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*I think it can be said, without fear of making  
a mistake, that the History of the archives  
runs in parallel to the history of the society  
who has generated them, and if we threw a  
look to the XXth century society, although the  
little distance that separates us from this pe-  
riod, and comparing with the preceding cen-  
turies, we can say that it is a century of chan-  
ges, great changes, abrupt changes, speed,  
transformations, great changes and great con-  
trast, great wars and great pacifist movemen-  
ts, empires and small nationalisms, great te-  
chnological transformations and increase in  
poverty, nationalizations and privatizations,  
centralism and decentralization, great invest-  
ments and abandonments... We can observe  
the same contradictions when analyzing the  
History of the archives, and this is what we'll  
try to explain in this article referred to the*

1. Vid. Aguado González, Francisco Javier, Pri-  
vate Archives in Spain: *Legislation and Dissemi-  
nation*. Atlanti, Vol. 17, Trieste 2007, pp. 209-  
222.

2. Aguado González, Francisco Javier - Garcia  
Ruperez, Mariano, *The professional formation of  
Archivists in Spain*. Atlanti, Vol. 14, n. 14(2004),  
Maribor 2004.

3. Royal Decree of the Ministry of Fomento of  
17 of July of 1858.

4. [http://www.bne.es/esp/coleccion/archi-  
vojuntahistoria.htm](http://www.bne.es/esp/coleccion/archi-<br/>vojuntahistoria.htm)

# The Spanish Archives System During the XXth Century. A Century of Change

## The Spanish Archives System

Although in this article we will make special emphasis in the Public Archives, the general tendencies can also to be applied to the private archives<sup>1</sup>, and although we will focus on the archives of the XXth century it is necessary to refer to the preceding century when an important step forward the consideration of the Spanish Archives System was taken.

The triumph of liberalism at the beginning of the XIXth century supposed an important step for the opening of the archives for researchers, especially from the Real Order of 1844. In this same period with the big confiscation of the ecclesiastical properties, many of the archives of the religious institutions became property of the State. All this circumstances had influence in the creation of the School of Diplomatic in 1856, the constitution of the Facultative Body of Archivists in 1858, and the creation of the National Historical Archive in 1866, so as the obligation to create the job of archivists in all the Deputation Council offices and in all provincial capitals. This new situation made possible, in the second half of the XIX century that many students of the referred archivist school could found a professional job, and they gave an important impulse to the organization of the Spanish Archives System<sup>2</sup>.

Also in 1858 the Facultative Board was created, denominated Superior Board of Archives, Libraries and Museums, and although from 1871 it changes the name by the one of Advisory Board of Archives, Libraries and Museums, it continuous with the same functions until middle XXth century<sup>3</sup>.

From the 5 of August of 1936, in the beginning of the Spanish civil war, this Board is replaced by a Managing Commission of the Facultative Body of Archives, Libraries and Museums, which inherited as superior National organism in matter related to the archives, the same functions that the Board<sup>4</sup>:

1) To do the consultations that the Government will request about the establishment and classification of the Archives, Libraries and Museums of the Kingdom, and about the most advisable regime for each one of them.

2) To propose the establishment, incorporation and classification of the Archives, Libraries and Museums that must be served by the civil servants of the Facultative Body as Archivists, Librarians and Archaeologists.

3) To write up the programs for the prizes that settle down.

4) To propose the general regulations of the Facultative Body of Archivists, Librarians and Archaeologists, the special ones of the establishments and the instructions for the facultative works.

5) To elevate the proposals for the entrance and ascent by selection process in the Facultative Body of Archivists, Librarians and Archaeologists.

6) To propose the material and human resources for the increase of the collections of the Archives, Libraries and Museums.

7) To inform the governmental files for the suspension or separation of the employees in each section (Archives, Libraries and Museums), as well as in those of transferring them from an establishment to another one, or from one section to another one.

