

Counterpoint

Cross Reference Heaven: The Abandonment of the Fonds as the Primary Level of Arrangement for Ontario Government Records

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The Archives of Ontario, after a great deal of discussion and experimentation, has embarked upon a project of abandoning fonds-level arrangement for our holdings of Ontario government records. The institution has chosen instead a method modeled on the series system in use at the National Archives of Australia. Within the Archives, it is recognized that the concept of the *fonds* has not generally created unresolvable difficulties when applied to our holdings of family, personal, or private corporate records. However, the applicability of the concept to government records was considered a significant problem that required new solutions.¹

The issue of how to define fonds in a government context, and indeed *whether* to do so, is both a theoretical and a practical question. The theoretical question may be put as “Why do archivists divide government records into fonds?” and the practical question is “How do they go about doing so?”

What is the purpose behind applying the concept of the fonds? It makes the context of a record’s creation, including information about its creator, the central principle of archival arrangement. As Michel Duchein has noted:

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. Such knowledge is possible only to the degree to which the whole of the documents which accompany it have been kept intact, even if the latter are related to the same subject.²

According to principles outlined in the Bureau of Canadian Archives’ semi-

nal 1986 report, *Toward Descriptive Standards*, division of archival records into fonds “is a logical outcome of the careful observance of the principle of provenance which archivists profess to uphold.”³ The arrangement of records created by large government agencies into fonds arises, then, from the need to provide the administrative context in which the records were created, without which the archival record suffers in meaning and authenticity. Arrangement by provenance also ensures that relationships to other documents created within the same records-keeping environment are maintained, allowing for the further discovery of meaning and evidence that this provides.

But how should archivists apply the principle of provenance as expressed in the fonds concept to archives created by government? It is widely recognized that this poses problems. These stem from the hierarchical nature of government organizations and their tendency to be subject to rapid administrative change. An absence of standards to address such issues marks archivists’ handling of the concept of fonds. It is indeed one of the ironies associated with Canadian archivists’ accomplishments in the development of standards for description that the *Rules for Archival Description* assume that materials ready for description have been first arranged into fonds based on their provenance – yet as archivists we have no practical standards for arrangement, and no commonly understood or applied definition of “fonds-creating body.” In other words, we are applying exacting descriptive standards to records that are frequently arranged according to no standards at all.

This fact is acknowledged in *Toward Descriptive Standards*, which states that differing definitions of fonds-creating bodies are possible, including a hierarchy of “maximalist” or “minimalist” levels within which fonds may be described. It concludes, “whatever position is taken by the repository, the important thing is to provide accurate description of all fonds”⁴ – focussing on the correctness of the description rather than on ensuring that decisions on arrangement made within or between archives are consistent.

Few government archives in Canada have developed guidelines for defining government fonds-creating bodies. In 1995, the National Archives of Canada created a useful and extensive report entitled *Criteria for the Establishment of Fonds for the Records of the Government of Canada*, in which its authors noted (following a survey of Canadian and other repositories) that “there is little occurring on the national or international scene at the moment ... which would help to formulate detailed criteria for the identification of the creators of government records fonds.”⁵

As Terry Cook has observed, Canadian archivists have defined the fonds as the theoretical foundation on which to build their descriptive systems; yet, as Cook observes, “this presents a major problem if Canadian archivists collectively cannot agree on how to define what has been declared to be so central to their descriptive practices.”⁶

The “Problem” of Administrative Change

In modern governments ministries, branches, offices, and other “agencies”⁷ are continually created, renamed, reconfigured, again shuffled, merged, and divided in the glorious push and pull of constant administrative adjustment. This fact is much lamented by archivists, for it makes their lives complicated. How is it possible to divide the resulting detritus of administration into comprehensible, mutually exclusive groups in order to establish provenance?

This problem is made all the more vexing since some groups of government records do easily and logically lend themselves to being described as fonds. Many boards and commissions enjoy relatively stable existences with few name changes or other complicating factors, and with records generally administered separately from those of the departments or ministries through which they report. The Ontario Labour Relations Board, for instance, has enjoyed a generally stable and independent administration since 1944 and has had no name changes. As a result its records are quite easily distinguished from other records of the Ontario government. It is easy to draw a line around such groups of records and say “this is a fonds” and feel that provenance has been adequately respected.

Such freaks of administrative stability have, unfortunately, drawn archivists down the wrong path, with archivists beginning, first, with the very easy cases, subsequently leading to application of the same organizational solution to the very difficult. While it is possible in theory to distinguish, at any one time, mutually exclusive “fonds-creating bodies” within large government administrations, such definitions become dangerously arbitrary when they are applied to records created in the course of administrative change over time and in hierarchies. The fonds-based approach to arrangement, when it is applied to large government organizations, will inevitably and necessarily run up against contradictions between the definitions of fonds and the complexities of the fonds-creating bodies. The result is that the intent behind the concept, to demonstrate the provenance of the records through their arrangement, is seriously compromised.

This is not a new problem for archivists, even in Canada following the development of *RAD*; and possible solutions to it have been discussed in detail. Nonetheless, new benefit may be gained here by exploring existing guidelines through their application in real life circumstances. Using the “culture” function within the Ontario government as an example, series of records will be ordered according to existing definitions of “fonds-creating bodies” and the results examined. All examples are real, both in terms of the agencies described and the accompanying records created by those agencies. The amount of administrative change represented in this example is high but not unusual in the Ontario government.

Determining “Fonds-Creating Bodies”: The Problem of Administrative Change

Figure One indicates the five ministries responsible for functions relating to “culture” in the Ontario government since 1975, arranged in a time line and shown as shaded boxes. These are joined with accompanying predecessor or successor ministries (shown in white boxes) whose functions have been aligned with “culture” at one point or another. These latter are included to demonstrate the complexity of the changes. If this chart looks complicated, it is in fact simplified, since several related functions, such as “communications,” are not charted.

Do the agencies responsible for culture in **Figure One** represent a single corporate body, or five, or some number in between? Attempts to deal with administrative change between records-creating bodies generally balance two criteria: a change in name and a change in function. Usually, such rules note that a change in name without a change in function does not necessarily imply a new corporate body. The National Archives report states that “if a new body is created to exercise the jurisdiction of an extinct body, but there is indisputable, total continuity of jurisdiction between the two, there is then considered to be only one archival fonds, the name of which simply changes.”⁸

All such definitions are in agreement, however, that a combination of a name change and change in function heralds the coming of a new corporate body. Just one example is found in the *Rules for the Construction of Personal, Place and Corporate Names* (published by Britain’s National Council on Archives), which states that “a corporate body should be regarded as a new body, if, in addition to a change of name...there has been a major change in its function or scope of activity.”⁹

Although the definition seems straightforward, the task of defining “functional change” in the context of constantly shifting structures can be problematic. For instance, functional shifts and related name changes can occur at staggered intervals, leading to the conclusion that a new body has been created, but uncertainty as to when it was created.¹⁰ Similarly, since functions are routinely and constantly transferred between agencies, the extent of functional change required to result in definition of a new agency becomes a problem.¹¹

However, the changes in name between the five culture ministries (again identified by shading in **Figure One**) were all accompanied by functional changes, as is apparent from the names given new ministries. For instance, the Ministry of Culture and Recreation ceded recreation functions to become the Ministry of Citizenship and Culture. The Ministry of Citizenship and Culture, in turn, ceded “citizenship” and gained “communications” to become the Ministry of Culture and Communications, and so on. Therefore, the conclusion can be made that each shaded ministry represents a new corporate body. Furthermore, the records of each should constitute a fonds.

