

## Short History of Polish State Archives from 1950 Onwards

MAGDALENA MAROSZ, DR.

National Archive in Krakow, ul. Sienna 16, 30-960 Krakow, Poland  
e-mail: mmarosz@ank.gov.pl

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#### ABSTRACT

The parliamentary elections in June 1989 were the first, partially free election, in the Polish history after World War II. As a result, Poland became the first country in the Soviet bloc in which the elected representatives of the democratic opposition gained real influence on authority. The new political system led to changes in almost all areas of life, particularly within the legal and administrative system, which in turn brought about changes in the laws and practices in state archives. These changes stand out within the period of the last seventy years (1950-2013) particularly for Polish archives: from the Stalinist period, through the following years, still full of communist nonsense, to the democratic changes, equating and standardising archival science and practice to the standards prevailing in democratic countries.

#### Breve storia degli archivi statali polacchi dal 1950 in poi

#### SINTESI

Le elezioni parlamentari del giugno 1989 sono state le prime, parzialmente libere elezioni nella storia polacca dopo la II guerra mondiale. Come risultante, la Polonia è diventata il primo paese del blocco sovietico nel quale i rappresentanti eletti dell'opposizione democratica hanno ottenuto una reale influenza sull'autorità. Il nuovo sistema politico ha portato a cambiamenti in quasi tutte le aree della vita, particolarmente nel sistema amministrativo e legale che ha avuto cambiamenti sia nelle leggi che nella pratica degli archivi statali. Questi cambiamenti si sono verificati negli ultimi settant'anni (1950-2013) particolarmente per gli archivi polacchi: dal periodo stalinista, attraverso gli anni successivi, ancora pieni di nonsensi comunisti, ai cambiamenti democratici che hanno egualizzato e standardizzato la scienza e la prassi archivistiche agli standard prevalenti nei paesi democratici.

#### Kratka zgodovina Poljskega državnega arhiva od leta 1950 do danes

#### IZVLEČEK

Parlamentarne volitve junija 1989 so bili prve, delno svobodne volitve v poljski zgodovini po drugi svetovni vojni. Tako je Poljska postala prva država sovjetskega bloka, v kateri so izvoljeni predstavniki demokratične opozicije dobil resničen vpliv na oblast. Novi politični sistem je pripeljal do sprememb na skoraj vseh področjih življenja, zlasti v okviru pravnega in upravnega sistema, ki je pripeljal tudi do sprememb predpisov in prakse v državnih arhivih. Te spremembe so bile vidne predvsem v času zadnjih sedemdeset let (1950-2013): iz staliniščenega obdobja, v obdobje, ki je bilo še vedno polno komunističnih neumnosti, do demokratičnih sprememb, ki so pripeljale do standardizacije arhivske znanosti in prakse v skladu s standardi, ki veljajo v demokratičnih državah.

#### Krótká historia polskich archiwów państwowych od roku 1950 do dziś

#### ABSTRAKT

Wybory parlamentarne w czerwcu 1989 roku były pierwszymi częściowo wolnymi wyborami w powojennej historii Polski. W ich wyniku Polska stała się pierwszym państwem bloku sowieckiego, w którym wyłonieni w wyborach przedstawiciele opozycji demokratycznej uzyskali realny wpływ na sprawowanie władzy. Zmiana systemu politycznego pociągnęła za sobą zmiany we wszystkich niemal dziedzinach życia. Zmiana całego systemu prawnego-administracyjnego pociągnęła za sobą także zmiany w przepisach i praktykach stosowanych w archiwach państwowych. Okres ostatnich ponad siedemdziesięciu lat (1950-2013) w dziejach polskiej archiwistyki bardzo dobrze pokazuje te zmiany. Od okresu stalinowskiego, poprzez kolejne lata wciąż pełne komunistycznych absurdów, po zmiany demokratyczne zrównujące standardy obowiązujące w nauce i praktyce archiwalnej do standardów obowiązujących w krajach demokratycznych.