8) To examine the memories and the informs that the Heads of the establishments must send periodically to the Direction, writing up with presence of them the corresponding Yearbook, in which must be specified the works carried out by the Facultative Body of Archivists, Librarians and Archaeologists in the establishments they are responsible for.

In that same date of 1858 the Central Archive of the Civil Administration is also created, in Alcalá de Henares, near Madrid, and in 1866 another important step occurs when the National Historical Archive was created, in this way it can be said that the Spanish Archives System has been completed, existing all the different types of Archives for the first time, from the record office at the beginning of the creation of the documents, to his possible conservation in an Historical Archive.

Therefore at the beginning of the XXth century concerning the archives of the Central Administration we can find a record office system, Central Archives for each ministry, a General Central Archive (Alcalá de Henares), and the National Historical Archive in Madrid<sup>5</sup>.

This system that we can denominate of centralization will follow effective theoretically at least until 1977 in which begins a new stage in the history of the Spanish archives, that we can describe as decentralization period, although the intermediate archive disappeared during a fire produced in the General Archive of Alcalá de Henares in 1939, shortly after the end of the Spanish civil war, and it was not reestablished until 1969 in which it is created the General Archive of the Civil Administration as intermediate archive, meanwhile its mission as intermediate archives was done by the central archives or the National Historical Archive.

## Decentralization

In a meeting about archives of the Central Administration, celebrated in Madrid in 1981<sup>6</sup>, was established the legal and admini-

*Spanish archives during the XXth century, its great transformation in parallel to the political and social evolution of the Spanish society, referred to the diverse aspects of the life and organization of the archives: the evolution of the Spanish Archives System, archival policy, functions, organization, technical management of the documents, methods for description, accessibility and services, custody and conservation, and of course, the evolution of the professionals of the archives: the archivists.*

**AGUADO, Francisco Javier - MORELL OLIVER José María, *Il Sistema degli Archivi Spagnoli nel secolo XX. Un secolo di cambiamenti.* Atlanti, Vol. 19, Trieste 2009, pp. 233-242.**

*Penso che si può dire, senza timore di sbagliare, che la storia degli archivi è parallela alla storia della società che li ha prodotti, e se gettassimo uno sguardo alla società del secolo XX, anche la piccola distanza che ci separa di questo periodo, e paragonando con i secoli precedenti, possiamo dire che è un secolo di cambiamenti, grandi cambiamenti, cambiamenti bruschi, di velocità, trasformazioni, grandi cambiamenti e grande contrasto, grandi guerre e grandi movimenti pacifisti, imperi e piccoli nazionalismi, grandi trasformazioni tecnologiche e aumento nella povertà, nazionalizzazioni e privatizzazioni, centralizzazioni e decentralizzazioni, grandi investimenti ed abbandoni. Le stesse contraddizioni possiamo trovare dall'analisi della storia degli archivi, e questo è quello che proveremo a spiegare in questo articolo, riferito agli archivi spagnoli nel secolo XX, grandi trasformazioni parallele allo sviluppo politico e sociale della società spagnola, riferite alle varie funzioni della vita e dell'organizzazione degli archivi: lo sviluppo del Sistema degli Archivi Spagnoli, la politica archivistica, funzioni, organizzazione, amministrazione tecnica dei documenti, metodi per la descrizione, accessibilità e servizi, custodia e conservazione e naturalmente, lo sviluppo dei professionisti degli archivi: gli archivisti.*

5. Gaité Pastor, Jesús, *El Sistema de Archivos de la Administración Central Española*, Revista General de Información y Documentación, Vol. 9(1999), pp. 127-136.

6. Álvarez García, Carlos, *Los Archivos de la Administración central en España. Sus fondos. Organización y descripción de los mismos*, Boletín de ANABAD, XXXVII(1987), pp. 111 y ss.

AGUADO, Francisco Javier - MORELL OLIVER José María, Španski arhivski sistemi v XX. stoletju, stoletju spreminjanj. Atlanti, Zv. 19, Trst 2009, str. 233-242.

