endangered, social reality is in danger of becoming ambiguous.

However, the concept of reliability is not entirely clear. Diplomats maintains that reliability of records depends on two factors. The first is completeness of the form. A record is considered reliable when it “possesses all the elements that are required by the socio-juridical system in which the record is created for it to be able to generate consequences recognized by the system itself”. With traditional records, the requirement of completeness means that the record must at least have a date, content and signature. (Duranti 1995b; Duranti, et al. 1996:54) The second relevant factor is “procedure of creation”, which refers to the body of rules of governing the making, receiving and setting aside of records.

Some of these rules refer to record-makers, by establishing who is competent for signing what records, by giving responsibility to different persons for recording the same facts, or by requiring that the same fact or part of it be reported at the same time to different addressees. Other rules refer to the routing of the records, their handling in the course of their compilation and completion, and their filing, as this operation determines the record’s documentary context.

(Duranti 1995b:6)

The more complete the form of records is, and the more rigorous and detailed the rules governing the procedure of creation, the more reliable they become. Completeness and procedure of creation are the only two factors determining the reliability of records, says Duranti.

For instance, we commonly think that an original is more reliable than a copy, but this is only because the original has the maximum number of completeness required for the specific type of record and it is subject to the highest degree of control in the procedure of creation. Some originals are also more reliable than others. A draft is not only incomplete — and therefore unreliable — but it is also not generated by “procedure of creation” but “by a

series of non-regulated motions aimed towards the accomplishment of one step of a procedure”. (Duranti 1995b:7)

A record is defined as being reliable when it has “all the elements of the form required by the socio–juridical system and is capable of generating consequences recognized by system and the procedure of creation is controlled” (Duranti 1995b; Duranti, et al. 1996:54). What does this mean? What is stated is not entirely clear. For instance, in what sense is a private letter always unreliable because it has no strict requirements for form and there is no controlled procedure of creation?

I suggest that the concept of reliability is easier to understand, if we split it into parts with the help of the speech act theory. It is then possible to answer these questions.

6.2.3.1 *Illocutionary reliability*

First one should make a distinction between the reliability of the illocution of a record and the reliability of propositions contained by a record.

An example: according to a story Eetu Salin (1866–1919), one of the leading Finnish social democrats in the beginning of the 20th century, once claimed in his speech that the capital of Germany is London. Some of the public in the Helsinki Workers’ Association disagreed, and finally, after a debate it was decided by vote in a democratic spirit that the capitol of Germany is London (Kalemaa 1975:104).

The story is most likely only a humorous anecdote, but it illustrates an important point. Let us assume for a moment that the minutes of the meeting were made.¹⁷⁹ Clearly, no degree of completeness or control of procedure of creation will ever make the information given about the capitals of Europe more reliable. Thus, one has to ask, what is “reliable” if the minutes are complete in form and their procedure of creation rigorously controlled?

I suggest that the degree of completeness and the control of procedure of creation required in diplomatics are safeguards working above all (although not only) in the illocutionary level. If the document is complete in form and the procedure of creation controlled, one may be at least relatively assured that there is a speech act with certain illocutionary force. For instance, if the minutes are properly dated and signed by functionaries, and stamps and entries in the document show that it has gone through the bureaucratic inspection required, we may confidently assume that the document contains a speech act whose purpose is e.g. to serve as an official account of what happened in the meeting (and not, for instance, to humor us or smudge the reputation of the speaker).

What might be called illocutionary reliability refers then to the certainty about the illocution of the speech act. Mey has claimed that “if the societal conditions for a particular speech act being realized are not met, there simply is

¹⁷⁹ They were not found when the fonds (now in the custody of the Finnish Labour Archives) were searched.

no speech act, no matter what is being said or written”. (Mey 1993:171–172) Thus, contextual information may be required for illocutionary reliability. The already cited diplomatic definition of a reliable record¹⁸⁰ can be then interpreted to say that a record with high illocutionary reliability has all the indications of illocution and context required from a speech act to generate consequences recognized by system.

In writings of diplomatics one may find also another example which may be better understood in the light of illocutionary reliability. According to Duranti “a record is considered reliable when it can be treated as a fact in itself, that is, as the entity of which it is evidence” (Duranti 1995b:6). For MacNeil reliability means “that the record is capable of standing for the facts to which it attests” (MacNeil 2000:xi, 100).

We consider a record to be a document made or received in the course of activity. As it takes part in some action, it is seen as evidence of it, that is, as its mirror and proof. The value of such evidence, in terms of validity and weight, depends on the reliability of the record. A record is considered reliable when it can be treated as a fact in itself that is, as the entity of which it is evidence. For example, a reliable certificate of citizenship can be treated as the fact that the person in question is a citizen.

(Duranti 1995b:6)

How can a certificate also be the entity it certifies? This makes sense if we look at the certificate of citizenship as a rule-bound speech act which is allowed to make for certain authorities only and which (when made) grants the addressee the rights of a citizen and obligates the others to treat him as such. If a record has high illocutionary reliability, it is clearly done by proper authorities to make deontic changes happen. Distinguishing “evidence” and the “entity evidenced” is then impossible. What is said becomes the state of the world: the act itself gives the addressee the rights and obligations of a citizen, as well as to his surroundings the obligation to respect and follow those rights and obligations.¹⁸¹

This interpretation fits together with what Duranti says about the authenticity. According to her “a record is authentic when it is the document that it claims to be”. She adds, “proving a record’s authenticity does not make it more reliable than it was when created. It only warrants that the record does not result from any manipulation, substitution, or falsification occurring after the completion of its procedure”. (Duranti 1995b:7–8) In other words, uncertainty of the illocution and context of a written speech act is not abolished by keeping the act unmodified.

¹⁸⁰ *A reliable record has “all the elements of the form required by the socio-juridical system and is capable of generating consequences recognized by system and the procedure of creation is controlled” (Duranti 1995b; Duranti, et al. 1996:54)*

¹⁸¹ *It is possible that there are conflicting speech acts (e.g. another act in which the citizenship is explicitly denied from the addressor).*

The original question was; are private letters unreliable because there are less requirements for the form and there is no controlled procedure of creation? Perhaps this is the case. There is in general nothing in a private letter confirming its illocution except for the linguistic expressions; there are no co-signatories, stamps, or other formal elements. However, compared to rule-bound speech acts (records), this is usually sufficient: we understand the illocution by reading the letter. The verbal formulation reveals what the writer is doing: giving instructions, expressing feelings, or making promises. In non rule-bound speech acts, the illocution and the deontic consequences have less dependence on who is making the speech act and in what context. In addition, a speech act in a personal letter cannot create or change institutional facts. Thus, there is less need to have absolute certainty of what the illocution and the context are.

Rule-bound speech acts, on the other hand, are different in many respects. The speech act may have some illocution only when done by a right person in a correct environment.¹⁸² It may have some consequence only when this is the case. When the act has socially significant implications, it is important to be able to recognize the illocution beyond doubt, and to be assured that the act is not done casually and without proper preparation. Consequently, it is necessary to convey the illocution and the context of a record by the form and indications of controlled procedure.

6.2.3.2 *Propositional and utterance reliability*

A second form of record reliability is called here “propositional reliability”. It refers to the probability that a statement is “true” in the sense defined by the correspondence theory of the truth: a statement is true if, and only if, it corresponds to some fact. Propositions refer in philosophy roughly to “what is stated by a categorical sentence (one that states that something is, or not is, so)” (Vesey & Foulkes 1990). — It should be noted that in “propositional reliability” the concept of “proposition” is used in this meaning. This is not the same as in the theory by Searle, where every speech has a propositional act regardless of whether it can be evaluated on the scale of truthfulness.

The correspondence theory of the truth seems to lie behind at least some conceptions of record reliability. Incidentally, the correspondence theory of truth (together with external realism and physicalist ontology) is also one of the founding stones in Searle’s theory, although his account of social reality can be accepted independently of ontological commitments (Barnes 2002:248).

When it comes to propositional reliability, the class of assertives is especially in focus here, because they commit the speaker to the truth of the expressed proposition and express a belief. However, it would be a mistake to assume that one can examine only truthfulness of assertives.

¹⁸² For instance, in Finland, some governmental resolutions can be made only by the President of the Republic in a joint session with the government.

Firstly, some members of the class of declarations overlap with assertives (see p. 122). The distinction between assertives and other speech acts is, thus, not absolute.

Secondly, it may be remembered that Austin started developing the speech act theory by contrasting constatives (speech as information about the facts), and performatives (acts accomplished by the speech). Although in closer examination he came to the conclusion that there is no absolute difference, the question has been eagerly debated since. Several authors have tried to show that Austin's arguments were not strong enough to destroy the distinction between performatives and constatives. Others, on the contrary, have held that Austin was right and there is no basic difference; either constatives are also "doing by saying", or (vice versa) performatives are statements to the effect that one performs the act named by the performative verb. (Grewendorf 2002) Thus, what speech acts can be viewed in terms of truthfulness, "as information of some fact", is a complicated and open question and cannot be settled here.¹⁸³

Searle (1979) says that speech acts differ in their "direction of fit" (see Table 23, p. 120). Assertives have a words-to-world direction: what is asserted is supposed to fit the state affairs in the world. Directives and commissives have the opposite direction (world-to-words): the said supposedly becomes the state of world. Expressives have no direction of fit carried by the illocutionary force—the existence of fit is presupposed. Declarations have simultaneously a fit to both directions. They change the world to match the word, and the word is a faithful representation of the world. (Searle 1979) Thus, in case of assertives, the illocution suggests that there is something in the world existing independently from the speech act and the speech act matches to the state of affairs.

Compared to declarations, assertives seem quite role-free. Although society may control to some extent what is asserted in public, the capability of making assertives cannot be institutionalized and limited to some social position or situation without turning the speech act into a declaration. Assertives are also not a subject to similar linguistic limitations, like expressives or commissives: in principle, anyone can make assertions about anything, but you can express psychological feelings only of your own, or make promises only for yourself.

Records naturally also contain assertives, often in a mixture with other kinds of speech acts. Ngin notes that "the information filed in the medical record is intended to document both the significant events during the illness" (that is, assertives), "and the treatments prescribed" (directives — if the record is a tool in prescribing the treatment, and otherwise assertives, i.e. statements about what has been prescribed), "and carried out during the hospitalization" (again assertives) (Ngin 1994:618).

¹⁸³ *The two most powerful contemporary schools of formal linguistics Saussurean Structuralism and Chomskyan transformational grammar have each produced a well known effort to keep constative and performative reliably distinct. "No reader of [Austin's] 'How To Do Things with Words' has found a peaceful distinction between performative and constative". (Petrey 1990: 43, 149)*

Archival writers see records sometimes not as actions having consequences per se— like in this study—but as mediators between the record user and some event about which the record witnesses. For instance, Duff (1996:29) notes that records are a valuable corporate asset because they provide managers with the ability to extend administrative control beyond their immediate environment by allowing them to know or experience an event without being physically present. This statement has a double-meaning, because writing makes it possible to communicate across time and place. Thus, what is “known or experienced without being physically present” may either refer to the event of communicating (record-making), or to some external fact reported in the record independent from the act of document creation.

MacNeil has criticized archival notions concerning the truth-value of records from a postmodernist point of view. She says that the epistemological foundations of rationalist assumptions underpinning these notions can be found in the seventeenth century assumption that there is a “universal cognitive competence”: every normal and unbiased person would come to the same conclusion if he were given a proper presentation of all the relevant evidence of any factual issue. Records are assumed to be witnesses to events, the world is taken as one that is capable of being witnessed, and it is thought possible to separate the observer from the event being observed. Reliability refers to the truth-value of the record as a statement of the facts and it is assessed in relation to the proximity of the observer and recorder to the facts recorded. Authenticity¹⁸⁴ depends on the claim of the record-keeper to have preserved intact and uncorrupted the original memory of the event through the faithful preservation and transmission of its physical manifestation over time. This rationalist conception is common both to legal and historical scholars and to archival science. (MacNeil 2001)

For a record to be considered trustworthy, it must accurately reflect the event it records and be uncontaminated by the distorting influence of time, bias, interpretation, or unwarranted opinion on the part of record-maker. In other words, the record-maker must be present to witness and transcribe what Stanley Raffel calls “the world’s speech”, but she must not contaminate that speech.

(MacNeil 2001:40)

From the point of view of the speech act theory the rationalist conception of reliability fits best in situations where the speech act in a record tells other people how things in the world are, or how they have been, i.e. the record-maker is making assertives. Making assertives requires that there is something external to the act of using language itself: something about which one makes a statement. If the object is either institutional or brute fact, it is — at least in

¹⁸⁴ MacNeil also defines authenticity in terms of truth-value: “authenticity refers to the truth-value of the record as a physical manifestation of the facts it records and is assessed in relation to record’s original instantiation” (MacNeil 2001:40).

principle — possible to separate the observer from the event like the rationalist ideal described by MacNeil demands.

Archival writers often seem to have propositional reliability in their mind (e.g. Moision 2004:134). However, in archival literature one does not see record reliability limited to the class of assertives or some particular type of records. This may be because the conceptual apparatus of diplomatics (which has had a strong influence on archival theory) is built on the supposition that there is always some external phenomenon reflected in a document. A document is always about some “fact”, which may be either human conduct or a natural event. If a fact results from a will determined to produce it, it is called an “act”. Sometimes “the purpose of the written form is to put into existence an act” and “the written form is the essence and substance of the act” (Duranti 1989–90), but in any case, there is always at the conceptual level something separate reflected in the document and we may ask how truthfully and accurately the document depicts it.

Naturally, with assertives, truthfulness is of utmost importance. Wilson points out that, all we know of the world beyond the narrow range of our own personal experience is what others have told us. Records containing assertives, like any documents, are only hearsay, or what Wilson calls “second-hand knowledge”. Not all second-hand knowledge is considered equally reliable. There are cognitive authorities—people, instruments, books, organizations, institutions, etc.—which are in different spheres, in varying degrees of authority, and for different reasons held more reliable than others. (Wilson 1983:13)

It is stated (based on Raffel 1979) that there are two methods for bureaucracy to assess and ensure record reliability. Of course, what one should do, is to compare a record to the event about which it is evidence, but this is naturally impossible if one has not personally witnessed it or participated in it. This leaves two approaches open. The first is to focus on the reliability of record-makers and record-keepers instead of the records. Although the truth of the record cannot be directly determined, records are true to the extent that record-keepers are reliable. If the record-keeper is reliable, the user can identify with the writer and, in a way, become himself the witness of the fact (Duranti 1989–90; MacNeil 2000:106; MacNeil 2001). This requires control of record-writers. Raffel identifies four ways:

1. Restricting the privilege of signing records and carrying responsibility for them to professionals.
2. Imposing sanctions on record-writers by requiring signatures, so that a bureaucrat has a record anyway: either a record of the fact or a record of who failed to report a fact.
3. Giving responsibility to each writer for reporting only a portion of a fact, and/or increasing the number of those who report the same fact, so that what their records will have in common will be the true fact.

4. Making the same record to serve different users: instead of the number of writers, the size of the audience is increased, so that the writer cannot tailor the message to the audience.