## Legal basis for the functioning of the state archives in Poland

The question of the organization of state archives in Poland and ways of dealing with archival materials were regulated (for the first time in such a form) by the Decree of the 7<sup>th</sup> February 1919<sup>1</sup>. As a supplement to the Decree, additional regulations concerning archival procedures in the former Prussian region were issued on the 3<sup>rd</sup> January, 1922<sup>2</sup>. Polish lands, which for more than 120 years had existed as parts of three different countries: Austria-Hungary, Prussia and Russia, were connected after the period of partition. Consequently, three different organizations of an archival network were united under common management.

The Decree, divided into sections, regulated the following issues:

- I. Department of the state archives<sup>3</sup>
- II. State Archives
- III. Technical and scientific supervision of archives and archival collections belonging to the public, municipal, village etc. institutions
- IV. Saving of historical archives from destruction and providing technical and scientific assistance to individuals
- V. Revendication of archival collections which had been the property of the Polish State
- VI. Personnel of the state archives
- VII. Itinerant archivists<sup>4</sup> and correspondents of the Department of the State Archives<sup>5</sup>
- VIII. Qualifying Commission<sup>6</sup>
- IX. Archival board: a) Tasks of the archival board, b) Organisation of the archival board, c) Activity of the archival board
- X. Temporary regulations

World War II ended two stages in the history of Polish state archives: the first stage - the formation of a revived archival structure within the independent state, and the second stage - the functioning of the archives under German occupation and influence. In the subsequent, post war period, the socialist state embraced all archival matters within its new legislation.

The Decree of 1919 was binding up until the 29<sup>th</sup> March 1951, when a new decree on the state archives was announced<sup>7</sup>. In the wake of it appeared the Regulation on state archival resources, issued by the Council of Ministers on the 26<sup>th</sup> April 1952<sup>8</sup>, later replaced by the Regulation on national archival resources, issued by the Council of Ministers on the 19<sup>th</sup> February, 1957<sup>9</sup>.

Earlier, on the 20<sup>th</sup> June, 1949 the Law on the local organs of unified state power, was announced<sup>10</sup>. It excluded the city archives from the management of municipal authorities (they themselves being changed in structure and rules of operation), and connected them to the network of State archives. Practically, municipal archives were taken over by the Head Office of the State Archives from the 2<sup>nd</sup> August, 1951, and in February 1952 they were renamed as State Archives and merged with them<sup>11</sup>.

1. The decree on the organization of the state archives and protection of the archival materials (*Journal of Law of the Polish State*, 1919, n. 14, item 182).

2. Regulation issued by The Council of Ministers on January 3, 1922 on the transfer of the management of archival issues in the former Prussian district, to the Minister of Religious Affairs and Public Education (*Journal of Law*, 1922, n. 4, item 20).

3. Working at the Ministry of Religious Affairs and Public Education (as the Superior of the State archives), the department oversaw the functioning of the state archives.

4. The Authority appointed to perform the tasks associated with technical and academic supervision of the archives and the protection of valuable archival artifacts.

5. Auxiliary staff of the Department of the State archives.

6. It assessed the qualifications of applicants for jobs at the state archives.

7. Decree of the 29<sup>th</sup> March, 1951 on the state archives (*Journal of Law*, 1951, n. 19, item 149).

8. *Journal of Law*, 1952, n. 24, item 165.

9. *Journal of Law*, n. 12, item 66.

10. *Journal of Law*, n. 14, item 130.

11. The regulation issued by the Head Director of the State Archives on 1 February, 1952, on the renaming and inclusion of former municipal archives into state archives (MP 1952, No 23, item 301).

Currently, the basis for archival law, in accordance with the legal system binding today in Poland, as defined in the Constitution of 1997, is the Law on National Archival Resources, commonly called Archival Law<sup>12</sup>. Adopted in 1983, it has been amended many times, updated and adapted to the political changes taking place in the country, or to the changes in the rules of the functioning of public administration. It should also be mentioned that in addition to actual Archival Law, archival jurisdiction is also made up of other legal acts, such as laws, regulations and ordinances, in some extent relating to the issues associated with the managing of documents, or directly to archival matters.