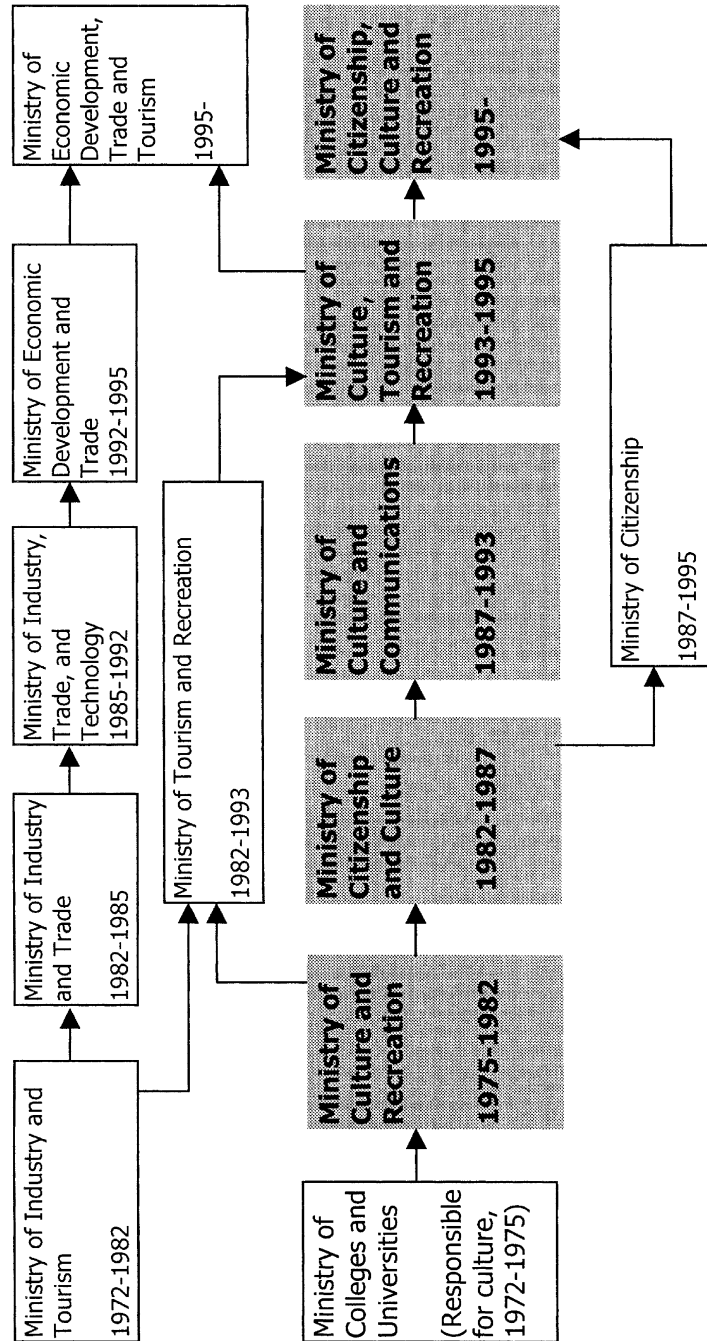


Figure One Culture in Ontario

Determining “Fonds-Creating Bodies”: The Problem of Developing Meaningful Criteria

The second issue involves agencies which form part of larger hierarchies, and the resulting question of defining the appropriate level in the hierarchy at which a fonds-creating body may exist. The most common model for defining a subordinate but independent creator is that of Michel Duchein,¹² as supplemented by Peter Scott.¹³ The National Archives' 1995 report relied heavily upon these criteria in identifying the following elements used to define a public sector fonds. A creator must have:

- a legal identity,
- an official mandate,
- a defined hierarchical position,
- a sufficient degree of autonomy,
- an organizational structure, and
- an independent record-keeping system.

The intent behind these criteria is to distinguish from among the many organizations that are *subordinate* to a ministry, those whose records may constitute a fonds. However, these standards are based upon assumptions about administrative change which no longer necessarily apply, at least in the context of the Ontario government. In consideration of this problem, it is instructive to see whether the five ministries responsible for culture outlined in **Figure One** in fact meet these criteria – *even though* they were under the direct control and supervision of a minister who was responsible to the Legislature, and therefore could not be said to be subordinate to any other agency. The following section addresses this issue.

The Problems of “Legal Identity” and “Official Mandate”

In beginning to understand the gap between theoretical criteria and reality, it must first be asked, what constitutes “a legal identity” or an “official mandate?” Duchein considers that “it must possess its own name and juridical existence proclaimed in a dated act” and that “it must possess precise and stable powers defined by a text having legal or regulatory status.”¹⁴ The National Archives report indicates that “the records creator must possess its own legal name and juridical existence, which is proclaimed in a dated statute, order in council, proclamation, degree, charter, etc.” and that the official mandate must also be stated “in a legal or regulatory document.”

In Ontario, even the largest agencies within government may fail to meet these criteria. This stems from the informality with which changes to organi-

zational structures occur. As recently as the 1970s, it was common to pass legislation to establish a new ministry of government, but currently it often happens that little or no documentation is produced to accomplish the same goal. Frequently, ministries that have been merged retain the two or more separate acts which brought the originating ministries into existence, rather than becoming the subjects of new legislation.¹⁵ Even more surprisingly, orders-in-council assigning responsibilities to particular ministers for particular acts often do not mention a new ministry by name.¹⁶ That is, there may be no statute, order-in-council, or other document produced which specifically names a ministry and outlines its mandate. While statements of ministerial mandate (as well as branch, division, and program mandate) may be found in various public documents and publications (such as the annual *KWIC Index to Services of the Ontario Government* published by Management Board Secretariat) these are scarcely the “legal or regulatory” documents that the National Archives states must exist.

Once again, administrators just will not play along with our definitions. They show little respect for a need for legal documentation of organized structures. This seems to raise few problems for them; however, it does beg the question: if even government ministries can be said to fail to meet Duchein’s criteria, what does that imply for the application of such criteria to subordinate bodies? Do these criteria retain their applicability or meaning in the late twentieth century?

