

Problem of Private Archives in the Republic of Serbia

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ABSTRACT

In this paper author will consider the problem regarding private archives in the Republic of Serbia. In the interpretation of the question of private archival materials, author will point out problems with private archives on the territory of the Republic of Serbia, but also personal experiences regarding forming and maintaining such archival materials. This question is not treated with enough attention among Serbian archivists and is often marginalized so this paper is also a small contribution to the on-going discussion regarding the question of archives and archival materials in Serbia.

Key words: private archives, archival material, Republic of Serbia, family records, private records, registry

Il problema degli archivi privati nella Repubblica di Serbia

SINTESI

In questo articolo l'autore prenderà in considerazione il problema che riguarda gli archivi privati nella Repubblica di Serbia. Nell'interpretazione della problematica relativa ai materiali d'archivio privati, l'autore indicherà i problemi esistenti con gli archivi privati sul territorio della Repubblica di Serbia, ma anche le esperienze personali in materia di formazione e gestione di tali materiali d'archivio. Questa problematica non è trattata con sufficiente attenzione tra gli archivisti serbi ed è spesso messa da parte: questo articolo è anche un piccolo contributo alla discussione in corso in merito alla questione degli archivi e dei materiali d'archivio in Serbia.

Parole chiave: archivi privati, materiale archivistico, Repubblica di Serbia, documenti familiari, documenti privati, protocollo

Problem zasebnih arhivov v Republiki Srbiji

IZVLEČEK

Prispevek obravnava problem zasebnih arhivov v Republiki Srbiji. Pri razlagi vprašanja zasebnega arhivskega gradiva je izpostavljen problem z zasebnimi arhivi na območju Republike Srbije ter osebne izkušnje pri oblikovanju in vzdrževanju arhivskega gradiva. Srbski arhivisti se slednjemu vprašanju ne posvečajo dovolj pozornosti in je pogosto marginalizirano. Tako je ta prispevek ob enem tudi majhen prispevek k stalnemu razgovoru glede vprašanja arhivov in arhivskega gradiva v Srbiji.

Ključne besede: zasebni arhivi, arhivsko gradivo, Republika Srbija, družinske knjige, zasebno gradivo, register

Problem privatnih arhiva u Republici Srbiji

SAŽETAK

U ovom radu autor će razmotriti problem u vezi sa privatnim arhivima u Republici Srbiji. U tumačenju pitanja privatnih arhivske građe, autor će ukazati na probleme sa privatnim arhivima na teritoriji Republike Srbije, ali i lična iskustva u vezi formiranja i održavanju takve arhivske građe. Ovo pitanje se ne tretira sa dovoljno pažnje među srpskim arhivistima i često je marginalizovano, tako da je ovaj rad, takođe, mali doprinos raspravi u vezi sa pitanjem arhiva i arhivske građe u Srbiji.

Problem of private archives is still on-going topic in archivist circles in the Republic of Serbia. Archives are keepers of memories, both collective and individual, and question of private archives should be treated with more serious approach. Archival materials which are in a private property are very important and problem considering protection and safekeeping is of at most importance. Problem regarding private archival materials is not exclusively related to the Republic of Serbia, other countries are having their on difficulties and issues with this topic. However in the Republic of Serbia this problem is more present regarding the fact that general law considering archives and archival material is still in process of making. In this confusion question of defining, protection and handling of private archival materials is often marginalized.

First question that should be answered regarding the problem of private archives is: *What should be defined as a private archive?* This question gets more complicated considering the historical past of the Republic of Serbia. During the existence of the Socialist Federative Republic of Yugoslavia matter of private archival materials was treated in a different manner.¹ During the socialist period there were no concept of private property and this reflected archival materials as well.

There were some vague definitions considering archival materials that were in private property before 1945 but it was not nearly sufficiently defined to be considered as a proper private archive. During the period of existence of the Socialist Federative Republic of Yugoslavia under the private archives could be considered funds of the companies (now in collective property), various guilds, banks, that were known to be in private property before 1945.² After the collapse of the Socialist Federative Republic of Yugoslavia, new countries defined question of the private archives at its own discretion. In the Republic of Serbia this problem was not considered in bigger and wider perspective up until the privatization of once communal property. This process brought the spot light on definition and question of private archives once again and still is an on-going topic among archivists in the Republic of Serbia.