(Duranti 1989–90:11)

The second method is to focus on completeness instead of being concerned about the truthfulness: the record itself is conceived as the event evaluated in terms of its completeness in accordance with bureaucratic standards. By signing a record, bureaucracy asks writers to declare that records mirror the facts. The user does not need to check the record against the fact any more, because the responsibility lies with the writer. Topical or chronological date captures the relation between writer and fact and makes it one of the things the record speaks about. (Duranti 1989–90:11–2)

The methods deemed appropriate for ensuring propositional reliability seem to be largely the same as in illocutionary reliability: completeness and control of procedure.¹⁸⁵ However, they do not contribute to record reliability in the same way. In minutes, for instance, date and signatories, on one hand, strengthen the illocutionary reliability. They signal the illocution of the speech act by indicating the intention of the author to make an official account of discussions and his capability for making such an act. The information allows the record user to check, whether the act is valid, and whether the author was in a position to make the act, when the record was created. Simultaneously, the signatories and the date affect the propositional reliability by showing the temporal distance between the document creation and the event witnessed and by implying that the propositions in the document are shared and accepted by all the signatories.

In short, in illocutionary reliability documentary form and control of creation signal the illocution of the speech act. In propositional reliability they increase the plausibility of an author's assertions by showing his relationship with the event and (possibly) having his observations confirmed by other persons.

Rationalist assumptions described by MacNeil (see above, p. 170) are perhaps highly idealized. Lemieux notes that archival thinking on the relationships between records and accountability rests on the belief that the usual circumstances of records creation give sufficient assurances of reliability and authenticity. Lemieux claims that in archival conceptions “ought” has become fused with “is”; what we might want or require a record to be (i.e., a trustworthy evidence of a business transaction) has replaced what records in reality may be (i.e. less than trustworthy evidence of a business transaction). According to her, archival theorists erroneously suggest that reliability and authenticity are somehow inherent in the immutable nature of the record and somehow define its recordness. What records ideally are—what they would always be in the best possible world—easily blurs what they are in reality.

¹⁸⁵ *Completeness and control of procedure are to some extent the same thing, because control of procedure is usually reflected in a record in the form of annotations and e.g. presence of co-signers.*

These conceptualizations reify records and accounts. They separate records from the social and technological contexts that lead to their creation until they are no longer recognizable as socially and technologically constructed entities, but, instead, become imbued with an almost god-like power and objectivity.

(Lemieux 2001)

Lemieux cites Jenkinson and MacNeil as examples for this misconception. However, it is possible that propositional reliability is mixed here with a third type of reliability, which can also be distinguished with the help of functional levels in speech acts. Regardless of the reliability of propositions and illocution, an unmodified record is, namely, very reliable in one respect. One cannot meaningfully ask, whether it reliably and impartially depicts what has been “uttered”. Such a question does not make sense the record being the utterance itself. I call this third aspect of reliability here “utterance reliability”: a record has high utterance reliability when it reliably shows the written utterance.

Lemieux perhaps actually criticizes archival theorists for arguing that records inevitably have high propositional reliability; it is part of records’ “immutable nature” to say true things about the world. One may doubt whether such in-built reliability ever exists. Maanen and Pentland (1994) note that what is recorded is never simply “what happened” because, first, no event can be fully or exhaustively described, and, second, all records as institutionalized forms, represent the collective wisdom of those who are trained to keep them:

Records are not neutral, factual, technical documents alone, although when serving legitimate ends they must appear this way, and when serving illegitimate ones even more so. They are designed to implicitly or explicitly to produce an effect in some kind of audience, which itself actively uses records to interpret events. This is not to suggest conscious deceit or cynicism on the part of either record keepers or users (although – – this is certainly possible).

(Maanen & Pentland 1994: 53)

Although the criticism may be justified in some cases, some archival writers perhaps have utterance—and not the propositional—reliability in mind. In other words, they do not claim that propositions in records are reliable; they only claim that records reliably show what was “said”.

For instance, Saarenheimo has emphasized (basing his ideas on Jenkinson) that, indeed, records are impartial, but impartiality is a characteristic of records, not of record-makers.¹⁸⁶ A record is not always objective, trustworthy and truthful, but it is an unbiased account of possibly biased conditions: it reflects also subjective conceptions, self-interest, and hiding of facts. (Saarenheimo 1998:203–4; Lybeck 2006:236) Translated to concepts introduced here,

¹⁸⁶ For some reason Stapleton claims, that “while impartiality may be applicable to medieval records, it is unrealistic to extend this characteristic to modern records” (Stapleton 1983–84:77).

Saarenheimo says that records have high utterance reliability, but not necessarily propositional reliability. What is stated may not be true, but the record reveals the utterance made.¹⁸⁷

There are also writers who seem to be less concerned about the reliability of records. The context of interpreter's use and the larger context of event leave ample room for interpretation, if it is asked what truth can be derived from a document. This is, however, according to Eastwood not a concern for archival theory: all questions of interpretative use lie outside its bounds and concern (Eastwood 1994:127). Archives furnish us with the means to know the precise form and substance of past interactions between and among the people in society. (Eastwood 1992b:80)

Thus, the emphasis is different than in some other writings of archival theory: whether a record is to be considered trustworthy, whether it accurately reflects the event it records and is uncontaminated by the distorting influence of time, bias, interpretation, or unwarranted opinion on the part of record-maker, is not a concern for archival theory. What is communicated in speech acts, what the acts mean, and whether they are in some sense truthful or not, are questions of interpretation and do not belong to the realm of the archival science.

One can see here the division between the strong and weak sense theories noted by Brothman (see p. 82): the question in the background is whether an archivist should manufacture reliable evidence (in some sense) and make sure that records accurately reflect events, or whether he should just preserve records and leave the interpretation to others. On the other hand, one may also see here the question of whether one should emphasize constative aspects of speech acts (and evaluate them on true–false scale) or view them as performatives (in which case such evaluation is only one alternative and not even always possible).

6.3 Conclusions

Diplomatics, concepts of transaction and accountability have some ideas in common with the concept of rule-bound speech acts. The common ground comes from the notion that record-creating activities are (in some way) rule-governed and may have deontic results. At the same time, however, there are also differences: ideas and meanings that cannot be covered by rule-bound speech acts.

Perhaps the most profound difference is in the relationship between a record and the activity where the record is created. An “act” in diplomatics and “transaction” in archival literature are not equal to the act of making a record. The need to distinguish a record from the activity attested may be explained by

¹⁸⁷ According to Johansson, “objectivity” does not equate with “truth”, but archives are objective in the sense that they create the relationship between a fact and its interpretation. Archives reflect archives creator's undertakings. (Johansson, et al. 1995a:32). The statement is a little bit obscure, but the idea may be the same

the need of critical examination of the documents. Speech act theory, on the other hand, is about the usage of language and does not allow such a distinction.

In the beginning (p. 164) it was noted that in studies of information science information quality is often seen as a question of user judgment. In archival theory reliability is looked upon as a characteristic of a record. The difference may simply reflect the fact that archival professionals often work nearer the document creation process and, thus, are in a better position to influence the quality than document users. Research in information science may have focused on user conceptions (instead of “actual” quality) also because they are perhaps easier to measure.

The speech act theory suggests another explanation. In archival theory we perhaps encounter a more elementary type of information quality than e.g. in the studies of relevance criteria noted by Soo (2002). According to Soo, concepts used in the studies include “goodness”, “usefulness”, “accuracy/validity”, “perceived quality”, “actual quality”, “expected quality”, “authority”, and “reliability”.¹⁸⁸

Record reliability is often understood in archival science as a question of whether some event or fact is reported correctly. This, “mere data collection”, is precisely what Wilson is not interested in: “when we ask whether the knowledge industry produces knowledge, we really do not want to ask whether its workers correctly report their elementary observations but whether they can make something interesting and valuable of their observations”. (Wilson 1983:47)

This study suggests that behind the aspects of reliability in archival theory, one may find functional levels of language: a record is most “reliable”, if the utterance act has not been tampered, the proposition is true, and there is no doubt about the illocutionary act. I consider this as an “elementary” type of information quality, because intuitively it would seem that it is largely taken for granted when many of the higher level concepts listed by Soo (2002) are used as criteria.

The concepts introduced—illocutionary, propositional, and utterance reliability—can be used for analyzing documents and conceptions in the archival theory. Their usefulness should be tested in further studies.

¹⁸⁸ Reliability was used in a study by Schamber (1991), who measured it by user evaluation. The question was whether “the source could be trusted, believed, relied upon; often based on reputation, expertise, or consistency”.

7 Discussion of findings and notes for further research

7.1 Summary of findings

In the study classical speech act theory (Austin 1955; Searle 1969) was used together with ideas from Searle's (1969, 1995) theory of construction of social reality, (socio)linguistics and studies of organizational communication were used to examine concepts in archival theory and the role played by archival principles.

The study shows that the selected theoretical background is a good starting point for research. There has been passing references to speech act theory in archival literature (Nilsson 1983:24; Svenson 1995:44; Pulkkinen 1998; Higgs 1998:105; Pulkkinen 1999; MacNeil 2000:69–70; Brothman 2002), but this is the first study in which the speech act theory is systematically applied to archival documents and ideas. Previously it has been noted in archival literature that in strong sense theories genuine record making is in the best cases “performative—acts of speech in which ‘saying makes it so’” (Brothman 2002). This study expands considerably our conception of the applicability of the speech theory in the archival field.

The study had three research questions. The second research question was what is achieved by following archival principles in archival work. The findings suggest that documentary context, which is preserved by the archival principles, may convey information about the speech act in a document; archival fonds to which the document belongs, the place of the document inside the fonds in a file, box, or bound volume, and entry in the register (if used) tell about the propositional act, the illocutionary act and the perlocutionary act of the speech act as well as addressor, addressee, topic, and time of the act, which helps a document user to understand and reconstruct the speech act in an archival document.

Even though the findings draw on a few cases, the results provide sufficient evidence of the fact that the idea is correct; information about speech acts can be conveyed in the documentary context. The results also show that the selected approach can be used to analyze the significance of documentary context for individual archival documents.

The way documentary context carries information about speech acts explains in part why principle of provenance is followed in archival work. However, we do not yet understand the details of this. More research on this topic needs to be undertaken before the association between archival principles and information

preserved about speech acts is fully understood. If it is shown in later studies that information about different levels and components of speech acts is routinely preserved in different fonds and arrangements, and that this information is generally important for the users, then it is possible to conclude that speech act preservation is a major factor behind the archival principles. On the basis of this study one can only state that this is an option one should investigate in further studies.

The first and third research questions concerned the distinction between archival documents and other documents, and the reason for following archival principles in work with archival documents.

The answers to these questions are two sides of the same coin. The study suggests two answers, the first of which is implied by the previous answer; if archival principles preserve information helping a user to reconstruct and understand the context and functional levels of a speech act, only archival documents perhaps require this supplementing information, whereas other documents are (in some sense) understandable and usable also without it.

This is compatible with what Menne–Haritz (2004:183) notes: the less records are used as messages for third parties and the more they are used for the internal organization and construction of processes, the more they lack independent meaning. Thus, it may be that persons partaking in speech acts taking place inside an organization already have the necessary information for understanding the act: therefore it is possible to leave propositional act, illocution, time and place, the topic discussed, etc., undefined and not to make them explicit in the document. This, then, makes interpreting documents hard for a later user, unless supplementing information about the speech act and its context is preserved e.g. in documentary context. This is a hypothesis which should be tested in further research.

The difference between records and non-records may be explained by the same idea. It is possible that documents commonly not considered as targets for archival activities (like mass-publications) are somehow “more complete” and contain all the information necessary. A user does not need any additional information, because he recognizes the propositional act (what is referred and attributed in a speech act) and the illocutionary act (a plea, an accusation, an assertion, etc.) by simply reading the document. An alternative hypothesis might be that the information available about the speech acts is also in these documents incomplete, but we have “learned” to read newspapers and other documents commonly available in our culture and, therefore, additional information is unnecessary. A user of archival documents, on the other hand, encounters documents he has not been culturally adapted to read, and therefore, needs additional information to understand the speech acts.

Another kind of answer is found by looking at what kind of speech acts are commonly (although not exclusively) referred to as “records”. For this the study introduces the concept of a rule-bound speech act.

A rule-bound speech act is a methodological concept, similar to Weber’s ideal-type. It is the ideal-type of a record-creating speech act. Rule-bound

speech acts differ from other speech acts because of the rule–environment in which they take place. There are rules 1) stating what roles there are and who is in which role, and 2) what actions are permissible, obligatory, or forbidden in the roles, 3) defining how to act in different situations, 4) making actions possible (by constitutive rules), and 5) defining what deontic consequences the actions have.

The results of this study suggest that a common feature of the speech acts having juridical significance or being in organizations or as a part of processes (i.e. “records”) is that they have deontic consequences because of these rules. The “strong” and “weak sense” records differ when it comes to the significance and duration of deontic consequences and the nature of the rules.

A speech act in a strong sense record generally has long-term consequences for the society. It may create a new “institutional fact”—a concept of Searle (1969, 1995)—or have otherwise long-term, objective consequences for the society (e.g. change the ownership of a real estate, nominate a new president, assign a husband’s status and obligations to a person). It may also constitute a possibility of creating entirely new institutional facts by defining how and by whom new facts may be defined (for instance, grant to a person the right to join people in marriage). An act in a weaker sense record, on the other hand, has only temporary and local deontic importance: for instance, it may determine, what is the next step in the organizational process, who should take it, or signify the fulfillment of personal obligations (if the person was obliged to make the speech act).

Rule-bound speech acts and their environment may differ considerably. In some cases, there may be rules belonging to all the five categories noted above, in other cases only to some. Also the degree to which the rules are explicit, formalized, sanctioned, and accepted may vary. In the case of strong sense records, rules tend to be very formal and explicit, breaking of them is rigorously sanctioned, and it is hard to question the validity or existence of the rules because they are published as laws. In the creation of weaker sense records the rules may be less explicit and formal, they have only limited validity (e.g. inside an organization), questioning them may be possible, and breaking mildly sanctioned or even tolerated.

The concept of a rule-bound speech act explains why additional information about the context and functional levels of the speech act may be required. What kind of act there is and what deontic outcome it should (or should not) have is dependent on the factors exterior to a document. Identification of the context and functional levels in the speech act becomes important, because there may be no proper illocution (e.g. “decision” or “command”) unless the act is executed by a right person and takes place in the proper context and at the right moment of time. The act may have consequences only when and addressed to a certain person or institution. The perlocutionary act may be something required by the rules or, on the contrary, something that should not have happened. One act may also have e.g. different consequences for the different professional groups in an organization.

Since deontic consequences depend on factors exterior to a document, the document alone may not give a hint of what they are or what they should be. This makes preserving information about the context necessary, but it may also make drawing a line between rule-bound and non-rule-bound speech acts difficult. The task is also difficult for archival professionals because neither interpreting the documents or the rules is their task. In other words, although there is a reason for preserving rule-bound speech acts in archives, it is not for archival professionals to decide whether and to what extent a speech act is rule-bound, does it comply to the rules, or what deontic consequences it should have. Decisions are made in courts and accountability processes in the society. From the point of view of archival professionals it is sufficient to know that if there is a possibility that a speech act is rule-bound and has deontic consequences, then archival principles should be applied to it if the document is preserved.

Personal papers—documents created in a purely personal and private capacity (e.g. as a friend or family member)—are problematic in the light of the findings. The study does not satisfactorily explain why archival principles are also followed in the arrangement of personal papers. It is possible that information in documentary context helps to reconstruct and also understand speech acts in personal papers, but in the documents studied this idea found less support than in the case of records. However, the sample was too small to draw any conclusions. It is possible, that documentary context also contributes to the understandability of personal papers by conveying information important for their users, but it does it in a way that cannot be conceptualized in terms of speech act theory and the approach in this study.