In fact, many archives which use criteria similar to these tend to stress one over the others, perhaps recognizing the difficulties in applying the complete set as rigorously as Duchein would have us do. In practice, the National Archives has chosen to emphasize “a large degree of autonomy” and has stipulated that an agency must receive a separate financial appropriation from Parliament to meet this criteria.¹⁷ This approach is reasonable and easily applied. Nonetheless, it raises questions about the validity of the criteria as a whole, particularly since the original intention of Duchein’s criteria was to eliminate subjective interpretations.

Determining “Fonds-Creating Bodies”: The Problem of Applying Criteria to Subordinate Bodies

Even if these criteria are problematic at the highest level in a hierarchy, they may still be of assistance when dealing with a truly subordinate body. Like Figure One, **Figure Two** also shows a time line. The figure again contains shaded boxes which represent the five culture ministries, being distinct fonds-creating bodies. On these are superimposed the subordinate offices and branches that have been responsible for oversight of the library system in Ontario.

The Libraries and Community Information Branch enjoyed a surprisingly long life. Created within the Ministry of Culture and Recreation, it lasted sixteen years before disappearing. It was a survivor. Perhaps it was even the creator of a fonds. There is appeal in the simplicity and longevity of the Libraries and Community Information Branch. After all, defining its records as a fonds would group together documents from a relatively stable, long-lived creator.

The branch does meet some of Duchein's criteria. For instance, it enjoys a "defined hierarchical position" and "an organizational structure." In fact, the Ontario Management Board of Cabinet's *Classification and Position Administration Directive* notes, as a mandatory requirement, that organizational structures and reporting relationships must be established for each position within the public service.¹⁸ Every corporate body within the government, including the Libraries and Community Information Branch, has had an organizational structure and a defined position within the hierarchy. Yet this suggests that these two criteria are not likely to help to segregate *any* organized unit within the Ontario government as a fonds-creating body, since these standards will apply to all organized entities across government at whatever level within a hierarchy.

The Libraries and Community Information Branch clearly lacks a legal identity and official mandate, since the branch exists at the pleasure of the ministry to which it belongs. The branch also has only a limited degree of autonomy. Even its name strongly implies subordination – a branch of *what*?

To be sure, it may be allowed that the records of the Libraries and Community Information Branch have a measure of independence from other records, at least in the sense that records created by the branch can be isolated from others of the main ministries through which the branch was administered. They were not found in a central ministry registry, and they were not filed centrally with other branches' records.¹⁹ It may then be possible to draw a line around them and call them a fonds.

An examination of **Figure Two**, however, makes it rapidly apparent that while it may be relatively easy on one level to distinguish between the records of the branch and those of the ministries to which it belonged (however problematic in practice), it is harder to define where the branch records begin and end *over time*. The Libraries and Community Information Branch was the result of a merger of two different agencies, and was itself later merged with another branch. How do we begin to draw a line around these records? Where is our fonds? It becomes swiftly clear that while the branch's records may be distinguishable from the ministry's, its relationship to the records of its predecessors and successors is likely to raise that same complications that were explored earlier. If the intent of designating the Libraries and Community Information Branch as a fonds-creating body was to simplify a complicated situation, there is little improvement in the situation. The same kinds of problems present themselves here, merely at a different level in the hierarchy.

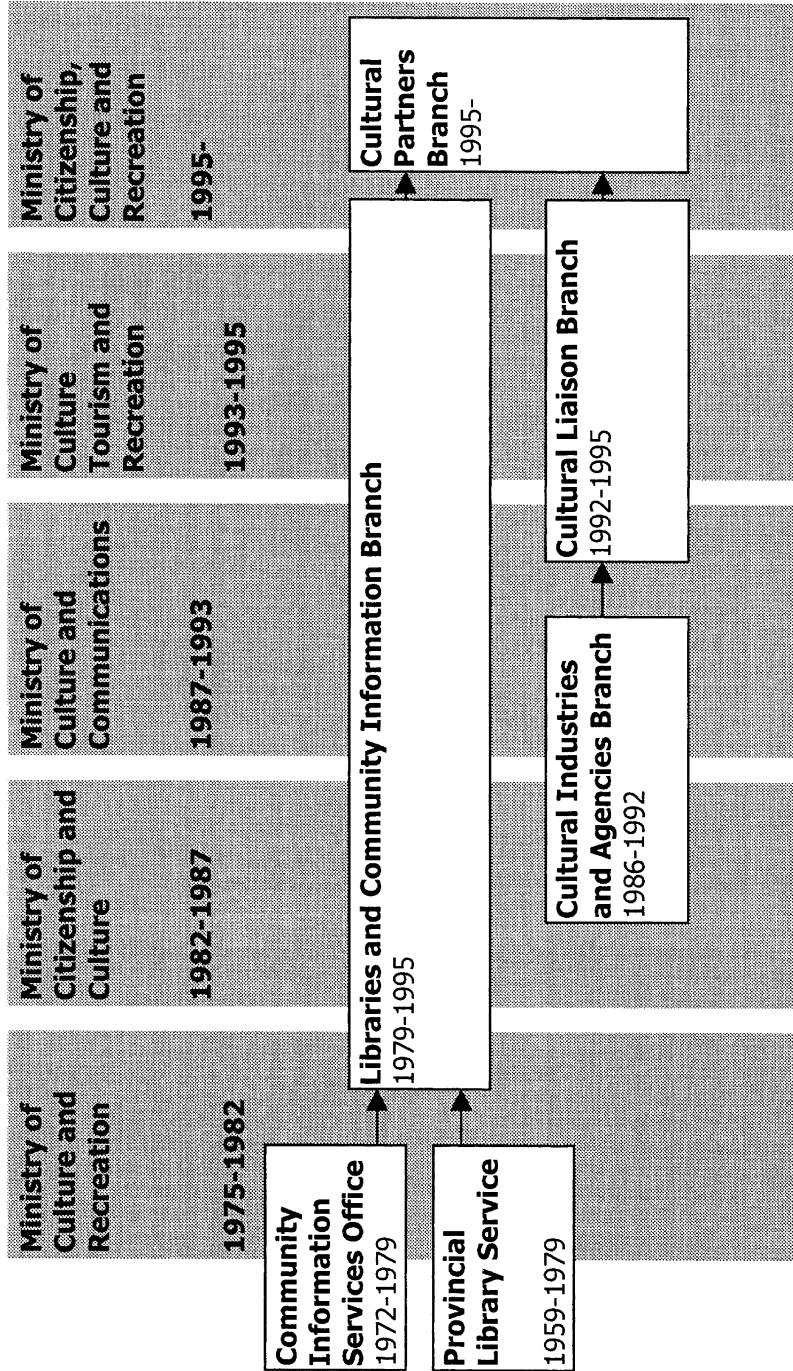


Figure Two Library Administration in Ontario

Given that the criteria identified earlier for defining fonds-creating bodies have already been substantially altered in an attempt to justify calling the Libraries and Community Information Branch records a fonds, and that arranging these records as a fonds would remove them from the context of the ministries in which they were created, it seems better to let the five original fonds stand and abandon the attempt to define a fonds for the branch.