The Head Director of the State Archives has the competences, following from the Law, to coordinate archival activities, which is also manifested by his or her participation in the legislative process with regard to the matters relating to archives. The Head Director of the State Archives also has, according to the law, the power to regulate archival issues within the network of state archives under his or her supervision, in the form of ordinances. The widely understood archival law also includes a collection of various decisions, guidelines or recommendations issued by the Head Director.

## Organization of the state archives

After Poland gained independence in November 1918, the Decree of the 7<sup>th</sup> February, 1919 established the state archives of the Polish Republic. They were managed by the State Archives Department of the Ministry of Religious Denominations and Public Education. At the time, several archives were erected in Warsaw: the Central Archive of Historical Records, the Archive of Historical Records, Treasury Archive, the Archive of the Ministry of Religious Denominations and Public Education, Military Archive (converted in 1930 into the Archive of Modern Records). There were also state archives established in Lublin, Piotrków, Płock and Lwów. Also the national archives in Lwów were subordinated to the provisions of the Decree (they were incorporated in 1933 into the State Archive in Lwów) as well as those in Krakow (converted in 1936 into the State Archives). With time, other state archives were also set up: in Grodno, Łomża, Radom, Kalisz, Suwałki, Poznań (with a branch in Bydgoszcz) and Kielce<sup>13</sup>.

According to Article 3 of the Decree: ‘The archives are public institutions designed: a) to store papers and documents which were and will be created as a result of tenure and actions of the authorities, offices and organs of the Polish state, the authorities of the Church and other denominational authorities, religious institutions as well as public and private corporations, Russian state authorities still existing on Polish lands, which operated within the Polish state, and the organs of the occupying authorities; b) to collect and store all kinds of historical manuscripts, relating to culture, history, internal and external relations of the State or its parts’.

The period of World War II brought about changes in the organization of the archives, but also huge losses. The archives were managed by the administration of the occupants: Germany and the Soviet Union. The most affected were the archives in Warsaw, losing 95% of its collection (almost completely destroyed were all central archives and the Archives of the Capital City of Warsaw). Also considerably destroyed were, among others, the collections in Poznan and Płock, and the loss was also suffered by many other archives.

After World War II, wherever it was possible, the network of archives was reconstructed. The archives on the former territories of the Reich, which after the war had been incorporated into Poland, were included into the network, and also new state archives were established there. However, the valuable archival collections from Grodno, Vilnius and Lwów were now located outside the country's borders, as those areas were incorporated into the Soviet Union after the war.

The Decree on the state archives issued in 1951 introduced a new organization of archival service as well as the notion of the state archival resources (archives produced by state organs and institutions, and other archives of liquidated private enterprises, landed estates, parties, organizations, families and individuals who had played a historical role). As a result of political changes, the state archives also took over local government, family and economic archives. The Head Office of State Archives was

12. Act of 14 July, 1983 on the National Archival Resources and Archives (*Journal of Law*, the original text. *Journal of Law*, 1983, n. 39, item 173, unified and binding text *Journal of Law*, 2011, No 123, item 698 with later amendments).

13. R. PIECHOTA, *Archiwa Państwowe informator*, Warszawa 1977.

appointed to manage archives and was subordinate to the Prime Minister. The network of state archives was expanded considerably. According to the Decree, it consisted of the central state archives located in Warsaw and the provincial and county archives. State offices, institutions and companies were subjected to archival supervision exercised by the state archival service and obliged to the systematic transfer of their records to the state archives.

Article 4, paragraph 1 says: 'The tasks of the state archives are: protection, collection and merging of the archives belonging to the state archival resources; their recording, organization, storage and making available to the public, supervision of file repositories<sup>14</sup> as well as research work and publications in the field of archives and archival sources.'

The organization of archival network, as well as the scope and way of operation of the state archives were defined by the Ordinance No. 9 of the Prime Minister of the 14<sup>th</sup> January, 1952 concerning the archival network, which was an executive act to the Decree on the state archives<sup>15</sup>. Article 1 of the Ordinance says: 'The network of archival records is constituted by the central governmental, provincial and county state archives. The archival network performs the tasks specified in Art. 4 of the Decree of the 29<sup>th</sup> March 1951 on the state archives ...'.