The study explains the difference between personal papers and documents commonly classified as records. If we imagine a line at the one end of which are strong sense records, personal papers are at the other end.

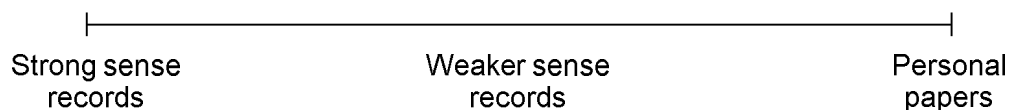


Figure 3. *Records and personal papers*

As it has been noted, this study suggests that creation of speech acts in strong sense records involves explicit, formalized, and sanctioned rules that are generally accepted in the society. The rules define what actions are allowed in which role and what the expected deontic outcomes of a successful act are. In some cases, there is also a constitutive rule making a speech act possible; for instance, transferring private property in a last will can only be done because there is a constitutive rule making speech acts counting as “last wills” possible.

Personal papers are, in this regard, very much the opposite. They are governed by moral rules that are much less or not at all formalized, sanctioned and explicit. Making speech acts in personal papers is not limited to any

particular institutional position: doing them requires only linguistic capabilities. We may still need contextual information to understand whether the act is (for example) an insult, or who is insulting whom, but the act of insulting is not possible only for persons in defined roles. Nor are speech acts in personal papers based on constitutive rules; a moral may make actions “possible” only by permitting them. This kind of enablement is not constitutive, because the act is (in principle) doable even when it is not allowed. Persons are successfully insulted all the time, although the act is morally forbidden. In contrast, a person cannot bequeath his property by making a speech act, if there is no appropriate constitutive rule or the rules governing how the act should be made are broken.

Both strong sense records and personal papers may have deontic consequences. One may, for example, make a promise in a letter, or contract in a record. Although in this respect there seems to be no basic difference, deontic consequences in personal papers are generally easier to recognize than those in records. Because moral rules are universal (in the sense that everybody should do what is deemed morally right) one may evaluate the consequences even without knowing the exact context, e.g. who is the addressor in the speech act; if a promise is made, it should be binding regardless of who is the speaker. In addition, the deontic consequences are easier to recognize because one usually must resort to a generally understandable linguistic expression to make the speech act (e.g. say “I promise”). Making records, on the other hand, is bound on roles. Only an authorized person may make a binding contract (using right words is not enough) and, because of the constraints triggered in organizational roles (see p. 128) it may be difficult to see from a document alone what deontic results it has had or should have had.

Altogether this makes the distinction between records and personal papers understandable. It also suggests that personal papers generally need less contextual information than “proper” records. However, this is contrary to the common archival practice of following the same principles in work with personal papers as with records. Thus, here is a contradiction and this is an area where further study is clearly needed.

7.2 The significance of the findings

What is said in this study about records, the outcome of the archival principles and the need to apply those principles to archival documents is not something new. Archival writers have often stated that archival context is needed to keep records understandable, to preserve their full meaning and allow for different interpretations (e.g. Duchein 1983; Menne–Haritz 1998; Krawczyk 1999; Lybeck 2006) and records are created in juridical, organizational, and processual activities (e.g. Schellenberg 1956). References to concepts of “transaction”, “accountability”, and “reliability” are customary in archival literature (e.g. Eastwood 1992b; Duff 1994; Duranti 1995b; Meijer 2001; Marsden 1997; Dirks 2004).

What is new is a comprehensive, more detailed and deepened understanding of the archival field. Connection of records to the legal sphere, different conceptions of recordness, difficulties of defining records in practice, the necessity of applying archival principles in archival work, “essentialistic” and “hermeneutic arguments” (see chapter 4, p. 101 ff.) advocating the use of archival principles, the need to preserve the original appearance of records, and partially some concepts used in connection of records (transaction, accountability, reliability) appear as different aspects of the same issues: that archives deal with rule-bound speech acts and archival principles help to keep functional levels and context of speech acts recognizable.

One of the novel viewpoints provided by the speech act theory is that it can be used to elaborate basic archival issues. This provides an independent starting point from which questions in archival theory and practice can be examined. Archival concepts and phenomena are linked to a new scientific field without losing their originality: it is still possible to discuss, for instance, differences between “archives” and other aggregates or collections of documents, but to do it with concepts that are not limited to the archival field alone.

This may inspire new research and theory building. Speech acts have been widely studied in other fields of science. There are perhaps more studies and theories of speech acts applicable in the archival field. Vice versa, archival research may bring new ideas to speech act research, which has been either orally focused or paid no attention to the medium used.

Gilliland & McKemmish (2004) see a divide into positivist and interpretivist research paradigms in archival science. The paradigms are associated with distinctive philosophical positions and theoretical frameworks relating to how knowledge and knowledge systems are defined. Contemporary archival diplomatics and research projects influenced by it are underpinned by positivist notions about the existence of an objective reality and universal principles going beyond any particular historical, legal or cultural context. From interpretivist perspective there is no objective reality, but multiple realities, which are socially and individually constructed. Until recently, much archival research did not explicitly acknowledge the research paradigm in which it was operating. However, the debate about the results of the UBC and Pittsburgh projects was largely a clash between the two research paradigms. (Gilliland & McKemmish 2004: 165–170)

The speech act theory, together with the results in this study, may offer a bridge between these two notions. The way speech acts may change our social reality should be something universal: it is not restricted to any particular time, place, or social setting. Institutional facts created by speech acts have “objective” existence: they exist, because people believe them to exist, but they are not a matter of one’s preferences, evaluations, or moral attitudes. If archival principles help a user to reconstruct and understand the speech act, as it has been suggested here, this might be an expression of the immutable and universal qualities of archival work.

At the same time, however, speech act theory also allows an interpretivist approach. Petrey says

-- speech act analysis stands opposed to every vision of text as an object as a given and permanent entity that is what it's always been and will always remain so. Considered as *acts*, literary and non-literary utterances alike change in conjunction with the conventions they invoke and by which they are assessed.

(Petrey 1990: 131)

Speech act theory shifts attention from what language *is* to what it *does* and sees a *social process* where other linguistic philosophies see a *formal structure* (Petrey 1990:3, emphasis her). An example of this are words in a will: "I give and bequeath my watch to my brother". The words do not produce a legacy at the moment of enunciation. The testator's death must ensure for his or her property to be transferred, which means that the performative words will do things in a context different from that in which they are produced. (Petrey 1990: 78) Whether at that time there are institutions enabling the transference of private property through a will, and whether the words are read as an expression of brotherly love, is not for the writer to decide.¹⁸⁹ Thus, speech act theory may bring different schools of archival thought closer together.

7.3 Limitations of the study

Speech act theory together with the idea of rule-bound speech acts serves as a good starting point for examination of archives, archival activities, and archival theory. However, it covers only one aspect of archival phenomena.

Records and archives can be looked at from many different angles, most of which are hard to combine with the speech act theory. Conceptualizations based on organizational or corporate memory, cultural heritage, national or local identity, or economic value of records (to name only some) cannot be easily united with the speech act theory. Archival practices can be defended by practical considerations (Nilsson 1983; Gränström 1994; Lybeck 2006:224) or be seen as a result of or professional self-assertion (Ivanović 2002). Records can be seen as a form of storage, information source for researchers, museum pieces, or symbols for society's values (Lybeck 2006:13). Conceptions of record are influenced by what is seen as the function of records: documenting organizational activities, providing information for decision-making or providing

¹⁸⁹ Petrey (1990:78) claims, that "the social formation defining the illocution is not the speaker's but the audience's. In speech, the operative communities are usually the same. In -- writing, they can be wholly distinct". She also notes, that Derrida's extended polemic with Searle has obscured the concepts in which the two philosophies, speech act theory and deconstructionism, stand together. According to Petrey, they are not incompatible, but only lead to different emphasis.

evidence and compliance. Records can be viewed from a functional or management point of view, standpoint of archives, information management, or information technology perspective (Yusof & Chell 1998:98) Menne-Haritz (1998; 2004) studies how records are used as a tool in cooperative decision-making.

Even inside the area covered by the speech act theory, there are limitations. As the discussion in chapter 6 (p. 142–) shows, diplomatics, and concepts of transaction and accountability have some common points with this study. It also seems that some aspects of concept of reliability in archival literature can be explicated in the light of speech act theory. Still, even here there are meanings and ideas that are not compatible.

To some extent the incompatibilities are a result of what is the clearest shortcoming of the speech act theory from an archival point of view: it cannot look at records from another “domain”, like it is customary to do in archival literature. Studies of speech acts have been either orally oriented or paid no attention to the medium used in communication. Purely oral speech acts have only one domain, the moment and place of utterance (Ong 1997:32). Therefore, speech act theory has a limited applicability for looking at documents as an evidence of something that has taken place in another place or time and independently from the act of record-making. “Transaction” in archival literature is not identical with the creation of a record, nor is an “act” in diplomatics equal to a record documenting it (although in the case of dispositive documents they come quite close). Speech act theory, however, does not allow for such distinctions: it knows only the act of language usage when the record is created.

Another complication arises from the way written speech acts can be re-used and replicated in different contexts. A letter can be sent forward to a new addressee, introduced as evidence in divorce proceedings, or the contents copied to a new document. In every case the result is a combination of a new and an old speech act. The resulting act may (sometimes perhaps with difficulty) be analyzed in the terms of the speech act theory.¹⁹⁰ I am not sure if the classical speech act theory is always sufficient for this. From an archival perspective this is perhaps not crucial. It is more important that the user may recognize and understand the different layers of acts when he accesses the document in the archives.

This study suggests that a few basic ideas can be used to explicate and examine a variety of archival questions and concepts. The simplicity combined with explanatory power is appealing, but it comes with the cost of abstractness. This is to some extent inevitable considering that the study is built on philosophical ideas. Barnes (2002) has compared Searle’s theory of social construction to how a sociologist sees the social reality. He concludes that there are no fundamental contradictions, although Searle “achieves clarity and

¹⁹⁰ *For an example see discussion in Case 3 at page 54 ff.*

perspicuity at the cost of simplifications -- [whereas] sociologists -- are prepared to sacrifice simplicity to empirical adequacy".¹⁹¹

The same applies to the findings in this study. They present a simplified ideal-type of record creation, use, and preservation. The reality, as an approximation of the ideal-type, is likely to be much more complex and varied. In reality, despite the efforts of archival professionals, complete and undisputable reconstruction of social reality is rarely possible. Some speech acts modifying the social reality are perhaps missing, there may be conflicting acts, the validity or existence of an act may be questioned, or there are different interpretations of whether and how the social reality has been changed. For instance, a property may be sold more than once to different buyers, it may be argued that (despite of the deed of sale) a change in the ownership did not take place, or it may be unclear what was included in the sale. However, it should also be noted that the study is largely about archival ideas. Thus, it suggests that archival professionals work "as if" Searle's theory of the construction of social reality and the role played by rule-bound speech acts were true. The empirical reality may be something else, but if it proved to be completely different, then archival theory is badly mistaken.

7.4 The need for further research

In many ways this study is more an opening to a new direction than a set of ready answers.

The way archival principles preserve information helping a user to understand and reconstruct the speech act in an archival document is a finding, which should be tested in future research. Further studies should find out how common this is and how different records systems and arrangements differ from each other in this respect. The idea should be tested in different administrative and cultural areas and in the light of broader empirical material. This would show, whether similar results can be found everywhere (i.e. we are talking about something "universal" to the archives), how filing systems and fonds differ from each other (e.g., do some carry more information than the others) and whether some archival materials are different (e.g., personal papers need less, or different kind of, information about the speech act and its context than records). One should also examine the significance of this information to document users.

Context is important for understanding speech acts in many ways (Mey 1993:38–40). Example of Barr (1989)—about how a person may keep letters

¹⁹¹ Barnes notes also that Searle is entirely at one with social scientists when he gives priority to the actions that constitute social objects: social objects are for Searle just "continuous possibilities of activities" or "placeholder for patterns of activity". Therefore, the resemblance of Searle's world of stable social facts to outmoded theories of structural-functional sociology, which presumed a continuing agreement in assignment of statuses and consequently persistence of a stable institutional order, is superficial (Barnes 2002).

from his Trotskyist friends in one place—is only one example of what information may be preserved by keeping documents together. Menne–Haritz (2001:65) notes that the archival arrangement “contains a lot of potential information, which is not formulated verbally, but which is presented visually to users. Visual presentation is less precise but conveys much more information than verbal descriptions – –”. How a fonds may contribute to the understanding and interpretation of documents in it, is hardly limited to information about the functional levels and context of speech acts. Our understanding and knowledge of this is quite limited.

The study opens several lines of new research. The framework of ideas in the study might be used e.g. in studies of user needs (what information about functional levels or context are relevant to a user and when), or developing formal indicators for the “strength” of a record. These indicators might be then tested by comparing the results to what archival professionals see as a record. One might also e.g. hypothesize that when records are (re)arranged, archival professionals select arrangements making functional levels and speech act context (e.g. addressor, addressee, topic, and time) visible. Thus, although ideas in the study are quite abstract, there are still ways to test and apply them in practice.

8 References

- Airaksinen, T. 1994. *Johdatusta filosofiaan*. Helsinki: Otava.
- Alakallaanvaara, A. 1998. Helsingin yliopiston kirjaston käsikirjoituskokoelmien järjestämisen ja luetteloinnin 170 vuotta. Ylemmän arkistotutkinnon tutkielma 35/1998. 1998. Kansallisarkisto.
- Allardt, E., and Y. Littunen. 1979. *Sosiologia*. Porvoo: WSOY.
- Allwood, J. 1977. A critical look at the speech act theory. 1977. In *Logic, Pragmatics and Grammar*, Dahl (Ed.), 53–99. Lund: Studentlitteratur. [Http://www.ling.gu.se/~shirley/jenspublications/docs001-050/012.pdf](http://www.ling.gu.se/~shirley/jenspublications/docs001-050/012.pdf) [19.6.2006].
- Arkistonhoidon opas*. 1978. Valtionarkiston julkaisuja. Helsinki: Valtionarkisto.
- Austin, J. L. 1975. *How To Do Things With Words. The William James Lectures delivered at Harvard University in 1955*. Ed. J. O. Urmson and M. Sbisà. Cambridge, Massachusetts: Harvard University Press.
- Backhaus, H. 1995. Arkivteori i international belysning. 1995. In *Arkivvetenskap*, ed. A. C. Ulfsparré, 30–41. Lund: Studentlitteratur.
- Barnes, S. B. 2002. Searle on social reality: process is prior to product. 2002. In *Speech acts, mind, and social reality. Discussions with John R. Searle*, ed. G. Grewendorf and G. Meggle, 247–257. Dordrecht Boston: Kluwer Academic.
- Barr, D. 1989. Protecting provenance: response to the report of the Working Group on Description at the Fonds Level. 1989. *Archivaria* 28 (Summer):141–145.
- Bastian, J. A. 2002. Taking custody, giving access: a postcustodial role for a new society. 2002. *Archivaria* 53 (Spring):76–93.
- Bearman, D. A., and R. H. Lytle. 1985–86. The power of the principle of provenance. 1985–86. *Archivaria* 21 (Winter):14–27.
- Bearman, D. 1993. Archival Principles and the Electronic Office. 1993. In *Information handling in office and archives*, ed. A. Menne-Haritz, 177–193. München, London, New York, Paris: K. G. Saur.
- _____. 1994. *Electronic evidence. Strategies for managing records in contemporary organizations*. Pittsburgh: Archives & Museum Informatics.
- Biddle, B. J. 1979. *Role theory. Expectations, identities, and behaviors*. New York, San Francisco, London: Academic Press.
- Boles, F. 1982. Disrespecting original order. 1982. *The American Archivist* 45(1), Winter:26–32.
- Bradsher, J. G. 1988. An introduction to archives. 1988. In *Managing archives and archival institutions*, ed. J. G. Bradsher, 1–17. London: Mansell Publishing House Ltd.
- Brothman, B. 1997. Derrida, Jacques, Archive fever: a Freudian impression. 1997. *Archivaria* 43 (Spring):189–92.
- _____. 1999. Declining Derrida: Integrity, Tensegrity, and the Preservation of Archives from Deconstruction. 1999. *Archivaria* 48 (Fall):64–88.
- _____. 2002. Afterglow: conceptions of record and evidence in archival discourse. 2002. *Archival science* 2(3–4):311–342.