Arranging Records: The Problem of “Multi-provenance” Series

Having decided that all five ministries responsible for culture constitute fonds-creating bodies, the next step is to arrange four series of records created in whole or in part by the Libraries and Community Information Branch within these fonds.

Figure Three contains the same administrative bodies as Figure Two. However, four boxes have been superimposed on the previous structure. These are each intended to represent series of records created by the Libraries and Community Information Branch and its immediate predecessors. Since the figure again indicates a time line, the length of the boxes corresponds to the inclusive dates belonging to the records in the various series. For instance, Series A, in the top line, was created between 1978 and 1985, spanning two branches, and more importantly, two fonds-creating bodies.

In fact, all four series are distinguished by the fact that their longevity meant that more than one fonds-creating body, in succession, came into existence during their lifetime. These are what are commonly called “multi-provenance” series. By now it should be obvious that few series created by the Libraries and Community Information Branch will be “mono-provenance.” Still, the series must form part of a fonds. How is such a decision made? Typically, the suggested solution is to place the record series into the fonds of the most recent creator. This is based on the idea that the series will have been integrated into the fonds of the most recent body, even if it contains records from previous bodies.

According to the National Archives, “when jurisdiction is transferred ... [a]ctive and semi-active records corresponding to the transferred jurisdiction [will] belong to the archival fonds of the body that will henceforth have this jurisdiction, provided that the records are integrated into its operation.”²⁰ On the other hand, Duchéin has recommended that “when an active agency receives powers transferred from an abolished agency, the documents of the abolished agency must be considered as forming a separate fonds” unless, he notes, the documents are “inextricably and irremediably mixed” with those of the active agency.²¹

Using the National Archives guidelines to place our four series into fonds, Series A may be placed within the Ministry of Citizenship and Culture fonds, since the series’ dates of creation indicate that it continued to be active during

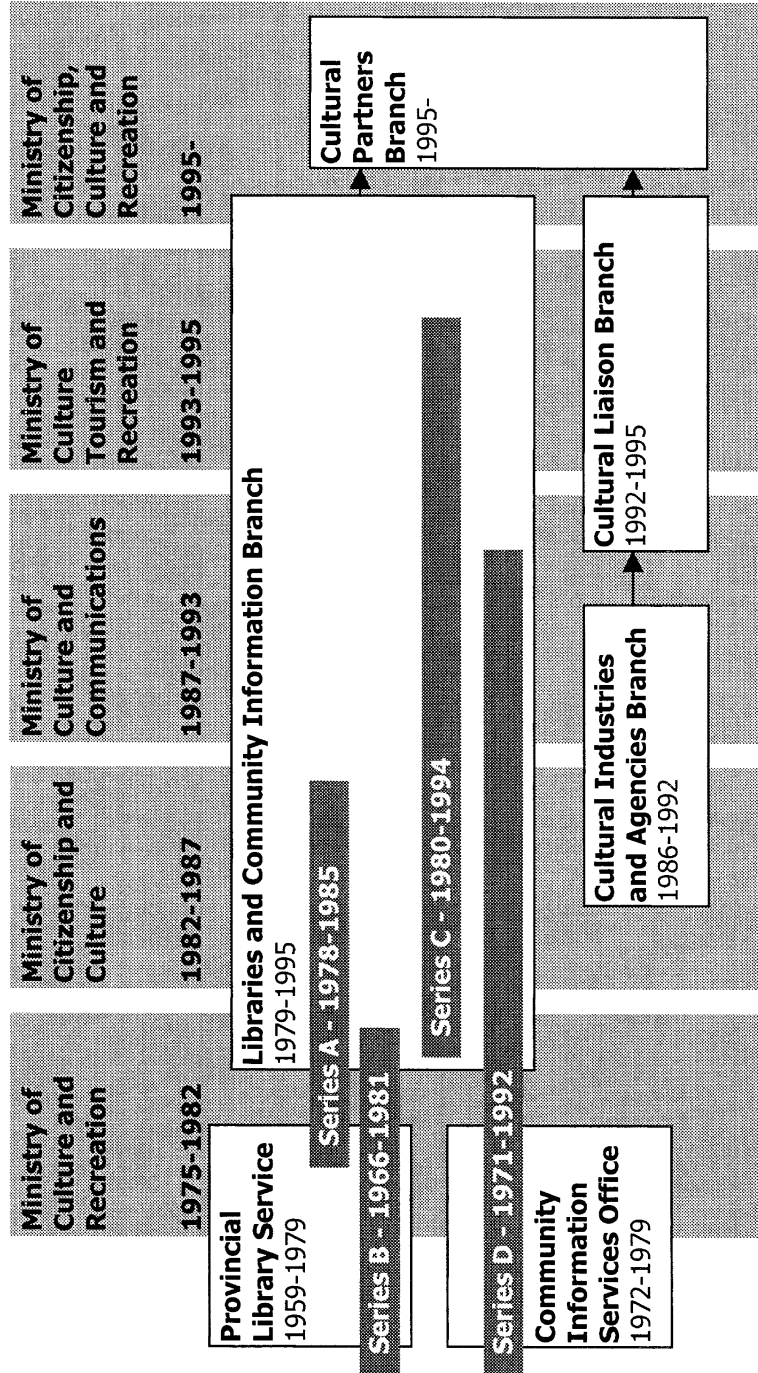


Figure Three The Records

the life span of that ministry, and it is reasonable to conclude it must have been “integrated into the operation” of that ministry. Likewise, Series B may be placed in the Ministry of Culture and Recreation fonds, Series C in the Ministry of Culture, Tourism and Recreation fonds, and Series D in the Ministry of Culture and Communications fonds.

This naturally raises the question of how four series that for some period of time were undoubtedly created in the same office, and filed down the hall from each other or even in different drawers of the same cabinets, can end up in four different fonds? When records that are created by one agency within a hierarchy – this agency reflecting a common, ongoing function across time – end up in four distinct fonds based on little more than the last date for which records are found in the series, the fonds approach to arrangement begins to look dangerously arbitrary. As Michael Cook has noted, “archivists have for decades been pulling *apart* in archives what was once in the creator’s office an organic and conceptual whole.”²²

This arbitrariness is only exacerbated by the fact that Series C and D continue to be subject to further accruals as more semi-active records conclude their ministry retention and are transferred to the Archives. Series C already teeters on the brink of inclusion in another fonds, as one more accession will launch it into the fonds of the Ministry of Citizenship, Culture and Recreation. Its placement in one fonds or another could rely more on the year during which a researcher visits the archives than on anything inherent in the records themselves.