*Nedvomno lahko trdim, da je zgodovina arhivov prav gotovo vzporedna zgodovini družbe, ki je oboje ustvarila. Če pogledamo na družbeno življenje XX. stoletja iz neke časovne razdalje in to primerjamo s preteklostjo, lahko ugotovimo, da je XX. stoletje stoletje sprememb in sicer stoletje velikih sprememb, nepričakovanih sprememb, stoletje hitrosti, preobrazb, velikih kontrastov, vojn, mirovnih gibanj, stoletje velikih imperijev in nacionalizmov, velikih tehnoloških sprememb in dosežkov, povečanja blagostanja, nacionalizacij in privatizacij, centralizmov in decentralizacij, velikih vlaganj in zanemarjanja in opuščanja... Vse našete kontradikcije se kažejo tudi takrat, ko analiziramo zgodovino arhivov, kar sem predstavil tudi v svojem prispevku, ko poudarjam vlogo španskih arhivov v XX. stoletju in obenem opozarjam na raznolike vidike vloge in organizacije arhivov. To se lahko vidi iz razvoja arhivskega sistema, iz arhivske politike, iz družbene vloge arhivov, organiziranosti arhivov, iz tehničnega upravljanja z dokumenti, iz postopkov arhivskega popisovanja in dostopnosti do gradiva, iz različnosti arhivskih služb, varovanja in zaščite dokumentacije in končno tudi od razvoja strokovnosti in izobraževanja arhivistov samih.*

## SUMMARY

*Although at the beginning of the XXth century we can already talk theoretically of an existing Spanish Archives System it is just concerning the archives of the Central Administration where we can find a record office system at the beginning of the creation of the documents, Central Archives for each ministry, a General Central Archive (Alcala de Henares), and the National Historical Archive in Madrid. However there were still many things to do to talk about an archival system*

7. Ibidem. pp. 125 y ss.

8. Law 16/1985, of June 25, on the Spanish Historical Heritage.

9. Ibidem. Art. 3.

10. At present, Asturias is the only autonomous community who haven't its own Law for archives, though the regulatory Procedure of the Cultural Heritage of Asturias has an extent develop of the rules referred to the Documental Heritage. Vid. Annex 1 in Aguado González, Francisco Javier, *Private Archives in Spain: Legislation and Dissemination*. Atlanti, Vol. 17, Trieste 2007, pp. 209-222.

11. Duplá del Moral, Ana, *Los archivos de las administraciones autonómicas en España. Sus fondos. Planificación de los mismos*. Boletín de ANABAD, XXXVII (1987) pp. 197 y ss.

strative foundations for archives legislation derived from the new political-administrative structure of the Spanish State established by the Constitution of 1978. And so from this moment, there is a new important step in the organization of the Archives of the Central Administration when in this same meeting is proposed a new project of general character for the archives of any ministry<sup>7</sup>. This proposal describes the principal objectives for the new system: the normalization of the documentary process, Instruments, Procedures, Control of operation of the system, etc.

Few years later, the law 16/85 for the Spanish Historical Heritage, in its article 65<sup>th</sup>, talks again about the function of the central archives of the ministries, ordering to each ministerial department the functional coordination of all the archives of the ministry and other departments and organisms related to the ministry.

Already from the first years of the democratic transition in Spain, and parallel to the impulse of the organization of the archives of the Central Administration, a new module in the Spanish Archives System begins to be organized, derived from the new structure of the State around the 17 Autonomous Communities established by the Constitution of 1978.

Those seventeen Autonomous Communities, besides the autonomous cities of Ceuta and Melilla, constitute the political and administrative division of Spain. Each of these territorial entities, inside the constitutional system of the Kingdom of Spain, has legislative autonomy and executive competitions, also in the field of Archives.