- Brothman, B., and R. Brown. 1996. Archives and postmodernism. To the editor. 1996. *The American Archivist* 59(4), Fall:388–390.
- Brown, G., and G. Yule. 1983. *Discourse analysis*. Cambridge, New York, Melbourne, New Rochelle, Sidney: Cambridge University Press.
- Buckland, M. 1991. *Information and information systems*. New York; Westport, Connecticut; London: Greenwood Press.
- Bundsgaard, I., and A. Sode-Pedersen. 2004. Danish strategies for new methods of digital archival description and access. 2004. *Comma* 1:67–76.
- Buttny, R. 1993. *Social accountability in communication*. London, Newbury Park, New Delhi: SAGE Publications.
- Čentral'nyj Gosudarstvennyj Arhiv Krasnoj Armii. Putevoditel'. Pod redakčiej P. Sofinova. Moskva 1945
- Coffey, A., and P. Atkinson. 1996. *Making sense of qualitative data. Complementary research strategies*. Thousand Oaks, London, New Delhi: SAGE Publications.
- Cook, T. 1992. The concept of archival fonds: theory, description, and provenance in the post-custodial era. 1992. In *The archival fonds: from theory to practice*, ed. T. Eastwood, 31–86. Bureau of Canadian Archivists.
- _____. 1996. Archives in the post-custodial world; interaction of archival theory and practice since the publication of the Dutch manual in 1898. 1996. XIII International Congress on Archives, Beijing 1996.
- _____. 2001a. Archival Science and Postmodernism: New Formulations for Old Concepts. 2001. *Archival Science* 1(1):3–24.
- _____. 2001b. Fashionable nonsense or professional rebirth: postmodernism and the practice of archives. 2001. *Archivaria* 51 (Spring):14–35.
- Cox, R. J. 1994a. The Record: Is It Evolving. 1994. *Records & Retrieval Report* 10 (March):1–16.
- _____. 1994b. What is an archival record and why should we care? 1994. *The American Archivist* 57(4), Fall:592–594.
- _____. 1995. What's in a name? Archives as a multi-faceted term in the information professions. A draft. Subsequently published as: Cox, Richard J. Archives as a Multi-faceted Term in the Information Professions. *The Records & Retrieval Report* 11 (March 1995). 1995. <http://www.sis.pitt.edu/~nhprc> [13.10.2003].
- Daft, R. L., and R. H. Lengel. 1984. Information richness: a new approach to managerial behavior and organizational design. 1984. In *Research in organizational behavior. Vol. 6*, ed. B. Staw and L. L. Cummings. Greenwich, CT: JAI Press Inc.
- _____. 1986. Organizational information requirements, media richness and structural design: implications for information systems. 1986. *Management Science* 32:554–71.
- Davis, F. D. 1989. Perceived usefulness, ease of use, and user acceptance of information technology. 1989. *MIS Quarterly* 13(3):319–339.
- Day, P., and R. Klein. 1987. *Accountabilities. Five public services*. London and New York: Tavistock Publications.
- Dennis, A. R., and S. T. Kinney. 1998. Testing media richness theory in the new media: the effects of cues, feedback, and task equivocality. 1998. *Information Systems Research* 9(3), September:256–74. http://pubsonline.informs.org/main/pdfstore/TestingMediaRichness_article.pdf [15.3.2003].
- Dirks, J. M. 2004. Accountability, history and archives: conflicting priorities or synthesized strands? 2004. *Archivaria* 57 (Spring):29–50.
- Dollar, C. M. 1992. *Archival theory and information technologies. The impact of information technologies on archival principles and methods*. Ancona: University of Macerata.

- Duchemin, M. 1983. Theoretical Principles and Problems of Respect des Fonds in Archival Science. 1983. *Archivaria* 16 (Summer):64–82.
- _____. 1992. The history of European archives and the development of the archival profession in Europe. 1992. *The American Archivist* 55 (Winter):14–25.
- Duff, W. M. 1996. Ensuring the preservation of reliable evidence: a research project funded by the NHPRC. 1996. *Archivaria* 42 (Fall):28–45.
- Duff, W. 1994. *Defining transactions: To identify Records and Assess Risk*. <http://web.archive.org/web/20001120090800/www.lis.pitt.edu/~nhprc/prog5.html> [31.8.2005].
- Duranti, L. 1989a. Diplomatics: New Uses for an Old Science (Part I). 1989. *Archivaria* 28 (Summer):7–27.
- _____. 1989b. The Odyssey of Records Managers. Part II: From the Middle Ages to Modern Times. 1989. *Records Management Quarterly* 23(4), October:3–11.
- _____. 1989–90. Diplomatics: New Uses for an Old Science (Part II). 1989–90. *Archivaria* 29 (Winter):4–17.
- _____. 1990. Diplomatics: New Uses for an Old Science (Part III). 1990. *Archivaria* 30 (Summer):4–20.
- _____. 1994. The Concept of Appraisal and Archival Theory. 1994. *The American Archivist* 57 (Spring):328–44.
- _____. 1995a. Appraisal and oral evidence. Reply from the author. 1995. *The American Archivist* 58 (Winter):4–5.
- _____. 1995b. Reliability and Authenticity: The Concepts and Their Implications. 1995. *Archivaria* 39 (Spring):5–10.
- _____. 1997a. The Archival Bond. 1997. *Archives and Museum Informatics* 11:213–218.
- _____. 1997b. Archival science. 1997. In *Encyclopedia of Library and Information Science. Vol 59. Supplement 22*, ed. A. Kent, 1–19. New York: Marcel Dekker.
- _____. 1997c. The preservation of the integrity of electronic records. 1997. In *Proceedings of the DLM-Forum on Electronic Records. Brussels 18–20 December 1996*, 60–65. Luxembourg: European Communities.
- _____. 1998. Introduction. 1998. In *Diplomatics: New Uses for an Old Science*, 1–26. Lanham, Maryland, and London: Society of American Archivists; Association of Canadian Archivists; The Scarecrow Press, Inc.
- _____. 2001. The impact of digital technology on archival science. 2001. *Archival Science* 1(1):39–55.
- Duranti, L., and H. MacNeil. 1996. The protection of the integrity of electronic records: an overview of the UBC–MAS research project. 1996. *Archivaria* 42 (Fall):46–67.
- Eastwood, T. 1992a. General introduction. 1992. In *The archival fonds: from theory to practice*, ed. T. Eastwood, 1–14. Bureau of Canadian Archivists.
- _____. 1992b. Towards a social theory of appraisal. 1992. In *The archival imagination. Essays in honor of Hugh A. Taylor*, ed. B. L. Craig, 71–89. Ottawa, Ontario: Association of Canadian Archivists.
- _____. 1994. What is archival theory and why is it important. 1994. *Archivaria* 37 (Spring):122–130.
- _____. 1996. A Canadian's impressions of Swedish archives. 1996. *Arkiv, samhälle och forskning* 3:63–68.
- _____. 2000. Putting parts of the whole together: Systematic arrangement of archives. 2000. *Archivaria* 50:93–116.
- Eckhart, G. F. 1999. *Einführung in die Archivkunde*. Fünfte, aktualisierte Auflage. Primus Verlag.

- Emmerson, P. 1989. What is records management? 1989. In *How to manage your records. A guide to effective practice*, ed. P. Emmerson, 5–10. Cambridge: ICSA Publishing.
- Eriksen, A. W. 1994. The debate on appraisal — Recurrences and traps. 1994. In *The principle of provenance. Report from the first Stockholm conference on archival theory and the principle of provenance 2–3 September 1993*. Skrifter utgivna av Svenska Riksarkivet 10, 133–138. [Stockholm]: Swedish National Archives.
- Eriksson, O. 1999. A generic communication model based on Habermas and Searle's version of speech act theory. 1999. The Fourth International workshop on the Language Action Perspective on Communication Modelling (LAP'99), Copenhagen, September 12–13, 1999. [Http://users.du.se/~oer/forskning/rapporter/er99brap.PDF](http://users.du.se/~oer/forskning/rapporter/er99brap.PDF) [26.3.2003].
- Erlandsson, A. 1994. The principle of provenance and the concept of records creator and record. 1994. In *The principle of provenance. Report from the first Stockholm conference on archival theory and the principle of provenance 2–3 September 1993*. Skrifter utgivna av Svenska Riksarkivet 10, 33–49. [Stockholm]: Swedish National Archives.
- _____. 1996. *Electronic Records Management: A Literature Review. April 1996*. ICA Studies 10. [Http://www.ica.org](http://www.ica.org) [22.10.2004].
- Ewald, F. 1992. Proveniensprincipen i teori och praktik i de enskilda arkiven. 1992. *Arkiv, samhälle och forskning* 3:7–32.
- Favorin, M. 1975. *Arkistot ja asiakirjat nykyajan informaatiokentässä*. Moniste. Vaasa: Arkistotoimikunta.
- Filosofian sanakirja*. 1999. Porvoo, Helsinki, Juva: WSOY.
- Fiske, J. 1998. *Merkkien kieli. Johdatus viestinnän tutkimiseen*. Jyväskylä: Vastapaino.
- Floyd Desnoyers, M. 1988. Personal papers. 1988. In *Managing archives and archival institutions*, ed. J. G. Bradsher, 78–91. London: Mansell Publishing House Ltd.
- Fogg, B. J. 2002. *Persuasive technology. Using computers to change what we think and do*. Amsterdam, Boston, London: Morgan Kaufmann Publishers.
- Freedman, D., R. Pisani, and R. Purves. 1997. *Statistics*. Third ed.
- Freund, J. 1968. *The sociology of Max Weber*. London: The Penguin Press.
- Fulk, J., J. Schmitz, and C. W. Steinfield. 1990. A social influence model of technology use. 1990. In *Organizations and communication technology*, ed. J. Fulk and C. W. Steinfield, 117–40. Newbury Park, CA: Sage.
- Furner, J. 2004. Conceptual analysis: a method for understanding information as evidence, and evidence as information. 2004. *Archival Science* 4(3–4):233–65.
- Gilliland, A., and S. McKemmish. 2004. Building and Infrastructure for Archival Research. 2004. *Archival Science* 4(3–4):149–197.
- Goldhaber, G. M. 1979. *Organizational Communication*. Second ed. Dubuque, Iowa: Wm. C. Brown Company Publishers.
- Goldkuhl, G. 1996. Generic business frameworks and action modelling. 1996. In *Proceedings of Communication modelling - Language/Action Persepective '96*. Springer Verlag. [Http://www.ida.liu.se/~gorgo/erp/Lap96.PDF](http://www.ida.liu.se/~gorgo/erp/Lap96.PDF) [27.3.2003].
- _____. 1998. Handlingars vad, vem och var - ett praktiskt teoretisk bidrag. 1998. Institutionen för datavetenskap. Linköpings universitet. [Http://www.ida.liu.se/~gorgo/srp/handling.PDF](http://www.ida.liu.se/~gorgo/srp/handling.PDF) [27.3.2003].
- Greene, M. A., F. Boles, B. Bruemmer, and T. J. Daniels-Howell. 2004. The Archivist's New Clothes; or, the Naked Truth about Evidence, Transactions, and Recordness. 2004. [Http://hdl.handle.net/1805/42](http://hdl.handle.net/1805/42) [29.10.2006].

- Grewendorf, G. 2002. How performatives don't work. 2002. In *Speech acts, mind, and social reality. Discussions with John R. Searle*, ed. G. Grewendorf and G. Meggle, 25–40. Dordrecht Boston: Kluwer Academic.
- Gränström, C. 1994. The Janus syndrome. 1994. In *The principle of provenance. Report from the first Stockholm conference on archival theory and the principle of provenance 2–3 September 1993*. Skrifter utgivna av Svenska Riksarkivet 10, 11–23. [Stockholm]: Swedish National Archives.
- _____. 1995. Arkivteori. 1995. In *Arkivvetenskap*, ed. A. C. Ulfsparré, 3–29. Lund: Studentlitteratur.
- Guercio, M. 1994. Archival theory and the principle of provenance for current records. Their impact on arranging and inventorying electronic records. 1994. In *The principle of provenance. Report from the first Stockholm conference on archival theory and the principle of provenance 2–3 September 1993*. Skrifter utgivna av Svenska Riksarkivet 10, 75–86. [Stockholm]: Swedish National Archives.
- _____. 2001. Principles, methods, and instruments for the creation, preservation, and use of archival records in the digital environment. 2001. *The American Archivist* 64(2), Fall/Winter:238–269.
- Harris, M. H. 1995. *History of libraries in the western world. Fourth Edition*. Lanham, Md. & London: The Scarecrow Press, Inc.
- Hart, H. L. A. 1997. *The Concept of Law*. Oxford University Press. 2nd Ed.
- Hedstrom, M. 1998. Cohesion and chaos. The state of archival science in the United States. 1998. In *The concept of record. Report from the second Stockholm conference on archival science and the concept of record*, 37–56. Stockholm: Riksarkivet.
- _____. 2000. How to Proceed? Presenting the results of a working meeting on Recordkeeping Metadata. Summary. 2000. Working meeting on Recordkeeping, June 5–7. Wolfheze and Castle Bergh, the Netherlands. [Http://www.archiefschool.nl/docs/hedshowt.pdf](http://www.archiefschool.nl/docs/hedshowt.pdf) [24.10.2001].
- Hedstrom, M. L., C. A. Lee, J. S. Olson, and C. A. Lampe. 2006. “The Old Version Flickers More”: Digital Preservation from the User’s Perspective. 2006. *The American Archivist* 69(1), Spring/Summer:159–187.
- Hekman, S. J. 1983. Weber’s Ideal Type: A Contemporary Reassessment. 1983. *Polity* 16(1), Autumn:119–137.
- Helin, M. 1990. Kielitekojen teoriasta institutionaaliseen oikeusteoriaan. 1990. In *Oikeus, kieli ja kritiikki*, 141–159. Helsinki: Helsingin yliopiston julkisoikeuden laitos.
- Henry, L. J. 1998. Schellenberg in Cyberspace. 1998. *The American Archivist* 61 (Fall):309–27.
- Hensen, S. L. 1997. “NISTF II” and EAD: the evolution of archival description. 1997. *The American Archivist* 60 (Summer).
- Henttonen, P. 2004a. Arkistotiede suomalaisessa kontekstissa — käsitteellisiä ja terminologisia ongelmia: evidence, accountability, continuum ja capture. 2004. In *Arkisto. Arkistoyhdistyksen julkaisuja* 9, 85–104. Helsinki: Arkistoyhdistys.
- _____. 2004b. Työssä on aina teoria – joko oma tai jonkun toisen. Miksi arkistoalan teorian tutkimus on tärkeää. 2004. *Arkistoviesti* 3:38–45.
- Hertzum, M. 1999. Six roles of documents in professionals’ work. 1999. In *ECSCW’99: Proceedings of the sixth European conference on Computer Supported Cooperative Work. Copenhagen, Denmark, September 12–16, 1999*, 41–60. Dordrecht: Kluwer.
- Hervey, S. 1982. *Semiotic perspectives*. London: George Allen & Unwin.
- Hiebert, R. E., D. F. Ungurait, and T. W. Bohn. 1988. *Mass Media V. An Introduction to Modern Communication*. New York & London: Longman.