One objection might be made. Perhaps all the records in these series were truly integrated into the operations of subsequent ministries, and it therefore makes sense to place them in the fonds of that ministry. That is, perhaps the records in series D, although created as early as 1971, were fully integrated into the operations of the Ministry of Culture and Communications following its emergence in 1987, and therefore rightfully could only be described as a part of that ministry’s fonds. **Figure Four** below allows a more detailed examination of this issue.

Arranging Records: The Problem of Inactivity, Semi-activity, and Activity

Figure Four shows the patterns of creation and transfer to the Archives in more detail. The figure depicts series D, the lowest shaded line in Figure Three. The series spans twenty-one years, its inclusive dates. The box representing series D now contains a number of black bars. These are each representative of individual accruals to the series. The thicker part of the bar on the left indicates the inclusive dates of a specific accrual to the series; the circle attached to the bar by a line indicates the moment at which the records became

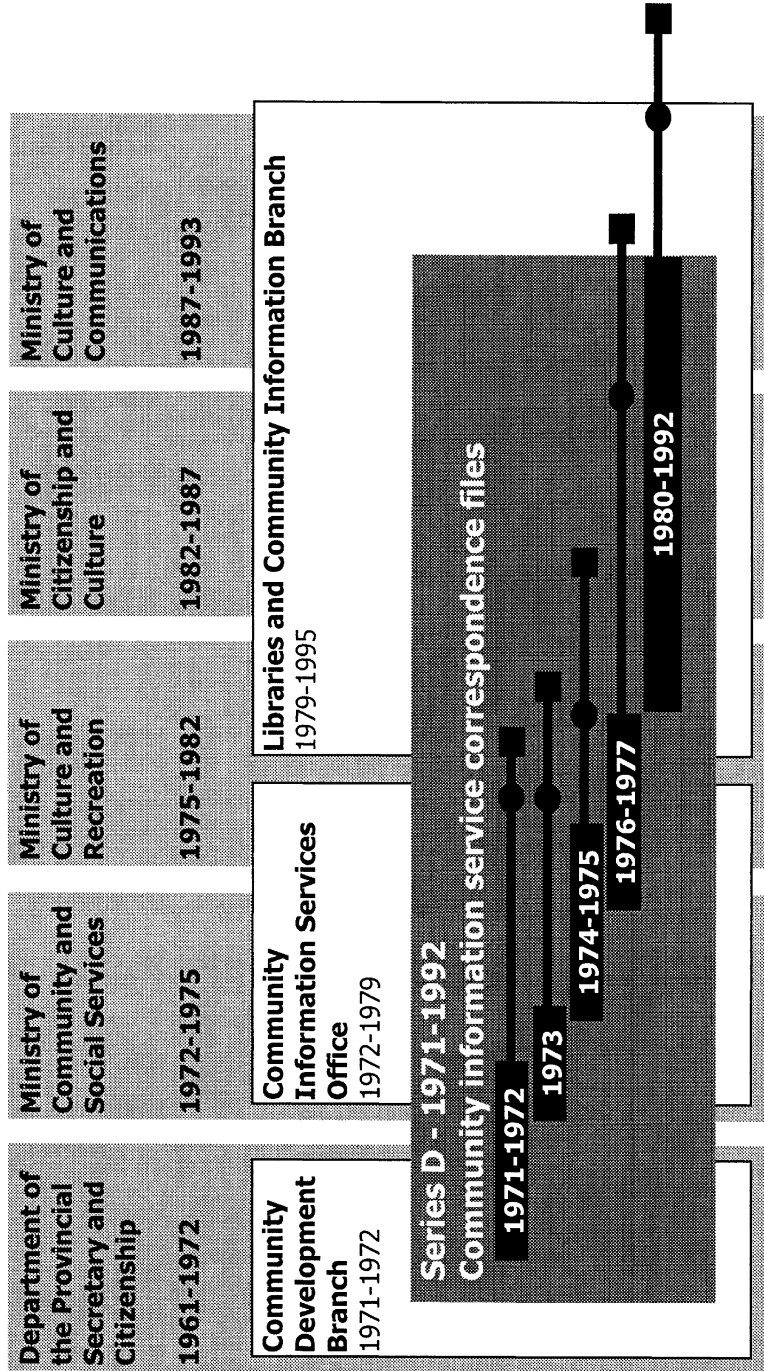


Figure Four Series D Accruals

semi-active (were sent to the records centre); and the square, when they were transferred to the Archives of Ontario.

Examining two accruals together clarifies the pattern of transfer. The top-most black bar within Series D indicates that the files from 1971-1972 became semi-active in 1977, and were transferred to the archives in 1979. The bottom-most bar shows that records created between 1980 and 1992 became semi-active in 1995, and were transferred to the archives in 1998. On 1 January 1980, it can be observed, one part of this series was safely ensconced in the archives, while another part had yet to be created.²³

The pattern of records creation, inactivity, and transfer to the Archives is continual and gradual. It is not an event, but a process. Therefore, the assumption that the context of creation and custody is consistent for all records within a series is unwarranted. It is in fact impossible to talk about the records in this series *as a whole* being “inactive,” “semi-active,” or “active.” At any one point in time once transfers to the Archives had begun, the series as a whole was all three. In fact, the series is not even now finished being created.

At this point, the observation hardly needs making that early records in the series could not possibly have been integrated into the operations of the subsequent Ministry of Culture and Communications, into whose fonds we have placed the records. The contradiction between the definition of fonds and the definition of fonds-creating body now becomes apparent: records created and used by three earlier, distinct, fonds-creating corporate bodies – and already within the archives in 1979 – have somehow become part of the fonds of a creator which came into existence in 1987. According to a fonds-based arrangement, the records must be placed in a single fonds although nothing in their history of creation, accumulation, or transfer to the archives would suggest that that is the best means of representing their provenance.

Is it possible to claim seriously that whatever is described as the fonds of the Ministry of Culture and Communications is “the whole of the documents ... automatically and organically created and/or accumulated and used by a particular ... corporate body in the course of that creator’s activities or functions?”²⁴ Is it possible to claim the same for the earlier ministries and departments whose fonds no longer contain any of the records found in this series? In a context where multi-hierarchical government structures emerge over time, can any application of such a definition of fonds continue to have meaning?

A breach of provenance might be acceptable if it occurred only infrequently. However, though in the 103 years between 1867 and 1972 only forty-seven distinct “departments” headed by ministers existed, in the eighteen years since 1972 Ontario has seen fifty-six distinct “ministries.” In addition, functions are passed with increasing frequency between organizations; poly-hierarchical relationships, in which organizations may report to two or more superior bodies, are appearing in government structures; and electronic records are being created by several or more corporate bodies simulta-

neously.²⁵ Attempts at defining fonds assume a static, non-hierarchical structure, thus incorporating entirely incorrect assumptions about modern administration. Only afterwards are guidelines devised to accommodate the exceptional “multi-provenance” series.