In the subsequent articles of the Decree, we find further, more detailed information on the organization of the then state archives. And so, Article 2 states: 'The central state archives comprise: The Archives of Historical Records in Warsaw, The Archives of modern Records in Warsaw and the Archive of Mechanical Documentation in Warsaw' (the latter transformed into the National Digital Archives in 2008). The Ordinance specified that the provincial state archives work in all provincial capital cities and shall be known as 'The Provincial Archive in .....', while county state archives work in principal towns of a county (Articles 5 and 6). It also announced that the detailed scope of activity of various state archives was to be specified in statutes, given to them by the Head Director of the State Archives (Article 7).

The central and provincial state archives were subordinated directly to the Head Office of State Archives, while their local offices and county archives were subordinated to the Head Office of State Archives indirectly, via - respectively - the central or provincial archives (Article 9). The creation and liquidation of the central and provincial archives was to be done by the order of the Prime Minister, while of county archives, and local branches - by the order of the Head Director of the State Archives (Article 10).

Quite significant changes in the organization of the network of the state archives were introduced by the Law of the 28<sup>th</sup> May, 1975 on a two-stage administrative division of the country<sup>16</sup>. A part of the county archives, following the creation of new provinces, became the provincial archives. Some local archives were subordinated to the provincial archives other than before. The county archives which so far had been operating in provincial cities were liquidated and their resources included into the resource of the provincial archives. The new network of the state archives, adapted to the then administrative division of the country, became operational from the 1<sup>st</sup> February, 1976, when the territorial scope of activities of each state archives changed.

In 1983, a law was passed which replaced the Decree of 1951 and introduced, among other issues, the concept of national archival resource, which includes all archival materials stored and produced on Polish territory, regardless of the nature of their property and those which, in accordance with international law and standards should belong to Poland, even though they are located outside its borders. The Head Director of the State Archives, appointed by the Minister of Culture, became the central authority of state administration in archival matters.

Article 23 of the Law reads: 'Archival activities include: collecting, recording, storage, analysis, preservation and sharing of archival materials as well as communication activities'<sup>17</sup>.

14. This name was used for the current archives of offices, institutions, organizations and businesses (see the ordinance of the Council of Ministers of the 19<sup>th</sup> February 1957 on the state archival resource).

15. *Monitor Polski*, 1952, n. 9, item 87.

16. *Journal of Law*, 1975, n. 16, item 91.

17. I quote according to the existing text of the Law Journal of Law from 2011, n. 123, item 698.

In 1984, the archives returned to using the name 'The State Archive in ....'.

According to the Law, within the scope of operations performed by the Head Director of the State Archives is, among other things, the coordination of archival activities on the territory of the State<sup>18</sup>. Archival activity in relation to the state archival resources (i.e. the part of national archival resource which is owned by the State) is conducted by:

XI. The state archival network, which consists of:

1. state archives (archives of the central character, with their headquarters in Warsaw: The Central Archives of Historical Records, The Archives of Modern Records, the Archives of Mechanical Documentation - since 2008, the National Digital Archives, the State Archive of personal and state records, located in Milanówek and established in 2004, as well as 34 state archives<sup>19</sup>)
  2. separate state archives (subject to their own departmental authorities. These are, among others, the Archive of the Ministry of Foreign Affairs, Archives of the Ministry of Home Affairs, the Central Military Archive and the Archive of the Sejm, the Senate, the President's Office and the Institute of National Remembrance)
  3. the archives of the state and local government institutions
- institutions which have been entrusted with archival collections (because of their special nature or tasks the head Director of State Archives may entrust to them the collection and storage of archival materials)
  - state libraries and museums which collect and store archival materials belonging to the state archival resource.