The law of the Historical Spanish Heritage<sup>8</sup> defines the documental Spanish heritage and gives the general guidelines for its preservation, which later will be developed in the legislation of each one of the Autonomous Communities, generally by laws referred to the historical heritage of every territorial area, and in the majority of the cases with specific laws referred to the Archives or Documental Heritage.

For the coordination of the performances between the different civil administrations, the same law foresees the communication and the interchange of programs of performance and information; in accordance with this purpose, the law established the Council of the Historical Heritage, constituted by a representative of every Autonomous Community, designated by its Council of Government, and the corresponding General manager of the Administration of the State, which will act as President<sup>9</sup>.

Among the seventeen Autonomous Communities nowadays there are 35 Laws or decrees, normally Laws of Archives or Laws about the Historical Heritage in which the Documental heritage is included, and although all the Autonomous Communities have its own Law about the Historical Heritage, they have also developed an specific law for the Archives or the Documental heritage<sup>10</sup>.

With this legislative development, a great number of jurisdictions and functions that the centralized State was doing in the matter of archives are going to be done by each Autonomous Community<sup>11</sup>. In almost all the Statutes of Archives of the different Autonomous

Communities, besides the references to the archives of autonomic origin, they also usually talk about the archives of state ownership whose management has been transferred to the Autonomous Community. In the majority of the cases, along with the transference of the management or functions in the matter of archives in each territory, are also transferred from the Administration of the State to the Autonomous Community, the service and facilities, human and material resources and budgetary means precise for the exercise of these functions<sup>12</sup>, that in the matter of archives can be summarized in the following:

- All the functions on the archives that are not of state ownership.
- Exercise of the property expropriation and rights of preferred acquisition
- Management of archives of state ownership

On the other hand, the Administration of the State retains some services and functions, as they are the defense against the export and the pillage of the Cultural Heritage.

But besides the National Archives, or archives generated by the Central Administration, we want also to talk about the other public archives of the territorial administration: essentially the provincial and local archives.

## Archives on Provincial Administration

We have already referred how during the XIX century the Spanish legislation established the obligation to create the job of archivists in all the Deputation Council offices and provincial capitals. However, still existed a great amount of documentation generated in the provinces, that were not included in the Spanish Archives System, in fact, the Provincial Historical Archives were not included in the Spanish Archives System until 1931<sup>13</sup>, and was throughout the XXth century when they went away creating these archives in the different provinces. It can be said that the main cause of its appearance and great development, was the great increase of the documentation generated principally by the strong growth of the population that affects the Spanish society of the XXth century.

The slow process of appearance of the Provincial Historical Archives, throughout the last century, was caused, essentially by the difficulties that found to meet the essential conditions: a balance between the physical premises, documentation and human resources. As example of this unbalanced situation, we can say that the majority of these archives were born without physical main site.

Referred to the human resources, the problem was that, in spite of the creation of the new centers they did not extend the number of places of archivists by province. This did that in the majority of the cases the same archivists of the delegations of the Finance Ministry or, in their absence, some librarians would be those that had to be encharged of the Historical Provincial Archives.

*for the provincial and local administration, which will be fully developed during the XXth century. But is during the second middle part of the XIXth century when the basis of the Spanish Archives System have a great impulse: the creation of the School of Diplomatic, the Facultative Body of Archivists, the creation of the Facultative Board, denominated Superior Board of Archives, Libraries and Museums, the Central Archive of the Civil Administration created in Alcalá de Henares, the National Historical Archive... This system, that we can denominate of centralization will have few changes at least until 1977 when begins a new stage in the history of the Spanish archives, that we can describe as decentralization period. In a meeting about archives of the Central Administration, celebrated in 1981, was established the legal foundations for archives legislation derived from the new political-administrative structure of the Spanish State established by the Constitution of 1978, proposing the principal objectives for the new system: the normalization of the documentary process, Instruments, Procedures, Control of operation of the system, etc. Few years later, the law 16/85 for the Spanish Historical Heritage, talks again about the function of the central archives of the ministries, ordering to each ministerial department the functional coordination of all the archives of the ministry and other departments and organisms related to the ministry. Already from the first years of the democratic transition in Spain, a new module in the Spanish Archives System begins to be organized, derived from the new structure of the State around the 17 Autonomous Communities established by the Constitution of 1978. Each of these territorial entities, inside the constitutional system of the Kingdom of Spain, has legislative autonomy and executive competitions, also in the field of Archives. The Provincial Historical Archives were not included in the Spanish Archives System until 1931 and they had a very slow process of appearance, essentially by the difficulties that found to meet the essential conditions: a balance between the physical premises, documentation and human resources. As example of*