A fonds-based approach to arrangement of government records is not wholly impossible. Series D might be described as part of the Ministry of Culture and Communications fonds, and later moved to the Ministry of Culture, Tourism and Recreation fonds as new records are acquired. Or, a minimalist approach to arrangement could be applied and this series called part of the Libraries and Community Information Branch fonds, later moved to the Cultural Partners Branch fonds when necessary.²⁶ However, given the complex nature of administrative structures, and the tendency of archival series to be created over periods of time, the fonds-based approach to arrangement becomes something imposed by the archivist on the records. It is the archivist saying to the series, “you will fit somewhere, and only in one place, because you must.”

Recall the statement from *Toward Descriptive Standards* that arrangement into fonds “is a logical outcome of the application of the careful observance of the principle of provenance.” Two points may now be made about this assertion. First, the arrangement of government records into mutually exclusive fonds in the circumstances outlined above is not logical. It may be *possible* in some circumstances, but there is little in the context of creation of the records themselves to recommend it. Second, whereas the division of records into fonds is an outcome of attempts to rigorously observe the principle of provenance, but arrangement into fonds raises insoluble problems in achieving that goal, perhaps it is time to consider alternatives.

A Canadian Series System

What is needed is a system for capturing and demonstrating as accurately as possible the multiple creators who contribute to a particular series over time and in hierarchies, and for giving information about the creators that provides the context for understanding their records. The best means of doing this is to separate information about the creators from information about the records. Such a system has been for some time proposed as a solution to the problems of modern administration. Max Evans called for a system of descriptions of records linked to authority records well back in 1982,²⁷ and more recently, in 1992, Terry Cook has reiterated the need for an exploration of such a system, noting that “in the era of fluid, dynamic bureaucracies, provenance can be protected in no other way.”²⁸

The Archives of Ontario has implemented such a system, modelled on that of the Australian series system but with significant alterations in practical application. Our descriptive database is predicated on the notion that informa-

tion about the records (*RAD* descriptions) and information about records creators (authority records), must be maintained separately and then brought together when necessary to provide the context of the records.

The descriptive database contains descriptions of government records at the series level.²⁹ Within the descriptions, the administrative history element is replaced by a repeatable, “office of origin” element which simply indicates, within a particular date range, the creators of the records, and comes with a “clickable” link to ministry and branch histories. For example, Series D from Figure Four, when inputted into the system, will contain this information in the office of origin element:

1971–1972	Department of the Provincial Secretary and Citizenship	Community Development Branch
1972–1975	Ministry of Community and Social Services	Community Information Services Office
1975–1979	Ministry of Culture and Recreation	Community Information Services Office
1979–1982	Ministry of Culture and Recreation	Libraries and Community Information Branch
1982–1987	Ministry of Citizenship and Culture	Libraries and Community Information Branch
1987–1992	Ministry of Culture and Communications	Libraries and Community Information Branch

This information is considered to be an abbreviated sketch as allowed in *RAD*.³⁰ It may be understood as follows: between 1971 and 1972 these records were accumulated and created by the Community Development Branch, which formed part of the Department of the Provincial Secretary and Citizenship, and then between 1972 and 1975, by the Community Information Services Office which formed part of the Ministry of Community and Social Services, and so on. Note that the Libraries and Community Information Branch is repeated for each ministry within which the branch was located during the period in which the series was being accumulated.

Only two levels in a hierarchy may be displayed. The first entry in any “office of origin” field is the *primary agency*, the ministry or other agency at the highest level responsible for the creation of the records. The second entry, which may be omitted in some circumstances, is the *secondary agency* directly responsible for the creation of the records. (This practice is explained in more detail below.)

Authority records are also prepared using *RAD*, Part II (relating to the creation of headings), and employing, for the body of the authority records, a

selection of data elements from the *International Standard Archival Authority Record for Corporate Bodies, Persons and Families*. There are two major distinctions between these authority records and the data required in *RAD*'s administrative histories. The first is that in the authority records the description of the agency's function has been isolated from the description of the agency's creation, relationship to other agencies, and dissolution. The second is that the Archives' approach accommodates a greater range of relationships between agencies, as identified in authority records, than is called for in Chapter Twenty-Six of *RAD* for *see* and *see also* references. For instance, the Archives' approach permits all authority records to be linked to those for their one or more predecessor and successor bodies, the archives having developed criteria for the use of these fields. In addition, the authority system accommodates the tracking of relationships between *two* hierarchical levels (superior and subordinate), providing links between the authority records pertaining to the agencies residing at the respective levels. To support this function, all agencies must be categorized as "primary" or "secondary" agencies, that is, as agencies which either control or are subordinate to other agencies.³¹ These distinctions and functionalities support two uses of the data.

The first usage occurs within the descriptive database, in the creation of links between agencies and descriptions. Record creators for the entire range of dates for the series being described must be identified in the office of origin field. That is, the entire range of primary agencies which, through time, had a hand in creating the records must be identified. The inclusion of secondary agencies is strongly encouraged, but is optional where provenance has been lost or cannot reasonably be ascertained.

The second occurs in establishing links between agencies in the authority database. With controlling and subordinate agencies all coupled through two-way, vertical relationships within the system – with separate links for each superior to subordinate relationship – all controlling agencies are thereby linked downwards to all their subordinate agencies (all those which reported to the controlling agency for any appreciable period of time). Conversely, all subordinate agencies are linked upwards to each of the controlling agencies to which they reported. This means that the entire range of such relationships is readily discoverable through the system.

The Archives series system builds on the accomplishments of *RAD*; it does not reject them. The only significant departure is to cease describing our records at the aggregate level called *fonds*, a change arising from re-evaluation of the idea that this is the best means of preserving and demonstrating the context with which records are created. In effect, the authority record for a higher level agency becomes a substitute for a *fonds*-level description, containing as it does the contextual information required to understand the series created by the agency, with links to all records created in whole or in part by the agency.

Furthermore, by codifying and recording two levels within the hierarchical relationships possessed by a records creator (superior and subordinate), a system is developed whereby the constantly changing hierarchical relationships between primary and secondary agencies can be demonstrated over time. In this way the burden of demonstrating levels of arrangement higher than the series has been shifted from the descriptive system to the authority system, where the relationships can be recorded in greater detail and with more flexibility. By removing the need to describe the physical records at an aggregate level, it allows responsibility for the creation of series to be assigned to all creators over time. The impact, in a web-based environment, is to create virtual fonds, and virtual sous-fonds.

If the user is looking at an authority record for the Ministry of Citizenship and Culture, for instance, they will be presented with a description of the function of the ministry, a history of the ministry, and the acts or orders-in-council that brought the ministry into existence. They will also be a click away from the following links:

- successor or predecessor agencies,
- all subordinate agencies which formed part of the ministry, and
- a list of each series created by the ministry and all its subordinate agencies.