As a young archivist, at beginner level, I used to ask my older colleagues what kind of archival material is considered under the term *private archives*. Answer I would mostly get is that is material that is in private possession. This definition is obviously very vague. Majority of archivist in Serbia use this term to describe archival material of so called *family records* or private records of an individual. But this terminology can't be used only in such cases. Problem was even more expressed when I got to form a fund regarding the private individual. There was no guidance in which manner such fund should be formed and regulated. This case is an excellent example of how archives in the Republic of Serbia are treating such problem. Both types of mentioned private archives are not defined in right way. For example it is not clearly stated should family records be connected to one family only or various families. In such situations it is futile to have a discussion about more detailed questions such as what kind of documents such fund should keep.

Only guidance that author got was two instructions issued by the Archival council of Serbia in 1969 and 1970. These instructions were written in general manner and are not sufficient to be only authority in such cases. In lack of further guidance archivist in the Republic of Serbia are left to fend for themselves and find ways to protect and keep such archival materials. Of course this creates even more confusion since every archive separately finds ways to form and maintain funds regarding private archival materials. Author was left with many questions and had to turn to the practice of the neighbouring countries. Historical archive Kikinda has only one fund of the private records donated by a local author Miloš Latinović. There is no general pattern on a territory of the Republic of Serbia for forming and maintaining private archives, each state archive has its own way of handling such archival material. Hope remains that in the near future this problem will be dealt with.

As it was mentioned when term private archives is mentioned among archivist in Serbia many of them are thinking about family or an individual records. This leaves a big group of the archival materials overlooked. After a privatization of communal property took place in the Republic of Serbia, question of what to do with archival materials of companies which are now in private property. Law is very clear that new owner is not responsible for keeping the records of a previous economic operator. Again, we are face in face with very under defined term and law. It is not defined which kind of archival material new economic operator can keep and which is now in care of archives. Because of this the Republic of Serbia has

1. In the socialist regime in former Socialist Federative Republic of Yugoslavia private property was defined as a remain of class society.

2. Klasinc, Peter Pavel. Privatni arhivi u arhivskoj teoriji i praksi. In: Arhivska praksa 19, pp. 425-434.

so many examples of archival materials or entire archives of certain companies or guilds destroyed or sold to the recycling facilities without previously consulting state archives. Author will mention two examples from own practice regarding such archival materials.

First example is fund of a local bakery factory in city of Kikinda, Vojvodina province, northern Banat *Pekara Kikinda* Kikinda.³ This factory was present before 1945, as a private property of a local business man who fled country after communist came to power. Property was under the act of collectivization of private property and for the next 56 years was a property of the state. In 2001 factory had gone in process of transformation from state property to the private property, and with it, all archival material regarding the history of operations and management came to possession of a new owner.

Local state archive was still offering its consultation and guidance to maintaining the archive but this was not enough. In the next couple of years many problems came to the light of the day such as proof of length of service of former workers who applied for pension. After many complications state archive in Kikinda got permission to take over archival material of the factory. It came into the light straight away that all documents regarding the length of service and average monthly wages were completely destroyed due the incompetence and irresponsibility of the new owner. In further inspection it is discovered that all documents regarding the time before 1950 were thrown away with explanation that *those documents were too old and unnecessary*.

Destiny of the archival material of this factory is an example what happens when there is no strictly defined law regarding such materials. It leaves space for an individual and subjective assessment of what is and what is not important to keep. Without professional guidance many of the private archives that were in property of former state factories and guilds are in danger of being handled or destroyed by incompetent individuals.

Second example is fund of the former state corporation of the meat industry *Industrija mesa Čoka*. This corporation is an example of an industry which had many factories, cooperatives, hotels, vineyards, acres of land. In the process of privatization this corporation was sold to various economical subjects and some parts of it remained under the control of state. In this case archival materials were trusted to the administrator handling insolvency procedures. Problem with this is that many of such administrators were not sufficiently trained in handling and maintenance of the archival materials.

Consequence of such practice is that the archival material regarding this corporation was scattered among many economical subjects, some of the material came to the care of state archive in Kikinda and majority of materials regarding plans and projects of immovable estate is still in the care of the state administrator. Such state of the archival material of this corporation creates confusion and disorder and it is almost daily problem for archivists in the state archives.