12. Ibidem, p. 200 y ss.

13. These archives were created the 12th of November of 1931 by means of a joint order of the Ministries of Justice and Public Instruction.

*this unbalanced situation, we can say that the majority of these archives were born without physical main site nor human resources, although the situation began to improve in the last 3 decades, with the increase of the interest for the History of the autonomous communities. The Historical Provincial archives are formed by the documentation generated by the organisms of the delegated central administration in each province: essentially archives of the Tax and Justice authorities, and the documentation of the delegations of the other ministries; notarial protocols: documents of the different confiscations, and diverse documentation of other many public and private institutions. Referring to the municipal archives, its evolution and development are as diverse as the number of localities that compose the Spanish geography structured in more than 8.000 municipalities and we can say that the presence of the municipal archives in the general legislation on local regime has been practically null. In 1835, with the suppression of the local corporations of the Old Regime, begin the first common legislation for all the Spanish municipalities. The local regime during the XIXth and XXth centuries has been characterized by its dependency of the State so from the political point of view as from the economic aspects, which has entailed a great organizational and competential uniformity; It will not be until the approval of the Municipal Statute of 1924 when they could get certain autonomy looking for a greater decentralization although it could not fructify, and after the civil war and the triumph of the Franco regime, the municipality will have much less autonomy that the obtained with the Statute of 1924. The present situation, has as basic initial frame the Law 7/1985 Regulator of Bases of the Local Regime, although nowadays it is been working in a new Law of Local Regime to replace that one. The effective statal legislation in the matter of municipal archives its very poor, and nowadays the development of its regulation is competence of the autonomous communities that are including these centers within their archives systems, but where their functions*

The situation began to improve with the increase of the interest for the History of the autonomous communities. From their appearance and as they were improving his operation system, the Historical Provincial Archives, woke up great interest, that was translated in an important increase of the researches and users of these archives.

The documentation that nourishes these archives is historical documentation, that has lost its administrative value and that does not arrive to the national historical archives. Therefore, the Historical Provincial Archives put at the disposal of the researchers a great documentary volume that the great archives could not include. The Historical Provincial archives, generally, are formed by the documentation generated by the organisms of the delegated central administration in each province:

- essentially archives of the Tax and Justice authorities, and the documentation of the delegations of the other ministries
- notarial protocols
- documents of the different confiscations
- and diverse documentation of other many public and private institutions, that ask for the safekeeping of their documentation in these archives.

The subject of the publication of the guides of fonds of these archives is another clear reflection of the misalignment that existed in the beginnings of the Historical Provincial Archives. Until the Sixties of the XXth century they did not began to be published these guides.

In fact, it will be necessary to wait to the eighties of the XXth century so that a records schedule (classification system) of the fonds of the Historical Provincial Archives will be published. The publication of this records schedule favored the uniformity the description works, which was already reflected in the Archives Guide published in 1984. With this step the Historical Provincial Archives could get a great diffusion within the profession and between the general public.

In addition, there was a big increase of the funds, as much qualitatively as quantitatively, caused for diverse reasons; one of them was the population increase, which we have already mentioned, and who supposed an important increase of the documentation generated by the civil administration.

Another reason that caused the increasement of the funds of these archives was the acquisition of new repositories and new buildings for the archives, which facilitated the incorporation of more documents.