- Higgs, E. 1998. Record and recordness. Essences or conventions? 1998. In *The concept of record. Report from the second Stockholm conference on archival science and the concept of record*, 101–114. Stockholm: Riksarkivet.
- Hofman, H. 1998. Lost in the cyberspace. Where is the record? 1998. In *The concept of record. Report from the second Stockholm conference on archival science and the concept of record*, 115–130. Stockholm: Riksarkivet.
- Horsman, P. 1994. Taming the Elephant. An orthodox approach to the principle of provenance. 1994. In *The principle of provenance. Report from the first Stockholm conference on archival theory and the principle of provenance 2–3 September 1993*. Skrifter utgivna av Svenska Riksarkivet 10, 51–63. [Stockholm]: Swedish National Archives.
- _____. 2002. The last dance of the Phoenix, or the de-discovery of the archival fonds. 2002. *Archivaria* 54 (Fall):1–23.
- Howell, M., and W. Prevenier. 2001. *From Reliable Sources. An Introduction to Historical Methods*. Cornell University Press.
- Hurley, Chris. "Problems with provenance." First published: *Archives and Manuscripts*, 23 (2), 1995. <http://sims.monash.edu.au/research/rcrg/publications/provenance.html> [10.5.2007].
- Huskamp Peterson, T. 2000. Macro archives, micro states. 2000. *Archivaria* 50:41–51.
- Hymes, D. 1974. *Foundations in sociolinguistics. An ethnographic approach*. Philadelphia: University of Pennsylvania Press.
- Hyppönen, M. 1988. Arkistonmuodostuksesta. Ylemmän arkistotutkimuksen tutkielma. 1988. Kansallisarkiston virka-arkisto (Hha:4): Kansallisarkisto.
- Iacovino, L. 1998. The Nature of the Nexus Between Recordkeeping and the Law. 1998. *Archives and Manuscripts* 26(2). <http://www.sims.monash.edu.au/research/rcrg/> [17.7.2000].
- _____. 2004. Multi-method interdisciplinary research in archival science: the case of recordkeeping, ethics and law. 2004. *Archival Science* 4(3–4):267–86.
- InterPARES. 2001. *The long-term preservation of authentic electronic records. Findings of the InterPARES project*. www.interpares.org/book [25.9.2003].
- ISO 15489–1. *Information and documentation — Records management. Part 1: General*. International standard. ISO 15489–1:2001(E). 2001. ISO.
- Ivanović, J. 2002. Archival theory and its practical impacts. 2002. International seminar on archival theory in Mikkeli, 8th of May, 2002.
- _____. 2004. Archival theory and its practical impacts. 2004. In *Arkisto. Arkistoyhdistyksen julkaisuja* 9, 7–30. Helsinki: Arkistoyhdistys.
- Jablin, F. M., L. L. Putnam, K. H. Roberts, and L. W. Porter, eds. 1989. *Handbook of organizational communication. An interdisciplinary perspective*. Second printing. Newbury Park, London, Delhi: Sage Publications.
- Jenkinson, H. 1966. *A manual of archive administration*. Second ed. 1937. London: Percy Lund, Humphries & Co. Ltd.
- Johansson, A. L., and B. Justrell. 1995a. I Janus' tjänst. Några reflexioner kring arkivutbildning och arkivvetenskap. 1995. *Arkiv, samhälle och forskning* 1:27–38.
- _____. 1995b. I Janus' tjänst. Några reflexioner kring arkivvetenskapens yttre gränser. 1995. *Arkiv, samhälle och forskning* 3:35–50.
- Johansson, B. 1994. Ursprunglig och annan ordning. 1994. *Arkiv, samhälle och forskning* 2:35–46.
- _____. 1997. Arkivmetodikens teoretiska grunder. En punktstudie. 1997. *Arkiv, samhälle och forskning* 3:7–24.
- Jyränki, A., J. Perttunen, and E. Vilkkonen. 1972. *Valta, valtio ja kansalainen. Johdatus julkisoikeuteen*. 6. tarkistettu painos. Helsinki: Kustannusosakeyhtiö Tammi.

- Järvinen, M. 1977. Arkivläggningsmetoder och arkivens struktur i Finland. Primär arkivbildning och sekundära ordningsarbeten. 1977. In *Nordiske arkivstudier. Tilegnet landsarkivar dr. phil. Harald Jørgensen den 3. januar 1977*, 79–96. København 1977.
- _____. 1983. Arkistoista, kirjastoista ja kirjallisuuspalveluista. 1983. In *Arkisto. Arkistoyhdistyksen julkaisuja 1*, 169–92. Helsinki.
- Kalemaa, K. 1975. *Eetu Salin. Legenda jo eläessään*. Porvoo; Helsinki: WSOY.
- Ketelaar, E. 1997. The difference best postponed? Cultures and comparative archival science. 1997. *Archivaria* 44 (Fall):142–148.
- _____. 2000. Archivistics research saving the profession. 2000. *The American Archivist* 63(2), Fall:322–340.
- Kilkki, J. 2004. Bearmania. Frosting Finnish archival practice with imported archival theory. 2004. *Comma* 1:43–54.
- Kinnunen, M., and O. Löytty. 2002. *Tieteellinen kirjoittaminen*. Tampere: Vastapaino.
- Kjölstad, T. 1995. Om tingens ordning i ett flervetenskapligt forskningsfält. 1995. In *Sju röster om arkivvetenskapen i Sverige under 1990-talet*, 26–35. Stockholm: FRN. Forskningsrådsnämnden.
- Kolsrud, O. 1996. Primærverdi, sekundærverdi og svensk arkivteori. 1996. *Arkiv, samhälle och forskning* 3:69–73.
- Krawczyk, B. 1999. Cross reference heaven: the abandonment of the fonds as the primary level of arrangement for Ontario government records. 1999. *Archivaria* 48 (Fall):131–153.
- Kurzon, D. 1986. *It is hereby performed.. Explorations in legal speech acts*. Amsterdam: Benjamins.
- Lacy, M. A., and A. Mitchell. 1997. EAD testing and Implementation at the Library of Congress. 1997. *The American Archivist* 60 (Fall):420–435.
- Lasswell, H. D. 1948. The structure of function of communication in society. 1948. In *The communication of ideas*, ed. L. Bryson, 37–52. New York: Cooper Square Publishers.
- Latva-Koivisto, P. 2005. Pääkirjoitus. 2005. *Faili* 4:3.
- Lemieux, V. L. 2001. Let the ghosts speak: an empirical exploration of the “nature” of the record. 2001. *Archivaria* 51 (Spring):81–111.
- Levinson, S. C. 1983. *Pragmatics*. London: Cambridge University Press.
- Lewis, D. 1972. General semantics. 1972. In *Semantics of natural language*, ed. D. Davidson and G. H. Harman. Dordrecht: Reidel.
- Lindh, B. 1994a. Accomplishing the unfeasible. Defining and describing the concepts in archival theory. 1994. In *The principle of provenance. Report from the first Stockholm conference on archival theory and the principle of provenance 2–3 September 1993*. Skrifter utgivna av Svenska Riksarkivet 10, 25–32. [Stockholm]: Swedish National Archives.
- _____. 1994b. Special seminar of September 4th 1993. Summary of discussions. 1994. In *The principle of provenance. Report from the first Stockholm conference on archival theory and the principle of provenance 2–3 September 1993*. Skrifter utgivna av Svenska Riksarkivet 10, 193–200. [Stockholm]: Swedish National Archives.
- Littlejohn, S. W. 2002. *Theories of human communication*. Seventh ed. Australia, Canada, Mexico: Wadsworth/Thompson learning.
- Livelton, T. 1996. *Archival theory, records, and the public*. Lanham, Md. & London: The Society of American Archivists.
- Lövblad, H. 2002. Munk, knekt eller konstnär II. Arkivarien, varat och vetandet. 2002. *Arkiv, samhälle och forskning* 1:18–38.

- Lutzker, M. A. 1982. Max Weber and the analysis of modern bureaucratic organization: notes toward a theory of appraisal. 1982. *The American Archivist* 45(2), Spring:119–30.
- Lybeck, J. 1998. Electronic Records as Archival Material: an Overview. 1998. In *Musarum Minister. Studia in honorem Kari Tarkiainen. Kari Tarkiainen 60 vuotta*. Tampere: Arkistolaitos ja Arkistoyhdistys ry.
- _____. 1999. Näkökulmia arkistoteoriaan I. 1999. *Arkistoviesti* 1:28–33.
- _____. 2006. *Arkistot — yhteiskunnan toimiva muisti. Asiakirjahallinnon ja arkistotoimen oppikirja*. Versio 1.0, 22.5.2006. Arkistolaitoksen toimituksia. Helsinki: Arkistolaitos. [Http://www.narc.fi/Arkistolaitos/oppikirja/asiakirjahallinnon_oppikirja.pdf](http://www.narc.fi/Arkistolaitos/oppikirja/asiakirjahallinnon_oppikirja.pdf) [26.5.2006].
- Maanen, J. V., and B. T. Pentland. 1994. Cops and auditors: the rhetoric of records. 1994. In *The Legalistic organization*, ed. S. B. Sitkin and R. J. Bies, 53–90. Thousand Oaks. London. Delhi: Sage Publications.
- MacNeil, H. 1994. Archival theory and practice: between two paradigms. 1994. *Archivaria* 37 (Spring):6–20.
- _____. 2000. *Trusting records: legal, historical and diplomatic perspectives*. Dordrecht, Boston, London: Kluwer Academic Publishers.
- _____. 2001. Trusting records in a postmodern world. 2001. *Archivaria* 51 (Spring):36–47.
- _____. 2004. Contemporary archival diplomatics as a method of inquiry: lessons learned from two research projects. 2004. *Archival Science* 4(3–4):199–232.
- Mambrey, P., and M. Robinson. 1997. Understanding the role of documents in a hierarchical work of flow. 1997. In *Proceedings of the International ACM SIGGROUP Conference on Supporting Group Work Arizona USA*, 119–27. [Http://citeseer.nj.nec.com/mambrey97understanding.html](http://citeseer.nj.nec.com/mambrey97understanding.html) [6.3.2003].
- Marsden, P. 1997. When is the future? Comparative notes on the electronic record-keeping projects of the University of Pittsburgh and the University of British Columbia. 1997. *Archivaria* 43 (Spring):158–173.
- Mason, M. K. Archival arrangement: ensuring access to materials. [Http://www.moyak.com/researcher/resume/papers/arch2mkm.html](http://www.moyak.com/researcher/resume/papers/arch2mkm.html) [14.4.2003].
- McKemmish, S. 1998. The Smoking Gun: Recordkeeping and accountability. 1998. 22nd Annual Conference of the Archives and Records Association of New Zealand, Dunedin, September 1998. [Http://www.sims.monash.edu.au/research/rcrg/publications/recordscontinuum/smoking.html](http://www.sims.monash.edu.au/research/rcrg/publications/recordscontinuum/smoking.html) [19.6.2006].
- _____. 2001. Placing records continuum theory and practice. 2001. *Archival science* 1(4):333–359.
- McKemmish, S. 2005. Traces: Document, record, archive, archives. In *Archives: Recordkeeping in Society*. Eds. S. McKemmish, M. Piggott, B. Reed and F. Upward. 1-20. Wagga Wagga, New South Wales: Centre for Information Studies. Charles Stuart University.
- McKemmish, S., and G. Acland. 1999. Archivists at Risk: Accountability and the Role of the Professional Society. Paper for Archives at Risk: Accountability, Vulnerability and Credibility. 1999. July 1999, Annual Conference of the Australian Society of Archivists. [Http://www.sims.monash.edu.au/research/rcrg/publications/archive1.html](http://www.sims.monash.edu.au/research/rcrg/publications/archive1.html) [19.6.2006].
- McKemmish, S., M. Piggott, and B. Reed. 2005. The archives. 2005. In *Archives: record-keeping in society*, Eds. S. McKemmish, M. Piggott, B. Reed, and F. Upward, 159–96. Wagga Wagga, New South Wales: Centre for Information Studies, Charles Stuart University.
- Meehan, J. 2006. Towards an Archival Concept of Evidence. 2006. *Archivaria* 61 (Spring):127–146.

- Meijer, A. 2001. Accountability in an information age: opportunities and risks for records management. 2001. *Archival science* 1(4):361–372.
- Menne-Haritz, A. 1993. Symposium on the impact of information technologies on information handling in offices and archives, Marburg, Oct. 17th – 19th 1991. Introduction. 1993. In *Information handling in offices and archives*, ed. A. Menne-Haritz, 9–26. München, London, New York, Paris: K. G. Saur.
- _____. 1994. Appraisal or selection — Can a content oriented appraisal be harmonized with the principle of provenance? 1994. In *The principle of provenance. Report from the first Stockholm conference on archival theory and the principle of provenance 2–3 September 1993*. Skrifter utgivna av Svenska Riksarkivet 10, 103–133. [Stockholm]: Swedish National Archives.
- _____. 1998. What can be achieved with archives. 1998. In *The concept of record. Report from the second Stockholm conference on archival science and the concept of record*, 11–26. Stockholm: Riksarkivet.
- _____. 2001. Access – the reformulation of an archival paradigm. 2001. *Archival science* 1(1):57–82.
- _____. 2004. *Business Processes: An Archival Science Approach To Collaborative Decision Making, Records, And Knowledge Management*. Archivist's Library. Kluwer Academic Publishers.
- Mey, J. L. 1993. *Pragmatics. An introduction*. Oxford UK, Cambridge USA: Blackwell.
- Millar, L. 2002. The death of the fonds and the resurrection of provenance: archival context in space and time. 2002. *Archivaria* 53 (Spring):1–23.
- Miller, F. M. 1990. *Arranging and describing archives and manuscripts*. Chicago: The Society of American Archivists.
- Moisio, R. 2004. Käsiteanalyysiä sähköisten tietoaaineistojen laatumääritteistä. 2004. In *Arkisto. Arkistoyhdistyksen julkaisuja* 9, 129–142. Helsinki: Arkistoyhdistys.
- Mortensen, P. 1999. The place of theory in archival practice. 1999. *Archivaria* 47 (Spring):1–26.
- Moural, J. 2002. Searle's theory of institutional facts: a program of critical revision. 2002. In *Speech acts, mind, and social reality. Discussions with John R. Searle*, ed. G. Grewendorf and G. Meggle, 271–86. Dordrecht Boston: Kluwer Academic.
- Mule, A. 1996. The principle of provenance: should it remain the bedrock of the profession? 1996. XIII International Congress on Archives, Beijing 1996.
- Mäkinen, R. 1987. Arkistoista, kirjastoista ja tietopalveluista – pohdinta jatkuu. 1987. In *Arkisto. Arkistoyhdistyksen julkaisuja* 2, 99–122. Helsinki.
- Mäkinen, S. 2004. Arkistojen asiakirjat vai yksilöllinen tietämys. Mitä on organisaation muisti? 2004. In *Arkisto. Arkistoyhdistyksen julkaisuja* 9, 169–94. Helsinki: Arkistoyhdistys.
- Nesmith, T. 2005. Reopening Archives: Bringing New Contextualities into Archival Theory and Practice. 2005. *Archivaria* 60 (Fall):259–74.
- Ngin, P. M. 1994. Recordkeeping practices of nurses in hospitals. 1994. *The American Archivist* 57 (Fall):616–630.
- Niiniluoto, I. 1980. *Johdatus tieteenfilosofiaan. Käsitteen- ja teorianmuodostus*. Helsinki: Otava.
- Nilsson, N. 1977. Det svåra ordet arkiv. 1977. In *Nordiske arkivstudier. Tilegnet landsarkivar dr. phil. Harald Jørgensen den 3. januar 1977*, 53–58. København 1977.
- _____. 1983. *Arkiv i förvandling. Studier i arkivens teori och tillgänglighet*. Solna: Nordiska Bokhandelns Förlag.
- Nousiainen, A. 2003. Uudet ulkomaankirjeenvaihtajat tulevat. *Helsingin Sanomat* 24.8.2003.