Guilt is not just in state but in archivists who work in the state archives. Many times archivist chose not to meddle in private affairs. It is not uncommon that private economical operators are not well informed that they can request state archives for guidance and help regarding the maintenance and keeping of records. In current situation, while new law regarding archives and archival material in the Republic of Serbia, is not passed, archivists should at least raise awareness of the importance of professional training for archivists who are handling private records.

The most sensitive and least defined group of the private archives are the materials created in the process of a work or a hobby of an individual. Such individual may not be some public figure but a person who collected various materials out of hobby or in course of its work. Under such archival materials are private letters, photographs, maps, diaries, video cassettes and, in latest period, discs, transferable data. Archival material of this sort is historically significant as it reflects way of life of a certain period. Problem with such archival materials is that it is in private collections and possession. In cases like this state and state archives are obliged to raise awareness among private individuals of importance of keeping such materials for future generations.

In this sense ownership over archival materials which was created during the activities and work of political parties, religious organizations and official churches or any other non-government organizations should not be treated differently or be a subject of some kind of trade which is often the case in the Re-

3. IAK (Istorijski arhiv Kikinda), F. 401.

public of Serbia. State archives should register, protect and preserve all archival materials even if it is a non-state fund.

This problem will remain until general law about archives and archival material is passed in Republic of Serbia. In past two decades, many working groups that were formed to help define such law, treated question of private archival materials but it was all on a level of a discussion, without any further instructions and clearly defined regulations.

In law regarding the cultural heritage of Republic of Serbia term *private archives* is not sufficiently defined.⁴ In paragraph 27 of the said law it is stated that archives are responsible for protection of archival material *which was formed by an individual, no matter where and when or if it is deposited in institutions responsible for its protection*. Said law also states that the state archives are responsible for professional supervision of the archival and registry materials which are not located in the archives. State archives are also responsible for inflection of irregularities regarding the protection of archival materials, also for taking over, safekeeping and maintenance of archival materials.

Problem that this law did not define is part that says *archival material that is not deposited in the state archives*. This particular term should be defined in more detail because it leaves space for various assumptions. Regardless of such poorly defined term, many state archives in the Republic of Serbia are using it to this day, many as it suits them, which, again, creates only more confusion and chaos. This is a paradox by itself since archives should be synonym of the opposite.

Private archives in the property of care of registered private subjects should be treated with same care and rules as ones that are in care of state archives. If possible such archival documents should be given to the state archives for safe keeping and private subject could ask for copies or scans to have in its possession. Protection and use of the archival material in factories, cooperatives and other economical subjects that came in possession of private economical operator should be compatible with previously defined regulations and under instructions of the competent state archives.

The new law should clearly define that private archives can't be destroyed without permission of the higher authority and in cases of ignoring the rules, punishments should be asserted. Also owners of private archives should be partially responsible for accessibility of the archival materials in their care.

There are still many questions to be answered regarding the private archives in the Republic of Serbia. Most of these arguments are still in field of discussion and without clearly defined law there is not much space for archivists to work. Hope remains that in future this subject will be closely inspected and discussed so the future generations can have more preserved archival materials.

SUMMARY

Problem of private archives is still on-going topic in archivist circles in the Republic of Serbia. First question that should be answered regarding the problem of private archives is: What should be defined as a private archive? This question gets more complicated considering the historical past of the Republic of Serbia. There were some vague definitions considering archival materials that were in private property before 1945 but it was not nearly sufficiently defined to be considered as a proper private archive. Majority of archivist in Serbia use this term to describe archival material of so called "family records" or private records of an individual. There is no general pattern on a territory of the Republic of Serbia for forming and maintaining private archives, each state archive has its own way of handling such archival material. After a privatization of communal property took place in the Republic of Serbia, question of what to do with archival materials of companies which are now in private property. The most sensitive and least defined group of the private archives are materials created in the process of a work or a hobby of an individual. Private archives in the property of care of registered private subjects should be treated with same care and rules as ones that are in care of state archives. The new law should clearly define that private archives can't be destroyed without permission of the higher authority. Until such law is passed problem of private archives will remain in the field of discussion and working groups.

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4. "Službeni glasnik R Srbije" br. 71/1994.