Figure Five depicts the same series found in **Figure Three** alongside a limited number of creating agencies, and shows the many cross references between the various agencies and series in the figure. This is what is meant by “cross reference heaven.” It looks (and is) complicated, but comes as close to demonstrating the actual circumstances of creation of the records as we are able to do at this time. This system is not being implemented because it is easier, or saves time, but only because it is the best attempt, given the circumstances with which the Archives of Ontario is confronted, to comply accurately with the principle of provenance.

Back to the Fonds

Canadian archivists formally recognize five levels of arrangement: repository, fonds, series, filing unit, and item.³² For those institutions which acquire, in the Canadian tradition of total archives, both government and private records (or more broadly, records of their sponsoring agency alongside other records such as personal, corporate, or family fonds), is there not a natural and recognizable level of arrangement absent from this list?

Surely, every archives is able without question to identify which records are those of its sponsoring agency, as distinct from those of outside donors. Such records are frequently subject to laws and regulations that are different from those which apply to fonds originating outside the sponsoring entity, and gen-

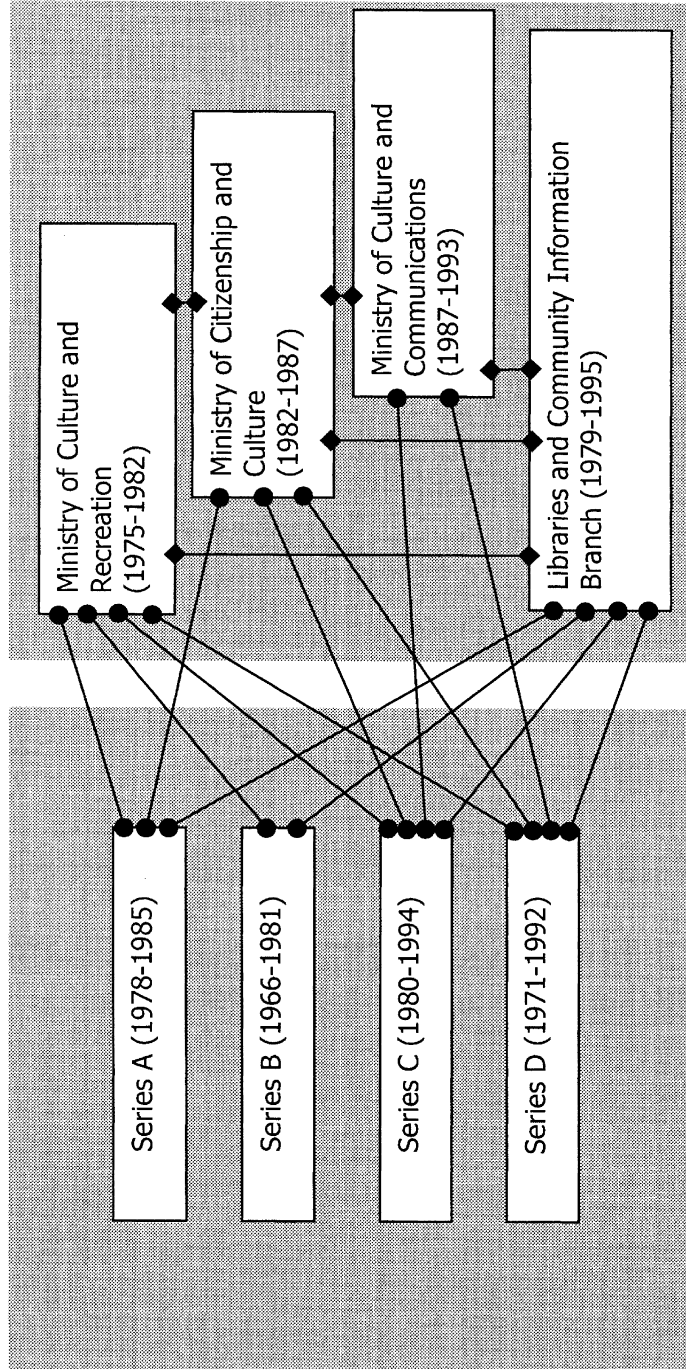


Figure Five Cross References

erally have quite distinct means of acquisition. And yet, in a system where the individual constitutive bodies of records originating with the sponsor are described as fonds which are independent of each other – with no unifying relation apparent from their arrangement – how are they identified as a group? That is, what level of arrangement would do you apply to the records of the University of British Columbia, held by the University of British Columbia Archives? Among the three hundred fonds held by the archives, are the sixty fonds that happen to be created by the University of British Columbia really just sixty fonds among three hundred? Or is there a natural, evident level of arrangement that the Canadian archival community is reluctant to acknowledge?

To put the question another way: is the relationship between the UBC President's Office fonds and the UBC Department of Chemistry fonds the same as the relationship between any two private fonds held by the UBC? The arrangement which has been given to these materials suggests that it is; however, the interrelationships possessed by the documents in these various fonds would suggest that it is not. It seems possible that our attempts to extract independent fonds from the residue of government administration is not the best means of observing provenance, and that more investigation by Canadian archivists of the issue of arrangement would be useful. The Archives of Ontario is pleased to join in this debate through the development of our approach to arrangement.

Notes

- 1 The problem of administrative change is, of course, not limited to the Ontario government or even to governmental organizations, and it is hoped that comments or insights in this paper may find their application to other complex organizational structures. However, the series approach as practised at the Archives of Ontario arises purely from our experience with the records keeping environment of the government of Ontario, and therefore comments and examples in this paper are purely from that context.
- 2 Michel Duchéin, "Theoretical Principles and Practical Problems of Respect des fonds in Archival Science," *Archivaria* 16 (Summer 1983), p. 67.
- 3 Bureau of Canadian Archivists, *Toward Descriptive Standards: Report and Recommendations of the Canadian Working Group on Archival Descriptive Standards* (Ottawa, 1986), p. 57.
- 4 *Ibid.*, p. 56.
- 5 National Archives of Canada, *Criteria for the Establishment of Fonds for the Records of the Government of Canada* (Ottawa, 1995), p. 15. Although I am critical of many elements of this report throughout this article, I am still indebted to it. This is reflected in the number of times I refer to it in this article. I suspect, if the National Archives can claim in their report that "although programs and even main functions are shifted amongst departments, most are relatively stable," (p. 18) then the situation of the federal government is perhaps rather different than that of Ontario, which may be the reason for our differing approaches to arrangement.
- 6 Terry Cook, "The Concept of the Archival Fonds in the Post-Custodial Era: Theory, Problems and Solutions," *Archivaria* 35 (Spring 1993), p. 24.