- O'Toole, J. M. 1994. On the idea of uniqueness. 1994. *The American Archivist* 57 (Fall):632–58.
- O'Toole, J. 2004. Archives and historical accountability: toward a moral theology of archives. 2004. *Archivaria* 58 (Fall):3–19.
- Ong, W. J. 1997. *Orality and Literacy. The Technologizing of the Word*. London: Routledge.
- Orrman, E. 1985. Katsaus diarioinnin kehitykseen. 1985. In *Selvitys kirjaamisen automatisoinnista valtionhallinnossa. Muistio 1985:27*. Helsinki: Valtiovarainministeriö.
- _____. 1987. Provenienssiperiaate, teoriaa ja sovellutuksia. 1987. In *Arkisto. Arkistoyhdistyksen julkaisuja* 2, 15–37. Helsinki.
- _____. 1994. Arkistot asiakirjojen kokonaisuuksina sekä niiden käytön apuvälineet. 1994. In *Suomen historian asiakirjalähteet*, ed. E. Orrman and E. Pispala. Kansallisarkisto.
- _____. 2000. Iakttagelser om proveniensprincipens introducering och dess tidiga tillämpning i Finland. 2000. In *Kuusan mäki. Ystäväkirja Jussi Kuusanmäelle 22.12.2000*. Helsinki.
- _____. 2002a. Den Finländska historikern Pentti Renvall som arkivteoretisk tänkare. 2002a. In *Med Clio til Kringsjå. Festschrift til riksarkivar John Herstad*, ed. Kjell J. Bråstad, Knut Johansen, and Trond Sirevåg, 391–405. Oslo: NOVUS forlag.
- _____. 2002b. Julkisuuslain 5 §:n 3 ja 4 momentissa tarkoitettut “ei-asiakirjat”. 2002. In *Arkisto. Arkistoyhdistyksen julkaisuja* 8, 143–160. Helsinki: Arkistoyhdistys ry, Arkistolaitos.
- Pearce-Moses, R. 2005. *A Glossary of Archival and Records Terminology*. Chicago: The Society of American Archivists. <http://www.archivists.org/glossary> [25.3.2006].
- Pederson, A. 1995. Empowering Archival Effectiveness: Archival Strategies as Innovation. 1995. *The American Archivist* 58 (Fall):430–453.
- Peltonen, U. 2004. Arkistollinen ajattelu Suomalaisen Kirjallisuuden Seuran kansanrunousarkistossa. Käsikirjoituskokoelmien keruu, järjestäminen, luettelointi ja kuvailu. Ylemmän arkistotutkinnon tutkielma 58/2004. 2004. Kansallisarkisto.
- Penn, I. A., A. Morddel, G. Pennix, and K. Smith. 1989. *Records management handbook*. Aldershot, Brookfield: Gower.
- Petrey, S. 1990. *Speech acts and literary theory*. New York, London: Routledge.
- Pohjola, R. 1983. Akti ja dossier. Kahden keskeisen käsitteen taustasta ja käytöstä. 1983. In *Arkisto. Arkistoyhdistyksen julkaisuja* 1, 129–148. Helsinki.
- _____. 1994. The principle of provenance and the arrangement of records/archives. 1994. In *The principle of provenance. Report from the first Stockholm conference on archival theory and the principle of provenance 2–3 September 1993*. Skrifter utgivna av Svenska Riksarkivet 10, 87–98. [Stockholm]: Swedish National Archives.
- _____. 2002. Arkistot Euroopan unionissa. 2002. In *Musarum Minister. Studia in honorem Kari Tarkiainen. Kari Tarkiainen 60 vuotta*. Tampere: Arkistolaitos ja Arkistoyhdistys ry.
- Pollard, R. A. 2001. The appraisal of personal papers: a critical literature review. 2001. *Archivaria* 52 (Fall):136–150.
- Posner, E. 1941. The role of records in German administration. 1941. *The National Archives Staff Information Circulars* 11 (July):1–11.
- Procter, M., and C. P. Lewis. 2000. Introduction. 2000. In *New directions in archival research*, ed. M. Procter and C. P. Lewis. Liverpool University Centre for Archival Studies.

- Pulkkinen, M. 1998. Sähköisen asiakirjan arkistointi. 1998. In *Suomen viidennet arkistopäivät 2.-3.6.1998 Oulussa*. Maakunta-arkistojen julkaisu 3, 79–81. Saarijärvi.
- _____. 1999. Sähköisen asiakirjan semantiikka. 1999. In *Arkisto. Arkistoyhdistyksen julkaisu 6*, 83–93. Helsinki.
- Pureeko ajan hammas. In *Pureeko ajan hammas. Arkistointi ja asiakirjojen säilytysajat*. 2000. Helsinki: Liikearkistoyhdistys ry.
- Raffel, S. 1979. *Matters of fact*. 1979. London, Boston and Henley: Routledge and Kegan Paul.
- Rastas, P. 1964. Yksityiskokoelmien järjestäminen. Provenienssityö. 1964. Kansallisarkiston virka-arkisto (Hha:5): Kansallisarkisto.
- _____. 1990. *Arkistotoimi ja asiakirjahallinto*. Helsinki: Opetushallitus; VAPK-Kustannus.
- _____. 1993. Dokumenteista dataan. Informaatioyhteiskunnan asiakirjalähteet. 1993. In *Keskusteluja professorin kanssa*, 429–49. Turku: Turun yliopiston historian laitos.
- _____. 1994. *Arkistotoimi ja asiakirjahallinto*. 2. uudistettu painos. Helsinki: Opetushallitus; VAPK-Kustannus.
- Reddy, M. C., P. Dourish, and W. Pratt. 2001. *Coordinating Heterogeneous Work: Information and Representation in Medical Care*. 2001. <http://citeseer.nj.nec.com/correc/444159> [6.3.2003].
- Reinsch, N. L., and R. W. Beswick. 1990. Voice mail versus conventional channels: a cost minimization analysis of individuals' preferences. 1990. *Academy of Management Journal* 33:801–816.
- Renvall, P. 1947. *Historiantutkimuksen työmenetelmät. Teoriaa, käytäntöä, tavoitteita suomalaiseseen ainekseen sovellettuina*. Turku: WSOY.
- _____. 1983. *Nykyajan historiantutkimus*. 1965. Porvoo, Helsinki, Juva: WSOY.
- Reynolds, P. D. 1971. *A Primer in Theory Construction*. Boston, London, Toronto, Sydney, Tokyo, Singapore: Allyn and Bacon.
- Roberts, J. W. 1994. Practice makes perfect, theory makes theorists. 1994. *Archivaria* 37 (Spring):111–121.
- Roper, M. 1994. Archival theory and the Principle of provenance: a summing up. 1994. In *The principle of provenance. Report from the first Stockholm conference on archival theory and the principle of provenance 2–3 September 1993*. Skrifter utgivna av Svenska Riksarkivet 10, 187–92. [Stockholm]: Swedish National Archives.
- Rosberg, H. 1986. *Arkisto-oppi*. Hämeenlinna: Otakustantamo.
- Rothenburg, J. Using emulation to preserve digital documents. Presentation. NELiNET June 5, 2000 Rev: 2000–05–21. http://www.nelinet.net/edserv/conf/digital/dr_2000/rothen2.pdf [16.5.2006].
- Rowe, N. 1989. *Rules and institutions*. New York, London, Toronto, Sydney, Tokyo: Philip Allan.
- Saarenheimo, J. 1978. Arkistonmuodostus. 1978. In *Arkistonhoidon opas*, 36–57. Helsinki: Valtionarkisto.
- _____. 1994. Mitkä aineistot kuuluvat arkistoon. Luentomateriaali 24.1.1994. Turun täydennyskoulutuskeskus, asiakirjahallinnon koulutusohjelma. 1994.
- _____. 1998. Tarvitaanko arkistotiedettä? 1998. In *AO - Lisiä historiaan. Ystäväkirja Aarno Nirkolle*, foreword by J. Kuusanmäki, K. Rumpunen, and P. Vuorinen, 202–212. Saarijärvi.
- Salmela, A. 1956. Valtionarkiston uusista yksityisarkistoista ja niiden antamisesta tutkijain käyttöön. Ylemmän arkistotutkimuksen tutkielma. 1956. Kansallisarkiston virka-arkisto (Hha:5): Kansallisarkisto.

- _____. 1968. Diarieföringen hos statens ämbertsverk i Finland. Några glimtar ur utvecklingen. 1968. In *Arkivvetenskapliga studier. Fjärde samlingen*, 303–312. Lund.
- Schamber, L. 1991. User's criteria for evaluation in a multimedia environment. 1991. In *ASIS '91*. The American Society for Information Science.
- Schellenberg, T. R. 1975. *Modern archives. Principles and techniques*. 1956. Chicago and London: The University of Chicago Press.
- _____. 1988. *The management of archives*. 1965. Washington: National Archives and Records Administration.
- Scott, P. J. 1966. The Record Group Concept: A Case for Abandonment. 1966. *The American Archivist* 29 (4):493-504.
- Searle, J. R. 1979. *Expression and meaning. Studies in the theory of speech acts*. Cambridge, Eng. New York: Cambridge University Press.
- _____. 1980. *Speech acts. An essay in the philosophy of language*. Cambridge: Cambridge University Press.
- _____. 1995. *The Construction of Social Reality*. New York: The Free Press.
- _____. 2002. Speech acts, mind, and social reality. 2002. In *Speech acts, mind, and social reality. Discussions with John R. Searle*, ed. G. Grewendorf and G. Meggle, 3–16. Dordrecht Boston: Kluwer Academic.
- Selin, R. 1994. Autonomian ja itsenäisyyden ajan keskushallinnon asiakirjat. 1994. In *Suomen historian asiakirjalähteet*, ed. E. Orrman and E. Pispala. Kansallisarkisto.
- Setälä, P., P. Suvanto, and M. Viikari, eds. 1983. *Historiankirjoituksen historia*. Helsinki: Gaudeamus.
- Severin, W. J., and J. W. J. Tankard. 1979. *Communication theories. Origins, methods, uses*. Humanistic Studies in Communication Arts. New York: Hastings House.
- Sherer, R. G. 1995. Appraisal and oral evidence. To the editor. 1995. *The American Archivist* 58 (Winter):4–5.
- Shimanoff, S. B. 1980. *Communication rules. Theory and Research*. Sage Library of Social Research. Beverly Hills: SAGE Publications.
- Short, J., W. Williams, and B. Christie. 1976. *The social psychology of telecommunications*. New York: Wiley.
- Silverman, D. 2000. *Doing Qualitative Research. A Practical Handbook*. London, Thousand Oaks, New Delhi: SAGE Publications.
- Smith, B. 2003. John Searle: from speech acts to social reality. 2003. In *John Searle*, ed. B. Smith, 1–33. Cambridge: Cambridge University Press.
- Sofer, C. 1972. *Organizations in theory and practice*. London: Heinemann Educational Book.
- Soo, Y. R. 2002. Judgment of Information Quality and Cognitive Authority in the Web. 2002. *Journal of the American Society for Information Science and Technology JASIST* 53(2):145–161.
- Stapleton, R. 1983–84. Jenkinson and Schellenberg: A comparison. 1983–84. *Archivaria* 17 (Winter):75–85.
- Stephens, D. O. 1995. The registry: the world's most predominant recordkeeping system. 1995. *Records Management Quarterly*, January, 64–66.
- Stohl, C., and W. C. Redding. 1989. Messages and messages exchange processes. 1989. In *Handbook of organizational communication. An interdisciplinary perspective*. Second printing, ed. F. M. Jablin, L. L. Putnam, K. H. Roberts, and L. W. Porter, 451–502. Newbury Park, London, Delhi: Sage Publications.
- Sundqvist, A. 2005. Arkiv- och informationsvetenskap. 2005. In *Information, förvaltning och arkiv. En antologi*, 8–31. Härnösand: Landsarkivet i Härnösand.

- Svenson, A. 1995. Att bevara och vårda. 1995. In *Arkivvetenskap*, ed. A. C. Ulfsparre, 42–53. Lund: Studentlitteratur.
- Syrjö, V.-M. 1994a. Arkistoviranomaisten vaikutus arkistonmuodostukseen. 1994a. In *Arkisto. Arkistoyhdistyksen julkaisuja* 5, 121–34. Helsinki
- _____. 1994b. Sotiin ja puolustuslaitokseen liittyvät asiakirjat. 1994. In *Suomen historian asiakirjalähteet*, ed. E. Orrman and E. Pispala. Kansallisarkisto.
- Tarkiainen, K. 2002. Pertinenssiperiaate ja sähköiset verkostot. 2002. In *Arkisto. Arkistoyhdistyksen julkaisuja* 8, 187–198. Helsinki: Arkistoyhdistys ry, Arkistolaitos.
- _____. 2003. *Januksen kahdet kasvot*. Helsinki: Suomalaisen Kirjallisuuden Seura.
- Taylor, J. R., and F. Cooren. 1997. What makes communication ‘organizational’? How the many voices of collectivity become the one voice of an organization? 1997. *Journal of pragmatics* 27:409–38.
- Thayer, L. 1986. *Communication and Communication Systems. In Organization, Management and Interpersonal Relations*. Lanham: University Press of America.
- The Concept of Record. Report from the Second Stockholm Conference on Archival Theory and the Concept of Record*. 1998. Stockholm.
- The Principle of Provenance. Report from the First Stockholm Conference on Archival Theory and the Principle of Provenance 2–3 September 1993*. 1994. [Stockholm]: Swedish National Archives.
- Thomassen, T. 1999. The Development of Archival Science and Its European Dimension. 1999. In *Arkivariens och arkivvetenskapen. The archivist and the archival science.*, 75–84. Stockholm: Landsarkivets i Lund. [Http://www.chez.com/arhol/thomassen_2.htm](http://www.chez.com/arhol/thomassen_2.htm) [6.11.2005].
- _____. 2001. A First Introduction to Archival Science. 2001. *Archival science* 1(4):373–85.
- Topolski, J. 1976. *Methodology of history*. Dordrecht: D. Reidel Publishing Company.
- Trevino, L. K., R. L. Daft, and R. E. Lengel. 1990. Understanding managers’ media choices: a symbolic interactionist perspective. 1990. In *Organizations and communication technology*, ed. J. Fulk and C. W. Steinfield, 71–94. Newbury Park, CA: Sage.
- Tuomela, R. 2002. Searle, collective intentionality, and social institutions. 2002. In *Speech acts, mind, and social reality. Discussions with John R. Searle*, ed. G. Grewendorf and G. Meggle, 293–307. Dordrecht Boston: Kluwer Academic.
- Töttö, P. 2005. *Syvällistä ja pinnallista. Teoria, empiria ja kausaalisuus sosiaalitutkimuksessa*. Tampere: Vastapaino.
- Ulfsparre, A.-C. 1998. Archival science in Sweden. 1998. In *The concept of record. Report from the second Stockholm conference on archival science and the concept of record*, 57–66. Stockholm: Riksarkivet.
- Upward, F. 2005. The Records Continuum. In *Archives: Recordkeeping in Society*. Eds. S. McKemmish, M. Piggott, B. Reed and F. Upward. 197–222. Wagga Wagga, New South Wales: Centre for Information Studies. Charles Stuart University.
- Vakkari, P. 1992. *Saksalaisen kirjastotieteen juuret*. Tampereen yliopiston informaatiotutkimuksen laitoksen julkaisuja. Tampere.
- Vakkari, P., and M. R. Valtonen. 2003. Records management and archival studies in Scandinavia. 2003. *Archival Science* 3(2):83–84.
- Valkonen, T. 1981. *Haastattelu- ja kyselyaineiston analyysi sosiaalitutkimuksessa*. Kuudes painos. Helsinki: Gaudeamus.
- Valoris. 2004. *Comparative Assessment of Open Documents Formats Market Overview*. A report for IDABC. [Http://europa.eu.int/idabc/servlets/Doc?id=17982](http://europa.eu.int/idabc/servlets/Doc?id=17982) [24.7.2006].
- Valtonen, M. R. 2001. Documentation of a preliminary investigation process and of its outcomes. A paper to be presented at the summer school on information