The more important public fonds that arrived at the Historical Provincial Archives were:

- the notarial protocols, that until this moment had been kept with great fervor by the own notaries, and who got to become the

small jewels of these archives

- the administration of justice fonds, that were incorporated little by little due to the shortage of means.
- the fonds from the offices of the Finance Ministry delegated in the provinces.
- the fonds of the institutions of the Franco regime in each province, although not always were made those transferences
- finally they are so important the funds coming because the redistributions of fonds, that for whatever reason was in an Archive of the system that did not correspond to him, and should be relocated.

Nevertheless, at the moment there are still some Spanish provinces that don't have Historical Provincial Archive. In addition, we can say that would be necessary to advance in the creation of places for archivists for these centers, because the time, translated in the uninterrupted documents creation, runs against the good operation of these archives.

Also the adjustment of the physical sites for the archives would avoid the frequent problems of space that sometimes force the space redistributions. In addition the improvements in infrastructures would guarantee the better preservation of documents throughout the time.

## Local Archives

Referring to the municipal archives, its evolution and development are as diverse as the number of localities that compose the Spanish geography structured in more than 8.000 municipalities; although we will indicate just the more common rules of them; for it we will take as reference the recent work of Mariano García Ruipérez about the Municipal archives<sup>14</sup>.

We have to emphasize that until the appearance of the "Manual of Municipal Archives" written by Vicenta Cortés Alonso, in 1982, there wasn't any general work centered in these archives, although from this moment there have been a lot of work groups distributed by all the Spanish geography working on the normalization of the different aspects referring the municipal archives and they have produced many publications<sup>15</sup>.

With the legislation on municipal archives it happens something similar, we can say that the presence of the municipal archives in the general legislation on local regime has been practically null.

In order to know the evolution of the local regime in the XXth century, we must go back to 1835, with the suppression of the local corporations of the Old Regime, and that gives rise to the appearance of a common legislation for all the Spanish municipalities<sup>16</sup>.

Since then, although their organization and functions will be depend basically on the number of inhabitants, or in the budget or the geographic characteristics of its surroundings, its activity has been

*have been really regulated with effectiveness has been in the Regulations of these archives, approved by the different local corporations. About Private archives we've already referred in other article in this same publication, so that now just remember that in a general sense we can say that the spirit of the Spanish legislation in the treatment of the private archives has the intention of trying to identify, to preserve, and to disseminate the whole Documental heritage, always doing compatibly, referring the private documentation, the right of property, recognized by the Constitution, with the requirements of the general interest, as it is the right of access of the citizens to the documental funds, administrative or historical, public or private. It can be conclude that the XXth century has been a century full of positive and negative events that have affected the Spanish documental Heritage, and that when finished the century it can be said that theoretically exist a totally developed Spanish Archives System.*

14. García Ruipérez, Mariano, Los archivos municipales: qué son y cómo se tratan, Gijón: Ediciones Trea, 2009.

15. Ibidem.

16. Except the Law approved during the War of Independence and the Liberal Triennium, with little use and application.

regulated by general norms approved by the successive governments.

We can say that the local regime during the XIXth and XXth centuries has been characterized by its dependency of the State so from the political point of view as from the economic aspects, which has entailed a great organizational and competential uniformity.

If the reforms of the local regime impelled by the liberal regime of the XIXth century are characterized by his centralism, it will not be until the approval of the Municipal Statute of 1924 when they could get certain autonomy, because although from years before there were some attempts of reform of the local regime looking for a greater decentralization, they could not fructify<sup>17</sup>.

After the fall of General Primo de Rivera, and the coming of the Second Republic, the Municipal Statute of 1924 was only partially countermanded and the Spanish city councils were regulated by a hybrid legislation based on the Municipal Law of 1877 and the Municipal Statute of 1924; and after the civil war and the triumph of the Franco regime, the municipality will have much less autonomy that the obtained with the Statute of 1924.