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- 7 In this paper, the term “agency” is used to refer to any corporate body within government, that is, “an organization or association of persons that is identified by a particular name and that acts, or may act, as an entity” (Bureau of Canadian Archivists, *Rules for Archival Description*, Appendix D03). Agencies may be departments or ministries, sections of these, boards or commissions, corporations, or other institutions. The term “fonds-creating body” is used to indicate those agencies of government whose records may constitute a *fonds* following the application of specified criteria.
- 8 National Archives of Canada, *Criteria for the Establishment of Fonds*, p. 27.
- 9 National Council on Archives, *Rules for the Construction of Personal, Place and Corporate Names*, (London, 1998), p. 24.
- 10 For instance, the Ontario Department of the Provincial Secretary received all functions relating to citizenship in 1959, and a Citizenship Division was established. In 1961, in belated recognition of this fact, the name of the Department was changed to “Department of the Provincial Secretary and Citizenship.” No other changes to the administration occurred in 1961. This raises the question of the relationship between name changes and functional changes. We can probably agree that a new body had been created; the question is, when was it created?
- 11 For instance, the Department of Labour was renamed the Ministry of Labour in a government-wide restructuring in 1972. All former “Departments” were re-named “Ministries.” Only one small functional change accompanied the Ministry of Labour’s change of name: a single branch was removed from the jurisdiction of the old Department. Was this a new body?
- 12 Duchein, “Theoretical Principles.”
- 13 P.J. Scott et al., “Archives and Administrative Change – Some Methods and Approaches,” *Archives and Manuscripts* 7 (August 1978), pp. 115–27; 7 (April 1979), pp. 151–65; 8 (June 1980), pp. 41–54; 8 (December 1980), pp. 51–69; and 9 (September 1981), pp. 3–17.
- 14 Duchein, “Theoretical Principles,” p. 70.
- 15 No act was ever passed specifically establishing the Ministry of Culture, Tourism and Recreation. The enabling legislation of the ministry consisted, respectively, of *The Ministry of Citizenship and Culture Act* and the *Ministry of Tourism and Recreation Act*. The Ministry of Culture, Tourism and Recreation was created in 1993, but the *Ministry of Tourism and Recreation Act* and the *Ministry of Citizenship and Culture Act* were passed in 1982. Furthermore, the Ministry of Citizenship and Culture had ceased to exist in 1987, having been replaced with the Ministry of Citizenship and the Ministry of Culture and Communications. Therefore, the two acts passed in 1982 have served as the enabling legislation for four or more subsequent ministries.
- 16 On 3 February 1993, the Ministry of the Solicitor General and the Ministry of Correctional Services were merged to form the Ministry of the Solicitor General and Correctional Services. As with the previous example, the acts which originally established the two ministries were never amended. The only document bringing the new ministry into existence was an order-in-council which simply appointed a member of the Executive Council as Solicitor General and Minister of Correctional Services (Executive Council of Ontario, Order-in-Council 357/93). The ministry itself was never mentioned in official documents. When it was subsequently redivided in August 1999, the order-in-council simply made reference to the appointment of a separate Solicitor General and Ministry of Correctional Services (Executive Council of Ontario, Order-in-Council 1507/99).
- 17 The *Public Accounts of Ontario*, on the other hand, reveal enough inconsistencies regarding which agencies receive a separate appropriation from year to year that they were not thought to serve as clear a purpose.
- 18 Ontario, Management Board of Cabinet, *Classification and Position Administration Directive* (Toronto, January 1991).
- 19 It is probable that records and copies of records originating in the branch will have found their way into other records series elsewhere in the hierarchy, particularly in the divisional and min-

- isterial level. It is no less probable that administrators within the Libraries and Community Information Branch would have drawn upon series of records elsewhere in the exercise of their official activities.
- 20 National Archives of Canada, *Criteria for the Establishment of Fonds*, p. 26.
- 21 Duchemin, "Theoretical Principles," pp. 72–73.
- 22 Cook, "The Concept of the Archival Fonds," p. 31.
- 23 This pattern of transfer to the Archives is typical. In fact, an automated system was implemented for managing record disposals within the records centres some time ago; subsequently the ministry running the Ontario government records centres has begun charging government agencies for storage. For this reason, transfers to the archives have tended to occur with more frequency rather than less.
- 24 Bureau of Canadian Archivists, *Rules for Archival Description* (Ottawa, 1990–1996), p. D-4.
- 25 An example of a poly-hierarchical relationship is provided by the creation, in 1997, of the "Integrated Justice Corporate Services Division," a merger of the corporate services divisions of the Ministry of the Attorney General and the Ministry of the Solicitor General and Correctional Services. The ministries continued to exist as separate entities. The division's existence is noted under both ministries in government telephone directories and other sources. Of course, it would be possible to define and apply criteria to make a decision about within which "fonds" the records of the division may be located, but to do so seems more a distortion of the provenance required by a fonds-based approach to arrangement than a decision that, in fact, arises from the provenance of the records – that is, unless the records of the division itself are said to constitute a fonds.
- 26 As a challenge to those who would apply a fonds-based approach to Series D, however, I would ask the following question: assuming that Series D has been described as part of the Ministry of Culture and Communications, and assuming that the fonds-level description contains a history of that ministry, what information would we include in the administrative history for this series? Would we include information about all three branches which contributed to the creation of the series? If not, how would researchers divine the origins of the files created between 1971 and 1979? If the information *is* included, imagine the workflow that would stem from a description of just the four series of government records in Figure Three. Furthermore, how would researchers be made aware that these records were created in the context of five separate ministries and departments? The complexities of the circumstances surrounding the creation of this series defy, in my experience, attempts to simplify them by placing them in one fonds. The only solution, it seems to me, comes with multi-level, repeatable provenance access points.
- 27 Max J. Evans, "Authority Control: An Alternative to the Record Group Concept," *American Archivist* 45 (Spring 1982), pp. 249–61.
- 28 Cook, "The Concept of the Archival Fonds," p. 33.
- 29 The database also contains sub-series descriptions, and could potentially contain lower level descriptions (although file and item level descriptions using *RAD* are not generally created at the Archives of Ontario), but for government records the series is the highest level of description. Of course, the database also contains fonds and lower level descriptions for private records.
- 30 The *Rules for Archival Description* notes, "If the authority files and descriptive records ... do not automatically show together, it is strongly recommended that the archivist provide an abbreviated sketch." In the context of government records, it is felt, the context of creation is complex enough so that all an abbreviated sketch can contain is an indication of the creators of the records over time, accompanied by links to those creators where more contextual information is present. Bureau of Canadian Archivists, *Rules for Archival Description* (Ottawa, 1990–1996), p. 1–47, footnote.
- 31 Obviously, language is a problem in this area. The words "primary" or "controlling agency"

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have been used in very much the sense that it might be used to define a “fonds-creating body.” That is, ministries and departments are primary agencies, as are boards and commissions, royal commissions, interdepartmental committees, and institutions such as jails, hospitals, and educational facilities directly administered by the Ontario government. Although we have developed criteria to assist in the definition of these, for obvious reasons the criteria are applied on a case-by-case basis. “Secondary” or “subordinate agencies” are any other organizational grouping.

32 Bureau of Canadian Archivists, *Toward Descriptive Standards*, p. 59.