- management, organizational learning and communication, August 21–22 2001. 2001.
- _____. 2004. Arkistotiede ja -tutkimus. Opettajan hajahavaintoja. 2004. In *Arkisto. Arkistoyhdistyksen julkaisuja* 9, 143–168. Helsinki: Arkistoyhdistys.
- _____. 2005a. Ett nytt marknadsforum för arkivvetenskap: Archival Science. International Journal on Recorded Information. 2005a. *Nordisk Arkivnyt* 2:91–92.
- _____. 2005b. *Tapaustutkimus poliisin esitutinnan dokumentoinnista: asiakirjahallinnan näkökulma*. Arkistoyhdistyksen julkaisuja. Helsinki: Arkistoyhdistys.
- Vanhanen, L. 1994. Katsaus provenienssiperiaatteen soveltamiseen Suomessa virastojen organisaatiomuutosten yhteydessä. 1994. In *Arkisto. Arkistoyhdistyksen julkaisuja* 5, 137–47. Helsinki.
- Vartiainen, T. 2002. “Tehtävän mukaan minäkin paperini järjestän” — muistikuvia ja tosiasioita arkistonmuodostussuunnitelman alkua ajoilta. 2002. In *Arkisto. Arkistoyhdistyksen julkaisuja* 8, 251–77. Helsinki: Arkistoyhdistys ry, Arkistolaitos.
- Vartiainen, T., and R. Sihvonen. 1983. Arkistokaava ja tehtäväpohjainen arkistonmuodostussuunnitelma arkistonmuodostajan ja yleisarkiston näkökulmasta. 1983. In *Arkisto. Arkistoyhdistyksen julkaisuja* 1, 149–66. Helsinki.
- Vesey G., and P. Foulkes. 1990. *Collins dictionary of philosophy*. London and Glasgow: Collins.
- Viskari, S. 2003. *Tieteellisen kirjoittamisen perusteet. Opas kirjoittamiseen ja seminaarityöskentelyyn*. 4. painos. Julkaisusarja B n:o 17. Tampereen yliopisto. Kasvatustieteiden laitos.
- Voutilainen, T. 2003. Postmodenia arkistotiedettä. Mikkelin arkistotieteellisen seminaarin antia. 2003. *Arkistoviesti* 2:11–26.
- Wagner, D. G., and J. Berger. 1985. Do sociological theories grow? 1985. *American Journal of Sociology* 4:697–728.
- Wagner, R. B. 1989. *Accountability in education. A philosophical inquiry*. New York, London: Routledge.
- Walker, L. O., and K. C. Avant. 1983. *Strategies for theory construction in nursing*. Norwalk, Connecticut: Appleton - Century - Crofts.
- Walne, P., ed., F. B. Evans, F.-J. Himly, and P. Walne, comps. 1984. *Dictionary of Archival terminology. Dictionnaire de terminologie archivistique. English and French. With Equivalents in Dutch, German, Italian, Russian and Spanish*. ICA Handbooks Series. New York; London; Paris: K. G. Saur.
- Warnock, G. J. 1989. *J. L. Austin*. London and New York: Routledge.
- Webster's II new Riverside university dictionary*. 1984. The Riverside Publishing Company.
- Wiberg, M. 1988. *Laki ja moraali. Käsitteellinen tutkimus poliittisen velvoitteen perusteista*. Helsingin yliopiston julkisoikeuden laitoksen julkaisuja. Helsinki.
- Wilenius, A. 1994. Arkistonmuodostus ja arkistotoimi — Tapaustutkimus Turun maakunta-arkiston arkistonmuodostuksesta 1932–1993. Ylemmän arkistotutkimuksen tutkielma nro 33. 1994. Kansallisarkisto.
- _____. 2004. Tutkimuspöydällä Seilin sairaalan arkisto. 2004. In *Arkisto. Arkistoyhdistyksen julkaisuja* 9, 195–221. Helsinki: Arkistoyhdistys.
- Wilson, P. 1983. *Second-hand knowledge: an inquiry into cognitive authority*. Westport: Greenwood Press.
- Wright, G. H. v. 1982. *Logiikka, filosofia ja kieli*. Helsinki: Otava.
- Yakel, E. 1996. The Way Things Work: Procedures, Processes, and Institutional Records. 1996. *The American Archivist* 59 (Fall):454–64.

- Yakel, E., and L. L. Bost. 1994. Understanding administrative use and users in University archives. 1994. *The American Archivist* 57 (Fall):596–615.
- Yule, G. 1996. *Pragmatics*. Oxford University Press.
- Yusof, Z. M., and R. W. Chell. 1998. The eluding definitions of records and records management: is a universally acceptable definition possible? Part 1. Defining the record. 1998. *Records Management Journal* 8(2), August:95–112.
- Öberg, L., and E. Borglund. 2006. What are the characteristics of records? 2006. *Arkiv, samhälle och forskning* 1:30–48.

9 APPENDIX A

Archival literature used in the analysis of records and archives in archival theory

1	Bearman, David	David Bearman, "Archival Principles and the Electronic Office," in <i>Information handling in office and archives</i> , ed. Angelika Menne-Haritz (München, London, New York, Paris: K. G. Saur, 1993), 177.	Archives
2	Berner, Richard C. and Bettis, M. Gary	Richard C. Berner and M. Gary Bettis, "Disposition of nonmanuscript items found among manuscripts," <i>The American Archivist</i> 33, no. 3 (July 1970): 277.	Records
3	Bradsher, James G.	James Gregory Bradsher, "An introduction to archives," in <i>Managing archives and archival institutions</i> , ed. James Gregory Bradsher (London: Mansell Publishing House Ltd, 1988), 2–9.	Archives
4	Burke, Frank G.	Frank G. Burke, "Similarities and differencies," in <i>Archive – library relations</i> , ed. Robert L. Clark, Jr. (New York & London: R. R. Bowker Company, 1976), 32-33	Records
5	Burke, Frank G.	Frank G. Burke, "Similarities and differencies," in <i>Archive – library relations</i> , ed. Robert L. Clark, Jr. (New York & London: R. R. Bowker Company, 1976), 32-33	Archives
6	Casanova, Eugenio	Trevor Livelton, <i>Archival theory, records, and the public</i> (Lanham, Md. & London: The Society of American Archivists, 1996), 65.	Archives
7	Carmichael, David W.	David W. Carmicheal, <i>Organizing archival records. A practical method of arrangement and description for small archives</i> , Second ed. (Walnut Creek, Landham, New York, Oxford: Altamira Press, 2004), 1–2.	Archives
8	Cook, Michael	Michael Cook, <i>The management of information from archives</i> , Second ed.	Archives

		(Aldershot, Brookfield: Gower, 1999), 11.	
9	Cook, Michael	Michael Cook, <i>The management of information from archives</i> , Second ed. (Aldershot, Brookfield: Gower, 1999), 7-8.	Records and archives
10	Couture, Carol	Carol Couture, "Is the concept of a record still relevant in the information age," in <i>The concept of record. Report from the second Stockholm conference on archival science and the concept of record</i> (Stockholm: Riksarkivet, 1998), 85.	Archives
11	Daniels, Maygene F & Walch, T.	Maygene F Daniels and Timothy Walch, "Introduction," in <i>Modern Archives Reader Basic Reading on Archival Theory and Practice</i> , ed. Maygene F Daniels and Timothy Walch (Washington, D.C.: National Archives and Records Service, 1984), xiii. Maygene F. Daniels, "Introduction to archival terminology," in <i>Modern Archives Reader. Basic Reading on Archival Theory and Practice</i> , ed. Maygene F. Daniels and Timothy Walch (Washington, D.C.: National Archives and Records Service, 1984), 336–38.	Records
12	Dearstyne, Bruce W.	Richard J. Cox, "The Record: Is It Evolving," <i>Records & Retrieval Report</i> , no. 10 (March 1994): 2.	Records
13	Deslongchamps, Denis	Denis Deslongchamps, "Records management — What is it?" <i>Records Management Quarterly</i> 12, no. 3 (July 1978).	Records
14	Dollar, Charles	Charles M. Dollar, <i>Archival theory and information technologies. The impact of information technologies on archival principles and methods</i> (Ancona: University of Macerata, 1992), 45.	Records
15	Duchemin, Michel	Edward W. Laine, "'Kallista perintöä — precious legacy': Finnish–Canadian archives, 1882–1985," <i>Archivaria</i> 22 (Summer 1986): 75–94.	Archives
16	Duranti, Luciana	Luciana Duranti, "Diplomatics: New Uses for an Old Science (Part I)," <i>Archivaria</i> 28 (Summer 1989): 15.	Records
17	Duranti, Luciana & MacNeil, Heather	Luciana Duranti and Heather MacNeil, "The protection of the integrity of electronic records: an overview of the UBC–MAS research project," <i>Archivaria</i> 42 (Fall	Records

		1996): 49.	
18	Eastwood, Terry	Terry Eastwood, "Towards a social theory of appraisal," in <i>The archival imagination. Essays in honor of Hugh A. Taylor</i> , ed. Barbara L. Craig (Ottawa, Ontario: Association of Canadian Archivists, 1992b), 72. Terry Eastwood, "What is archival theory and why is it important," <i>Archivaria</i> 37 (Spring 1994): 122–30.	Archives
19	Emmerson, Peter	Peter Emmerson, "What is records management?" in <i>How to manage your records. A guide to effective practice</i> , ed. Peter Emmerson (Cambridge: ICSA Publishing, 1989), 5.	Records
20	Evans, Frank M.	Frank B. Evans, "Records and administrative processes: retrospects and prospects," in <i>Management of recorded information. Converging disciplines, Proceedings of the International Council on Archives' Symposium on Current Records. National Archives of Canada, Ottawa May 15–17, 1989</i> , comp. Cynthia J. Durance (München, London, Paris, New York: K. G. Saur, 1990), 27–36.	Records
21	Guercio, Maria	Maria Guercio, "Principles, methods, and instruments for the creation, preservation, and use of archival records in the digital environment," <i>The American Archivist</i> 64, no. 2 (Fall/Winter 2001): 241–43.	Records
22	Helasti, Heikki & Hyppönen, Marjo	Heikki Helasti and Marjo Hyppönen, <i>Arkistotoimen perusteet. Opas yritysten asiakirjojen järjestelmälliseksi ja tehokkaaksi hallitsemiseksi, Liikearkistoyhdistyksen julkaisuja</i> (Helsinki: Liikearkistoyhdistys ry, 1990), 5.	Records and archives
23	Higgs, Edward	Edward Higgs, "Record and recordness. Essences or conventions?" in <i>The concept of record. Report from the second Stockholm conference on archival science and the concept of record</i> (Stockholm: Riksarkivet, 1998), 104–05.	Records and archives
24	Hofman, Hans	Hans Hofman, "Lost in the cyberspace. Where is the record?" in <i>The concept of record. Report from the second Stockholm</i>	Records

		conference on archival science and the concept of record (Stockholm: Riksarkivet, 1998), 119,121.	
25	Hunter, Gregory S.	Gregory S. Hunter, Developing and maintaining practical archives. A How-to-do-it manual, Second ed. (New York, London: Neal – Schuman Publishers, 2003), 8.	Archives
26	Jenkinson, Hilary	Hilary Jenkinson, A manual of archive administration, Second ed., reprint, 1937 (London: Percy Lund, Humphries & Co. Ltd, 1966), 11. Hilary Jenkinson, “Reflections of an archivist,” in Modern Archives Reader. Basic Reading on Archival Theory and Practice, ed. Maygene F Daniels and Timothy Walch, reprint, 1944 (Washington, D.C.: National Archives and Records Service, 1984), 18–19.	Archives
27	Järvinen, Markku	Markku Järvinen, “Arkistoista, kirjastoista ja kirjallisuuspalveluista,” in Arkisto. Arkistoyhdistyksen julkaisuja 1 (Helsinki, 1983), 173, 179.	Archives
28	Järvinen, Markku	Markku Järvinen, “Arkistoista, kirjastoista ja kirjallisuuspalveluista,” in Arkisto. Arkistoyhdistyksen julkaisuja 1 (Helsinki, 1983), 173, 179.	Records
29	Kahn, Randolph	Randolph Kahn, “What is a record? The most important definition in information management,” E-doc, October 2002, 26–27.	Records
30	Kjölstad, Torbjörn	Torbjörn Kjölstad, 7 kapitel om arkiv- och informationsvetenskap, Arkiv i Norrland (Landsarkivet i Härnösand, 2005), 73.	Records
31	Kolsrud, Ole	Ole Kolsrud, “Developments in archival theory,” in Encyclopedia of Library and Information Science. Vol. 61. Supplement 24 (New York: Marcel Dekker, 1998), 91.	Records and archives
32	Kromnow, Åke	Ewald, F. (1992). Proveniensprincipen i teori och praktik i de enskilda arkiven. Arkiv, samhälle och forskning, 3, 7-32.	Archives
33	Litzen, Veikko	Veikko Litzen, “Asiakirjat ja arkistot,” in Arkistohoidon opas, Valtionarkiston julkaisuja (Helsinki: Valtionarkisto, 1978), 7, 9.	Archives
34	Litzen, Veikko	Veikko Litzen, “Asiakirjat ja arkistot,” in Arkistohoidon opas, Valtionarkiston	Records

		julkaisu (Helsinki: Valtionarkisto, 1978), 7, 9.	
35	von Löher, Franz	Ole Kolsrud, "Developments in archival theory," in Encyclopedia of Library and Information Science. Vol. 61. Supplement 24 (New York: Marcel Dekker, 1998), 91.	Archives
36	Lybeck, Jari	Jari Lybeck, "Näkökulmia arkistoteoriaan I," Arkistoviesti, no. 1 (1999): 28–33.	Records and archives
37	Menne–Haritz, Angelika	Angelika Menne–Haritz, "Symposium on the impact of information technologies on information handling in offices and archives. Introduction," in Information handling in offices and archives, ed. Angelika Menne–Haritz (München, London, New York, Paris: K. G. Saur, 1993), 17. Angelika Menne–Haritz, "What can be achieved with archives," in The concept of record. Report from the second Stockholm conference on archival science and the concept of record (Stockholm: Riksarkivet, 1998), 17,19.	Archives
38	Miller, Fredric M.	Fredric M. Miller, Arranging and describing archives and manuscripts (Chicago: The Society of American Archivists, 1990), 4–5.	Archives
39	Muller, S. & Faith, A. & Fruin, R.	S. Muller and J. A. Feith, Fruin R. F, Manual for the Arrangement and Description of the Archives. Drawn up by the direction of the Netherlands Association of Archivists, Translation of the Second Ed. Reissue, foreword by Ken Munden, trans. Arthur H. Leavitt, reprint, 1898 (New York: The H. W. Wilson Company, 1968), 13.	Archives
40	Mäkinen, Riitta	Riitta Mäkinen, "Arkistoista, kirjastoista ja tietopalveluista – pohdinta jatkuu," in Arkisto. Arkistoyhdistyksen julkaisu 2 (Helsinki, 1987), 106.	Records
41	Nilsson, Nils	Nils Nilsson, Arkivkunskap (Malmö: Studentlitteratur, 1973), 19. Nils Nilsson, "Det svåra ordet arkiv," in Nordiske arkivstudier. Tilegnet landsarkivar dr. phil. Harald Jørgensen den 3. januar 1977 (København 1977, 1977), 57.	Archives
42	Nilsson, Nils	Nils Nilsson, Arkivkunskap (Malmö: Studentlitteratur, 1973), 19. Nils Nilsson,	Records