The present situation, has as basic initial frame the Law 7/1985 Regulator of Bases of the Local Regime, although nowadays it is been working in a new Law of Local Regime to replace that one.

For specific norms about local archives, during the XIXth century the first general norm that talk about the municipal archives, although of indirect way, is the Instruction dated on the 3rd of February of 1823, for the economic-political government of the provinces; in its Art. nº 65, it is encharged to the secretaries of the municipalities “the safekeeping and methodical positioning of all the files, orders and other papers corresponding to Secretariat, forming indices of them so that it will be known easily how many they are, and so that by means of the same indices those documents concluded or not having a frequent use will be moved annually to the Archive”<sup>18</sup>.

From 1835 the person in charge of all the municipal documentation will be the secretary. Until then he only had been responsible of the documents that because of their assignments were of his responsibility, since the responsibility in the safekeeping was shared by the different officials (collectors, butlers, accountants, notary publics) and by the own mayor.

It was habitual that the notary public maintained in his power (and outside the archive) the registers, the administrative books of municipal acts and files. It was, then, with the fulfillment of this norm when arises the concept of a unique archive for all the municipal documents, and a unique person encharged of the safekeeping and organization, he would be the secretary (in almost all the localities) or the archivist<sup>19</sup>.

In addition, a Law of 1894 declares “important” the archives, libraries and museums of the provincial delegations and the city councils of province capitals, and it was prohibited to name for this job people who were not in possession of the corresponding faculta-

17. *Ibidem*.

18. *Ibidem*.

19. *Ibidem*.

tive title.

Already in the heat of the XXth century, the Regulation of secretaries of 1924, details the obligations of the secretary with respect to the archives when there wasn't an archivist:

“to guard and to order the Archive, classification and cataloguing of documents and files, to form inventory of all the papers and documents...”

few norms describe the archive-related task with as much detail as this one, but its degree of fulfillment also was very unequal<sup>20</sup>.

In 1952 it was approved the Regulation of organization, operation and legal regime of the Local Corporations, and in its Art. nº 262 it said that “also the corporations will take care of the safekeeping, arrangement, classification and cataloguing of documents...” Despite this general norm offered very few variations with respect to the established in 1868.

In the successive regulations of the local regime similar references will become, but it can be said that the effective statewide legislation in the matter of municipal archives its very poor, and that the importance that has been acquiring this service in the last decades in the local sphere does not go in accordance with the attention that has received on the part of the administration of the State.

And it is partly explained because the development of its regulation is competence of the autonomous communities that are including these centers within their archives systems<sup>21</sup>.

In the norms approved by those autonomous communities the municipal archives are included in his archives systems, and they talks about their functions, however poorly outlined in the statewide legislation: matters like the access, the documentary management, the selection, etc.

But where these functions have been really regulated with effectiveness has been in the Regulations of these archives, approved by the different local corporations<sup>22</sup>.

## Private Archives

About Private archives we've already referred in other article in this same publication<sup>23</sup>, so that now just remember that in a general sense we can say that the spirit of the Spanish legislation in the treatment of the private archives has the intention of trying to identify, to preserve, and to disseminate the whole Documental heritage, always doing compatibly, referring the private documentation, the right of property, recognized by the Constitution, with the requirements of the general interest, as it is the right of access of the citizens to the documental funds, administrative or historical, public or private.

To obtain this purpose, the laws looks for, and sometimes under an obligation, the collaboration of the natural or juridical - private persons to obtain the aims established in the laws of Documen-

20. Ibidem.

21. Ibidem.

22. Ibidem.

23. Aguado González, Francisco Javier, *Private Archives in Spain: Legislation and Dissemination*. Atlanti, Vol. 17, Trieste 2007, pp. 209-222.

tal heritage, usually by the corresponding agreements with the public administrations.

The incorporation of a private archive in the Spanish Archival Systems is done by resolution of the competent authority in the subject of archives in every territorial civil administration, by request of the interested parties and by the subscription of an agreement.