## Political changes in Poland after 1989 and their impact on the functioning of the state archives

The key issue related to the functioning of the state archives in Poland over the last few decades seems to have been the political changes which took place after 1989. Undoubtedly, they also had an impact on the change of the role and responsibilities of the state archives. To the duties which enable them to be treated as academic institutions, increasingly are being added those pertaining to their functions as offices, requiring the use in their daily work, alongside with the archival regulations, also the rules applicable to public administration. Load analysis of the archives of these two types of activity clearly shows that the activities of an administrative nature related to the collection, creation and sharing of archival materials constitute about 85-90% of working time of employees in the state archives. The activities related to the wider culture, education and academic work - 10-15% of the time.

The wide opening of the archives for their clients in every area and any form of activity should be stressed here.

From the very beginning of the political changes in Poland, the role, tasks and the way of functioning of the state archives - as of all public institutions - have been undergoing slow but steady changes visible in many fields.

It is impossible at this point to discuss in detail all these changes, which, besides, have not yet been fully completed in all areas. It should be emphasized, however, that from the beginning they have gone in two directions. Firstly, the transformation of the state archives into modern public institutions, based on proven standards and, as regards the specific regulations, involved in the mainstream of the state institutions. Secondly, the departure from the principles of contact with the users, clients of the archives, which resulted from the previous political conditions, imposed arbitrarily. The principles that, at least in terms of access to the files, required to treat differently the 'national' and 'foreign' users. Suffice it to say that, in accordance with the internal regulations, in order to have access to the files in archival reading rooms, foreigners had to have a written consent from the Head Director of the State

18. The detailed scope of the activity of the Head Director is determined by Rozporządzenie Ministra Nauki, Szkolnictwa Wyższego i Techniki z dnia 25 lipca 1984 r. w sprawie szczegółowego zakresu działania Naczelnego Dyrektora Archiwów Państwowych (Dz. U. N. 41, poz. 218).

19. The current state of affairs.

Archives. The whole correspondence concerning the search for information in the files and conducted by the archives with both private individuals and institutions abroad could be sent to the recipients only via the Head Office of the State Archives.

Today, in turn, due to the changes in the application and enforcement of the regulations concerning the protection of personal and property rights, the archives are subject to other restrictions, which mandate to follow the new legal regulations very strictly.

Major changes are also taking place with regard to the access to files in archival reading rooms. These changes are going towards the authorization of the largest group of users to have the direct access the files, allowing them to copy the files with their own equipment, and towards the reduction of the formalities associated with the access to the files.

We should not ignore the need to face the new responsibilities of the state archives in the so-called formation of archival resources, which is aimed at keeping the fullest possible documentation of historical value, created as a result of the activities of various individuals and institutions. The formation of archival resource is performed by supervision over the growing archival collection (i.e. the documentation remaining with its creators, before its transfer to the archives with the historical resource) and a selection of documentation on the basis of the assessment of its value, which is crucial for the formation of archival resources. The duty to form the archival resource is also performed by the state archives with reference to the state and local government institutions remaining under the archival supervision which produce archival materials, namely the documentation intended for perpetual storage due to its historical value. This documentation creates the state archival resource, which means that it is owned by the Polish State.

However, as a result of political changes, much of the previously state-owned institutions began, for various reasons, to change their legal status. As a result of privatization of state or local government institutions, or as a result of their conversion, for example, into a company, they are taken over by a new owner with all their assets, together with the files produced by them. In these situations, conversations about doing the proper order, recording and, consequently, the transfer of files to the state archive is quite difficult and requires almost diplomatic skills on the part of the archivist.

Of course, in the functioning of the Polish State Archives also constant changes occur, similarly as in other countries, resulting from the application of new, more and more innovative technologies and ICT, which enable easier and faster access to information.

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8. <http://www.archiwa.gov.pl/>.

*SUMMARY*

Many changes have occurred in the organization and functioning of Polish State Archives since the mid-twentieth century. Connected with them are also the changes which had taken place after the end of World War I, namely the formation of archival services in Reborn Poland. One can analyse the entire period and compare the changes. Firstly, the unification of archival systems from the three partitions into a single, coherent archival system functioning in the interwar period, best suited to the interests of the state; then the building of archival network, initially in its assumptions strictly based on the Soviet model, later characterized by a certain autonomy, but functioning within the 'socialist law'. And, finally, the creation of modern network of state archives, based on generally applicable solutions.

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