		Arkiv i förvandling. Studier i arkivens teori och tillgänglighet (Solna: Nordiska Bokhandelns Förlag, 1983), 25.	
43	Orrman, Eljas	Eljas Orrman, "Arkistot asiakirjojen kokonaisuuksina sekä niiden käytön apuvälineet," in Suomen historian asiakirjalähteet, ed. Eljas Orrman and Elisa Pispala (Kansallisarkisto, 1994), 19, 21.	Archives
44	Orrman, Eljas	Eljas Orrman, "Arkistot asiakirjojen kokonaisuuksina sekä niiden käytön apuvälineet," in Suomen historian asiakirjalähteet, ed. Eljas Orrman and Elisa Pispala (Kansallisarkisto, 1994), 19, 21.	Records
45	Penn, Ira A., Morddel, Anne, Pennix, Gail, and Smith, Kelvin	Ira A. Penn, et al., Records management handbook (Aldershot, Brookfield: Gower, 1989), 3.	Records
46	Pohjola, Marja	Marja Pohjola, "Mikä on seuran arkisto ja miksi siitä on syytä huolehtia?" in Arkistot kuntoon. Tieteellisten seurain arkistokäsikirja. Arkivhandbok för de vetenskapliga samfundet, in Arkistot kuntoon, ed. Marja Pohjola and Petra Hakala (Helsinki: Tieteellisten seurain valtuuskunta, 2003), 1, 5–6.	Archives
47	Pugh, Mary Jo	Mary Jo Pugh, Providing reference services for archives and manuscripts (Chicago: The Society of American Archivists, 1992), 3.	Archives
48	Pugh, Mary Jo	Mary Jo Pugh, Providing reference services for archives and manuscripts (Chicago: The Society of American Archivists, 1992), 3.	Records
49	Ricks, Betty R & Gow, Kay F.	Betty R. Ricks and Gow Kay F., Information resource management. A records systems approach, 2nd ed. (Cincinnati, West Chicago, Carrolton, Livermore: South-Western Publishing Co, 1988), 3.	Records
50	Saarenheimo, Juhani	Juhani Saarenheimo, "Tarvitaanko arkistotiedettä?" in AO - Lisiä historiaan. Ystäväkirja Aarno Nirkolle, foreword by Jussi Kuusanmäki, Kauko Rumpunen, and Pertti Vuorinen (Saarijärvi, 1998), 203–4.	Records and archives
51	Schellenberg, Theodore	T. R. Schellenberg, Modern archives. Principles and techniques, reprint, 1956 (Chicago and London: The University of	Archives

		Chicago Press, 1975), 16–20.	
52	Schellenberg, Theodore	T. R. Schellenberg, <i>Modern archives. Principles and techniques</i> , reprint, 1956 (Chicago and London: The University of Chicago Press, 1975), 16–20. T. R. Schellenberg, “Archival principles of arrangement,” in <i>A Modern Archives Reader. Basic Readings on Archival Theory and Practice</i> , ed. Maygene F. Daniels and Timothy Walch, reprint, 1961 (Washington, D.C.: National Archives and Records Service, 1984), 150.	Records
53	Smith, Milburn D.	Zawiyah M. Yusof and Robert W. Chell, “The eluding definitions of records and records management: is a universally acceptable definition possible? Part 1. Defining the record,” <i>Records Management Journal</i> 8, no. 2 (August 1998): 99.	Records
54	Striedinger, Ivo	Ole Kolsrud, “Developments in archival theory,” in <i>Encyclopedia of Library and Information Science</i> . Vol. 61. Supplement 24 (New York: Marcel Dekker, 1998), 91.	Archives
55	Thomassen, Theo	Thomassen, Theo <i>A First Introduction to Archival Science</i> . <i>Archival science</i> 1(4) (2001):373–385.	Records
56	Wallenius, Helmer & Saarenheimo, Juhani	Helmer Wallenius and Juhani Saarenheimo, <i>Arkisto-oppi</i> (Espoo: Otakustantamo, 1975), 1	Archives
57	Wettengel, Michail	Michael Wettengel, “Old traditions and new uncertainties. The German archival concept of a record and electronic environments,” in <i>The concept of record. Report from the second Stockholm conference on archival science and the concept of record</i> (Stockholm: Riksarkivet, 1998), 134.	Records
58	Wuorinen, Aimo	Aimo Wuorinen, <i>Arkistonhoidon opas järjestötoimintaa varten</i> (Porvoo: WSOY, 1948), 10.	Archives
59	The Society of American Archivists	Richard J. Cox, “What is an archival record and why should we care?” <i>The American Archivist</i> 57, no. 4 (Fall 1994): 592–4.	Records
60	The Society of Australian	Zawiyah M. Yusof and Robert W. Chell, “The eluding definitions of records and	Records

	Archivists	records management: is a universally acceptable definition possible? Part 1. Defining the record,” Records Management Journal 8, no. 2 (August 1998): 105.	
61	ARMA International	Glossary of records and information management terms, Second ed. (Prairie Village, KS: ARMA International, 2000), 2.	Archives
62	ARMA International	Glossary of records and information management terms, Second ed. (Prairie Village, KS: ARMA International, 2000), 19.	Records
63	International Council on Archives	Torbjörn Hörnfeldt, “The concept of record — on being digital,” in The concept of record. Report from the second Stockholm conference on archival science and the concept of record (Stockholm: Riksarkivet, 1998), 68.	Archives
64	International Council on Archives	Torbjörn Hörnfeldt, “The concept of record — on being digital,” in The concept of record. Report from the second Stockholm conference on archival science and the concept of record (Stockholm: Riksarkivet, 1998), 68.	Records
65	Liikearkistoyhdistys	Pureeko ajan hammas. (2000). In Pureeko ajan hammas. Arkistointi ja asiakirjojen säilytysajat. Helsinki: Liikearkistoyhdistys ry.	Records
66	Näringslivets Arkivråd	Arkivets vardagsproblem (Stockholm: Näringslivets Arkivråd, 1969), 8.	Archives
67	Näringslivets Arkivråd	Arkivets vardagsproblem (Stockholm: Näringslivets Arkivråd, 1969), 9-10.	Records
68	Thibideau, Kenneth	Kenneth Thibideau, “To be or not to be: Archives for Electronic Records,” Archival Management of Electronic Records. Archives and Museum Informatics Technical Report 13 (1991): 1–2.	Records
69	Bradsher, James G.	James Gregory Bradsher, “An introduction to archives,” in Managing archives and archival institutions, ed. James Gregory Bradsher (London: Mansell Publishing House Ltd, 1988), 2–3.	Records

10 APPENDIX B

1607

1928 joulukuun 7 p:nä N:o 204 H.D.

258

S. M. 1928


Päätös Mikkelin kihlakunnan
kunnanvaltuuston H. F. Freybergin
anomukseen saada hoitaa kum-
tointa.

Lisävirain ministeriön myöntön tullen,
anomuksen, Mikkelin kihlakunnan kun-
nuntuvallan Karl Ferdinand Freybergille
luoma edelleen vuoden 1929 aikana on sen
toiminta ohella hoitaa Etelä-Savon kutsuntajärjestö
kutsuntatoiminta sihteerin virkaan niillä
ehdoin, jotka on määrätty 18 p:nä syysk. Leimä - 20.
kuuta 1924 annetussa Valtionmuutoksen päätöksen - 80.
pöytäkirjassa, joka sisältää lisäyksiä Valtion - 100.
neuvoston päätöksen 28 p:nä maalisk.
kuuta 1924 valtion viran tai toimialan
tajan oikeudesta olla muussa palkkatu-
kinnassa. Helsingissä, joulukuun 7 p:nä 1928.

Ministeri M. A.
Hyl M L

Picture 1. A resolution of the Ministry of Interior (Case 1)

Laine, Matti.
Wiipuri n = 5: Löylyä päässä allekirjot-
tamattomassa luettelossa,
joka on laadittu 1. pyk.
2. pat. 3. kompp. miehistä - 22/2/18.
Nimet pois pyyhitty.



Picture 2. A document in the files of the Supreme Court for State Crimes (Case 2)

Эрикъ Колландеръ	(Erik Collander)
<u>Марта Хильтуненъ</u>	(Martha Hiltunen)
Калле Мекиненъ	(Kalle Mäkinen)
Антти Сихвола	(Antti Sihvola)
Ильмари Альхомеки	(Ilmari Alhomäki)
Вендла Хейниненъ	(Wendla Heininen)
Николай Пельтомеки	(Nikolai Peltomäki)
Антти Лейноненъ	(Antti Leinonen)
Юхо Тикканенъ	(Juho Tikkanen)
Э.Пекконіеми	(E.Pekkonieni)
Марія Пенула	(Maria Penula)
Санни Пенула	(Sanni Penula)
Юхо Пенула	(Juho Penula)
Эрнесті Пенула	(Ernesti Penula)
Эйна Пенула	(Eina Penula)
Вильхо Пенула	(Wilho Penula)
Вильямъ Пенула	(William Penula)
Вернеръ Салоненъ	(Werner Salonen)
Манта Ниеминенъ	(Manta Nieminen)
Хельга Хирвоненъ	(Helga Hirvonen)
Андерсъ Густавсонъ	(Anders Gustafson)
Карль Бакстремъ	(Karl Backström)
Юганъ Густавсонъ	(Johan Gustafson)
Карль I. Виклундъ	(Karly J.Wicklund)
Якобъ С.Ионсонъ	(Jakob S.Johnson)
Якобъ А.Виклундъ	(Jakob A.Wicklund)
Елена Росбломъ	(Helene Rosblom)
Викторъ Росбломъ	(Viktor Rosblom)
Салли Росбломъ	(Salli Rosblom)
Пекка Хаккариненъ	(Pekka Hakkarinen)
Матти Маенпе	(Matti Mäenpää)
Николай Каллио	(Nikolai Kallio)

Picture 3. A list of names with Cyrillic and Latin letters (Case 3)

МИНИСТЕРСТВО
Иностранных Дѣлъ

ВТОРОЙ

ДЕПАРТАМЕНТЪ

Въ Канцелярію Финляндскаго Генера-
ль-Губернатора.

ВЪ ДѢЛѢ
КАНЦЕЛЯРІИ
8- VI 1912
№ 6096

Мая 23 дня 1912 года

№ 6816.

I приложение.

Handwritten signature/initials

Второй Департаментъ имѣетъ честь
препроводить при семь въ Канцелярію Фин-
ляндскаго Генераль-Губернатора доставлен-
ный ИМПЕРАТОРСКИМЪ Генеральнымъ Консуль-
ствомъ въ Лондонѣ списокъ финляндскихъ
уроженцевъ , погибшихъ при крушеніи паро-
хода "Титаникъ".

Вице-Директоръ: *Всерезниковъ*

*Внесено было доставлено ранее
Консулства и препровождено
в Канцелярию Министра
при откомисии отъ 24 мая
6 июня 1912 года № 5316.*

Дѣлопроизводитель: *Наташукъ*

Алф. Дар.
ПОЛУЧЕНО
* 8 VI 1912 *
ДЕЛО № XIX в. 39. 23
ПО РАССЛѢДОВАНИЮ

Handwritten note: 412-235

Picture 4. A document filed next to the list (Case 3)

1976/712-52 Saap. 17/7-52

VALTION RAUTATIET N:o 1651
 Lennätinosite: Valtraut. Puh.: vaihde 20371

RAUTATIEHALLITUS Kulkulaitosten ja yleisten töiden
Ministeriölle.

Helsingissä 15.7.1952


N:o H 981/4145


Viite:

Asia: Viransijaisuus.


Määräys
N:o 21/2-12
1511

Rautatiehallinnon työjärjestyksen 53 §:n perusteella rautatiehallitus kunnioittavasti esittää, että apulaisinsinööri Kaarlo Olavi Larkko määrättäisiin ensi elokuun 1 päivästä lukien edelleenkin hoitamaan valtionrautateiden keskushallinnon koneosastossa avoinna olevaa toisen luokan koneinsinöörin virkaa asetuksen mukaisin palkkaeduin.


H. R o o s.


Mikko Ivalo.

3
Asiakirjavihko sisältää.....kirjallettu lahti,
todistaa: Helsingissä, Kulkulaitosten ja yleisten töiden
ministeriössä, 16 päivänä *mmls* kattu 19 *53*


Kirjuri.

30.000. 9. 51. A 4. 6664

Picture 5. A letter of the Board for Public Railways (Case 4)

Kulkulaitosten ja yleisten töiden ministeriö määrää täten apulaisinsinööri K a a r l o O l a v i L a r k o n elokuun 1 päivästä 1952 lukien edelleen hoitamaan valtionrautateiden keskuhallinnon koneosastossa avoimna olevaa toisen luokan koneinsinöörin virkaa asetuksen mukaisin palkkaeduin toistaiseksi ja siksi kunnes virka vakinaisesti täytetään tai siitä ehkä toisin määrätään.

Helsingissä heinäkuun 21 päivänä 1952.

Kulkulaitosten ja yleisten
töiden m i n i s t e r i

Onni Peltonen.

Hallitussihteeri

Wainö Häkkinen.

Maksuitta.

1976/712-52.

Määräys apulaisinsinööri Kaarlo Olavi Larkolle hoitaa valtionrautateiden koneosaston toisen luokan koneinsinöörin virkaa.

IP.

Picture 6. A letter of appointment to Larkko (Case 4)

2
St Petersburg den 10/25 Dec 1911

Köstäände Herre.

I dag återkom Ditt länge
väntade bref med H. M. på-
teckning och då jag måste
antaga att Du så fort som
möjligt personligen skulle
vilja läsa de af H. M. dig
tillskrifves ord beslöt jag
att ännu i dag tillända
dig brefvet med en af våra
kurirer. Ehuru H. M. na-
turligtvis inte kunnat
beräkna när brefvet sålun-
da i verkligheten kommer
dig tillhanda, kommer
det ännu dock som en

Picture 10. A letter by von Minkwitz (Case 8)