Besides the obligations related to the conservation, the proprietaries have other obligations: to have the documents **organized and described**, to deliver a **copy of the instruments of description** to the competent authority, to preserve them entirely **and not to dismember** the funds, to communicate, previously, any change in the to the competent Administrative Department, and to allow the **access** to researches.

The owners of private archives declared as historical documents will be able to deposit them in public archives. In some cases, the holders of private archives that are not of public use can replace the obligation to allow the consultation of the private historical documents by the temporary deposit of these in a public archive.

We can emphasize the example of the Nobility Section of the Historical National Archive, in Toledo, center of ownership and management of the State, where there have been deposited near 200 archives of families of the Spanish nobility<sup>24</sup>, and of course the **Archives of the Catholic Church** who possesses one of the most important documental heritage of our History, and probably they are also the best preserved, between the private archives, and the ones who have done a bigger effort in the works of dissemination.

About the trajectory of these private archives it can said that its evolution is very parallel to that of the public archives, and especially during the XXth century they have undergone the ups and downs of the social evolution, being also affected by the important dramas of our recent history: thousand of archives destroyed in its buildings during the civil war, abandonment and pillage.

## Archives in Public Opinion

However, of course it is necessary to emphasize the concerted effort done in the last few decades, facing its preservation; including a great advance in the collective mentality on the importance of the archives, as we have already emphasized when talking about the archives related to the fonds of the Spanish civil war<sup>25</sup>.

In that article we analyzed the great upset in the consideration of the archives that occurs in the public opinion; from the last ten years of the XXth century to nowadays we have seen appear in Spain a new protagonist on the covers and Headlines of newspapers, news of Radio and Television, special TV programs, etc.: the Archives, although they have been involuntary protagonist.

This popularity has been increased by a great and popular controversy about the transfer to the National Archive of Cataluña in

24. For a recent study about the archives of the Spanish nobility Vid. Gómez Vozmediano, Miguel Fernando, *Archivos nobiliarios españoles: pasado, presente y futuro?: tipología documental e investigación modernista en Los señoríos en la Andalucía Moderna. El marquesado de los Vélez*, Almería: Instituto de Estudios Almerienses, 2007, pp. 129-210.

25. Aguado Gonzalez, Francisco Javier, *The Archives in Mass media: The Controversy about the National Archive of the Spanish Civil War in Salamanca*. Atlanti, Vol. 16, Trieste 2006, pp. 65-77.

Barcelona, of a great part of the documentation conserved in the National Archive of the Spanish Civil War in Salamanca, but also about other subjects: inaugurations of Archives, Organization, archival projects, Acquisition, exhibitions, etc. and unfortunately, accidents are also a chapter related to the archives: robberies, fires, destructions or deteriorations...

So that, this controversy, about the destiny of an Archive, although related to a political fight supposed an upset in the informative treatment on the archives, not only for been multiplied the number of the news about the Archives in general, but a qualitative change has also taken place. In addition to the diverse opinions about the transfer from the political point of view, the deepest analyses of specialists, archivists, historians, lawyers, have been also continuous, and they have arranged for the public in general an abundant information about the diverse archival aspects: Principle of Provenance, Integrity of, International Council of Archives, Management of Archives, Unit of the Archive, etc.<sup>26</sup>.

Before finishing, and in spite of all this big development in the Spanish Archives System, it is necessary to say that throughout the all XXth century, catastrophes, like fires, floods, etc. have been very often. The same hand of the man has been in many cases the cause of those damages to the documentary patrimony, and thanks to the guides of fonds and their complementary information, the different ups and downs that have undergone the fonds are known partly, for example it is known the punctual fact of document use to do graze paper.

I think that it can be conclude that the XXth century has been a century full of positive and negative events that have affected the Spanish documental Heritage, and that when finished the century it can be said that theoretically exist a totally developed Spanish Archives System.

26. Ibidem.